NEW ORLEANS SCHOOL CHOICE REFORM: A WORLD-CLASS SYSTEM OR A 'MAGNIFICENT MIRAGE'?

Kea Turner

A thesis submitted to the faculty of the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Master of Arts in the Department of Education.

Chapel Hill
2010

Approved by:

Dr. Eileen Parsons

Dr. Madeleine Grumet

Dr. George Noblit

ABSTRACT

KEA TURNER: New Orleans School Choice Reform: A World-Class System or a 'Magnificent Mirage'?

(Under the direction of Eileen Parsons)

The goal of this paper is to center race as an analytical tool for examining education reform in New Orleans post-Katrina. Using a Critical Race Theory lens, this work is guided by three research questions: how do neoliberal school choice policies operate in New Orleans, how does Critical Race Theory enhance our understanding of New Orleans school reform, and how can we build an alternative framework for reform that takes into consideration educational outcomes for African American students? In order to address these questions, I review the literature on neoliberal school reform and school choice with regard to equity. Drawing from Critical Race Theory, I analyze school choice reform recommendations posed by the Bring New Orleans Back Commission and the negative impact reforms have had on many African American families. The paper concludes with an alternative framework for New Orleans school reform and suggests further areas of research.

DEDICATION

To Danny—your lifetime of generosity and courage continues to inspire a brighter future for New Orleans. You will always be loved and greatly missed.

ACKNOWLEDGMENTS

I am extraordinarily blessed for the continued support and encouragement from my advisor Dr. Eileen Parsons and for the advice and dedication of my committee members Dr. Madeleine Grumet and Dr. George Noblit and the assistance of Dr. Jim Trier. I am also grateful for Amy Senta and Sharon LaBurt Shofer who have sustained me through this process. You are an amazing group of people and I greatly appreciate the opportunity to work with you.

TABLE OF CONTENTS

Section

SECTION 1

INTRODUCTION

> It is by knowing where you stand that you grow able to judge where you are. Place absorbs our earliest notice and attention, it bestows upon us our original awareness; and our critical powers spring up from the study of it. (Welty, 1962, p.11)

> We [the people of the Ninth Ward] embrace everybody with nothing but love. If we're selling food, but you don't have no money, we're still going to feed you, because that's who we are. But when we were in trouble, it was like we was the worst people in the world. (Stevenson, 2009, p. 37)

Growing up in the Ninth Ward presents challenges that are often insurmountable. Situated along the southeastern portion of the Mississippi River, the Ninth Ward is geographically isolated from the rest of the city and vulnerable to flooding; in some areas it is more than ten feet below sea level. The homes are poorly built, narrow structures, known as "shotguns", which are usually no more than twelve feet wide and often lack electricity, plumbing, and insulation. Considered one of the poorest neighborhoods in New Orleans, the average annual income is $7000 (Brinkley, 2007). Although it is the city's largest ward (Brinkley, 2007), located just a few blocks from the bustling streets of the Vieux Carre, or French Quarter, few people have ever been there; not even ambulances, taxicabs, or policemen will cross its boundaries. Viewed from the outside, our community is seen as a deteriorating urban metropolis, once a vibrant African and Irish American working class neighborhood, now a wasteland of abandoned homes, crumbling public housing, drug territory disputes, tent houses, and overwhelming homelessness.

Amid such circumstances it is hard to imagine that there are individuals who persevere, work two to three jobs to pay rent, care for their children, family members, and neighbors in need, and deny themselves luxuries such as going to the doctor, or taking the bus. And yet so many people from my community continue each day with such strength, resilience, and grace that

no one would ever know the magnitude of their struggles. Embedded in a failing system without access to jobs that pay more than minimum wage, affordable transportation, safe housing, or schools that provide skills of survival, we have learned to rely on each other. We are taught at an early age to check in on elderly neighbors, drop off food to residents whose family members have passed, and open our doors to anyone in need. We have sustained a lively neighborhood, a place where you can buy a bowl of gumbo for a dollar from your neighbor's porch, attend a block party any day of the week, or hear the Hot 8 Brass Band into the early hours of the morning. For those of us who have lived east of Franklin Avenue, we know the strength and value of our community and are proud to be from the Ninth Ward.

Although I faced a number of challenges associated with living in urban poverty, such as growing accustomed to a violent context, being raised by a single parent, living in foster care, and moving frequently, I greatly benefited from and am thankful for the capital generated from my community. I have always had a supportive network of family, friends, and neighbors committed to my survival and well-being, and a strong sense of community fostered by the culture, values, and traditions of both the Ninth Ward and New Orleans. My experience has been unimaginably different, however, from many of my friends, neighbors, and my peers at the group home, who I consider family, due to the privileges associated with being white. For me, racial privilege has meant far more than the luxury of not thinking about or accounting for my race, unearned job or education opportunities (Bergerson, 2003), discrimination or exploitation (Leonardo, 2004). In my community, my race has afforded me freedom from police brutality, medical aid in times of need, the basic right of survival in times of disaster. I begin with this discussion of my privileged standpoint, not to detract attention from racism or the experiences of people of color (Bergerson, 2003), but to acknowledge the centrality of race in my personal life and its importance to this paper. While I cannot speak for persons of color or understand their experiences (Bergerson, 2003), I do believe I can use my experience as someone from the Ninth Ward, a predominately

African American community, as a former student and high school teacher in the Ninth Ward, to describe how racism has damaged the lives of the people from my community. It is from this standpoint that I approach this paper.

Purpose

Through pervasive darkness, sweltering heat, and a palpable humidity characteristic of August in Louisiana, Danny Brumfield, wielding nothing more than a Winn Dixie shopping cart, brought reprieve from suffering to fellow New Orleanians stranded at the Morial Convention Center by distributing bottled water, pedialyte, crackers—anything he could find that would increase the crowd's chance of survival. Brumfield quickly emerged as a leader through the storm as he organized aid distribution, gathered cardboard for people to sleep on, and found coverings for the people who could not fight death any longer. His actions made survival seem possible and brought hope amid formidable circumstances.

Although his life was cut short at the age of forty-five on September 2, 2005 when he tried to signal a passing police car for help and was gunned down because he was perceived as a threat by two white officers, his memory persists, carried on by his family and those that knew him, and has become just one of many stories of bravery and kindness that embodies New Orleans and convinces those of us remaining that we still have something worth fighting for. However insurmountable Katrina may seem and however difficult it is to discuss the injustices inflicted upon us, it is helpful to remember the people like Danny who give purpose to our struggles.

Many of us from New Orleans, living in altered landscapes, with our homes and communities far from repair, displaced from our family, friends, and neighbors, within memory of what our lives were just four and half years ago, still find it difficult to move on. We live with

the reminders of our troubled past—the flashbacks, the waterlines, the spray painted Xs, the blue tarps, the trailers, the abandoned buildings, the missing street signs and streetlights alongside our vivid memories of what home used to mean. We rehearse and recall our pre-Katrina past not only to reclaim ourselves but to make recovery possible and to inspire a better future for New Orleans.

Although we have encountered tremendous suffering, and face unprecedented challenges of levee repair, community rebuilding, and future disaster preparation, we carry our community with us, the resilience and perseverance of its people, rendered through a lifetime of fighting for survival. The purpose of this paper is to not only preserve the integrity of my community, which has been denigrated since Hurricane Katrina, but to discuss the centrality of race in reform measures, a discussion that has been neglected. Discussions of Hurricane Katrina, both the aftermath and the recovery, have conveniently conflated race and class, arguing that poverty is to blame for the abandonment of U.S citizens (Dyson, 2006). Poverty, however, cannot explain why black residents not white residents were excluded from policy discussions (Perry, 2006), their homes and schools seized as government property (Klein, 2007), their jobs lost (Dingerson, 2006); their lives taken (Dyson, 2006). The goal of this paper is to center race as an analytical tool for examining education reform post-Katrina in New Orleans to expose rather than mask the negative impact reforms have had on many African American families.

Overview of the Paper

The New Orleans Public School System (NOPS) has been struggling for over a century, suffering from dilapidated school buildings in violation of safety and health codes, low per-pupil expenditure and lack of basic resources such as textbooks and toilet paper (Dyson, 2006; Tulane University, 2009a), high dropout, suspension, and expulsion rates (Tuzzolo & Hewitt, 2006). The school system is also highly segregated—serving a ninety-three percent African American

student population with eighty-seven percent qualifying for free or reduced lunch (Perry, 2006). Despite an overwhelming failure to provide for its students, and despite calls for systematic reform from many families, students, and educators, relief never arrived to New Orleans Public Schools until Hurricane Katrina.

Rather than investing in the public school system, the schools that have served as community centers for many wards, the state opted for a majority charter based, open enrollment school choice model—the largest experiment in charter schools to date (Dingerson, 2006). Although there is a history of inequity in open enrollment school choice reforms, particularly in urban, high-poverty, predominately African American communities (Wells, Holme, Lopez, & Cooper, 2000; Morris, 2001), and questions regarding who benefits from such policies (Lipman, 2009), the state moved forward with the model without any input from the community. The reform raises a number of questions: whose interests were served by the reform and how have New Orleans African American families and students been affected? To address these concerns my work is guided by three central questions:

- How do neoliberal, open enrollment school choice policies operate in New Orleans post-Katrina?
- How does Critical Race Theory enhance our understanding of New Orleans school reform?
- How can we build an alternative framework for school reform that takes into concern educational outcomes for African American students?

To begin, the second section of this paper discusses the origins of neoliberalism. First, I provide a brief summary of Hurricane Katrina and how the storm created the conditions necessary to implement neoliberal reform in New Orleans. In order to gain a greater understanding of what neoliberalism is I briefly discuss how it has historically been defined, drawing from the work of

Milton Friedman (1955) and how it has been applied to education (Chubb & Moe, 1990). I conclude by discussing the rise of neoconservatism in education and how this has influenced and expanded neoliberal education reform (Apple, 2006), and in particular the school choice movement (Wells, 1993).

The third section of this paper addresses the school choice movement. Although the term school choice encompasses many ideas, I only briefly discuss its varied application and focus in detail on the neoliberal nature of open enrollment school choice policies and the expansion of charter schools. I examine how open enrollment choice policies operate, their successes and challenges, and their impact on low-income, African American communities.

The fourth section of this paper provides a theoretical framework for examining the role of race and racism in New Orleans school reform using a Critical Race Theory (CRT) lens (Ladson-Billings & Tate, 1995). I trace the theory's history and its tenets, as it relates to education. In more detail, I examine Derrick Bell's (1995) theory of interest convergence and the role of revisionist history in interpreting education policy.

The fifth section examines the history of education reform in the New Orleans Public School System. To provide a background for understanding current legislation, I begin with a brief history of New Orleans schools. To discuss New Orleans school reform post-Katrina, I present two perspectives—one based on the recommendations provided by the Bring New Orleans Back Commission which guided reforms and one based on the reform's impact on New Orleans African American community. From a CRT perspective, I examine the contradictions between the recommendations posed and the outcomes for many African American families.

The concluding section offers suggestions for building an alternative reform framework for improving the educational outcomes of African American students in New Orleans; one that takes into account race when developing education policy and values the knowledge of African

American educators and New Orleans' historically black colleges and universities (HBCUs). I conclude by discussing areas for further research in New Orleans school reform.

SECTION 2

ORIGINS OF NEOLIBERALISM

Although there is an extensive history over how the term neoliberalism has been defined, its relation to economic liberalism, its stance on monetary theory and fiscal discipline, it is generally defined as a political and economic theory that proposes: “human well-being can be best advanced by liberating entrepreneurial freedoms” (Harvey, 2005, p.2) and that democracy is sustained by that individual freedom (Freidman, 1955) within an institutional framework that emphasizes privatization, limited government intervention, and deregulation (Klein, 2007). In order to sustain such a framework, the government must create the conditions necessary for the proliferation of unrestrained private enterprise, such as securing private property rights, deregulating laws that constrain competition, and ensuring the proper functioning of the market (Harvey, 2005). If a market does not exist, for example, in an area such as education, it must be created by state intervention if necessary and existing institutional arrangements must be dismantled. The effects of neoliberalism extend far beyond the reaches of economic restructuring, however, controlling labor unions and divisions of labor, rearranging landscapes beyond recognition and destroying the ways of life and sense of place of many communities (Harvey, 2005). Although it is difficult to implement such vast changes, when the opportunity of crisis arises, such as a tsunami, a war, or a hurricane, the chance for neoliberal restructuring becomes much easier (Klein, 2007).

Hurricane Katrina and Neoliberal Maneuvering

> Believers in the shock doctrine are convinced that only a great rupture—a flood, a war, a terrorist attack—can generate the kind of vast, clean canvases they crave. It is in these malleable moments, when we are psychologically unmoored and physically uprooted, that these artists of the real plunge in their hands and begin their remaking of the world. (Klein, 2007, p.25)

Over 460 miles in diameter, hovering over an unusually warm Gulf of Mexico, Hurricane Katrina rapidly intensified to a Category Five hurricane with sustained winds over 175 miles per hour. The storm, heading straight for New Orleans, at the last minute, wobbled off track and curved eastward making landfall in Buras, Louisiana (Brinkley, 2006). While New Orleans was spared from a direct hit, the counterclockwise winds directed an enormous storm surge from the Gulf of Mexico toward New Orleans. As the water from the Gulf of Mexico and heavy rain filled Lake Pontchartrain, the city's four major drainage canals--17th Street, Industrial, Orleans, and London Avenue began to fill. The churning tide pounded against the inadequately supported pilings and eventually water toppled the flood walls of three of the city's major levee systems submerging eighty percent of the city's infrastructure. Leaving over 120,000 people stranded in its tide, the floodwaters claimed an estimated 1800 lives (Hayes, 2009) although it is likely the number was much higher.

Without the provision of busing to the city's estimated 112,000 adults without access to transportation, or the designation of adequate shelter, without evacuation of nursing homes, hospitals, prisons, (Brinkley, 2007) or juvenile detention centers (Utter, 2007), the people of New Orleans were abandoned. Rescue efforts were bungled leaving many people stranded for as many as six days without aid (Brinkley, 2007). With surprising haste, however, the government took immediate action on the economic opportunity presented by creating a "flat-tax, free-enterprise zone" (Klein, 2007, p.518). Immediately the Davis-Bacon Act was suspended, which requires federal contractors to pay a living wage to workers, and tax incentives were given for development. Government contracts for rebuilding were given to private companies such as

Halliburton, Shaw, and Bechtel without an open-bid process preventing local contractors from participating. The use of local contractors would have stimulated the economy (Klein, 2007) and would likely have improved the rebuilding process by hiring individuals with a vested interest in the well-being of New Orleans, not just the profit rendered.

As perhaps a consequence of the lack of accountability and transparency of the rebuilding process and the exclusion of local partners, the results were disastrous. For months trash littered the streets, debris from damaged homes remained on sidewalks, streetlights and road signs were missing, and public buildings including schools remained unrepaired as government contracted, private companies failed to adequately render repair services. While policymakers and economists hailed the storm as an opportunity and framed the free-market policies as hurricane relief, many New Orleanians felt abandoned once again. As our city remained in ruin, forcing us to live in substandard conditions, in Federal Emergency Management Agency (FEMA) trailers with dangerously high formaldehyde levels (Moran, 2007), in a landscape overflowing with debris, bodies of dead animals, and remnants of our past shattered, laying bare in the streets, our sense of place and belonging was destroyed, our needs neglected and exploited. The neoliberal rebuilding design, centered on deregulation, privatization, and profit, operated without regard to our well being to the detriment of our community. Hurricane Katrina created the conditions necessary for implementation—a destroyed public infrastructure and a vulnerable community who had lost everything. To understand how neoliberalism operates, in times of disaster, both real and perceived, and how it has shaped New Orleans' school reform post-Katrina, it is necessary to first examine its underlying premises.

Overview of Neoliberalism and its Influence on Education

Described as charismatic and ambitious, Milton Friedman was considered one of the most influential economists of our time (Klein, 2007). His teachings at the University of Chicago's Department of Economics elicited a large, dedicated following among his students during the fifties (Harvey, 2005). His free-market ideas, too radical at the time for an economy still reeling from the stock market crash of 1929 and the Great Depression, have persisted with time, traversed the globe, and shaped the policies of many of world leaders (Klein, 2007). However impossible it may be to measure the influence of Friedman's ideas--the many interpretations and expressions, the contradictions and inconsistencies,--the effects are undeniable for the victims who do not prosper from the promises of the unfettered free market.

In 1955 Friedman published his first book *Capitalism and Freedom* which synthesizes his recommendations for building a "free-enterprise exchange economy" (p.13) which has become a global rulebook for neoliberal economic restructuring (Klein, 2007). First, Friedman calls for limiting government intervention to maximize the self-regulating capacity of the free market. Friedman believes that government should only interfere in matters such as "preserving law and order", "enforcing private contracts", and "fostering competitive markets" (p.2) while curtailing or eliminating social welfare programs such as the New Deal. The market and its governing influences, such as supply and demand, are believed to exist in equilibrium (Klein, 2007) and any government intervention will only lead to distortion. For example, Friedman explains that increasing minimum wage will inevitably increase the rate of unemployment.

Instead of a Keynesian approach to economics that advocates for active public policy measures to compensate for the inefficient economic outcomes created by the private sector, such as President Franklin Roosevelt's New Deal approach to the Great Depression (Harvey, 2005), Friedman promotes the power of the private sector and calls for deregulation. Deregulation is the

notion that the government should remove any barriers that constrain private enterprise competition such as fair trade laws. By allowing for open, unconstrained competition, Friedman argues, the market will create a diversity of choices for the consumer. Therefore the market prevents what Friedman calls "public monopoly" such as education (p.14). Market competition is believed not only to enhance consumer choice but also to create more cost effective and efficient arrangements as enterprises compete and those not meeting consumer demands are forced to either meet demands or shutdown. Finally, Friedman also believes that unregulated market competition will lead to equality. He states "the groups in our society that have the most at stake in the preservation and strengthening of competitive capitalism are those minority groups which can most easily become the object of distrust and enmity of the majority" (p.21). In other words, the market does not discriminate; it is neutral and self-regulatory. The market, creating competition and choice, guarantees individual freedom for all.

Friedman concludes with the third premise: privatization. Since private enterprise is better able to compete, because it is free from the "interest of special interest groups" such as "unions" (p.197), it is also more cost effective, more efficient, more client oriented, and more equitable. As examples, Friedman calls for the privatization of many public sectors including health care, postal service, public parks, and education. Friedman, particularly interested in education, devotes an entire chapter to the role of government in education and applies the premises of neoliberalism to education reform.

Public schools, like other public enterprises, Friedman argues have become "public monopolies" (p.90) and pass their inefficiencies onto consumers. If a school does not have enough funds, for example, it provides a lower quality of education. Public schools also restrict individual freedom through attendance zones since few parents can send their children to other schools. In order to provide parents with greater choice, Friedman believes that the government should provide families with vouchers redeemable for a specified maximum sum per child to be

obtained at a privately run school. The government would need to provide minimal oversight such as setting standards and attendance laws but would otherwise grant schools full autonomy. Such an arrangement would foster competition and schools "would spring up to meet the demand" of parents (p.91). If a school does not rise to meet demands parents can withdraw their children or the school will shut down. Privatizing public schools will also lead to more cost efficient arrangements since parents will get more of what they want for their money. Finally, Friedman makes an appeal for equality by arguing that parental choice will led to desegregation since attendance zones reinforce segregation and result in reduced education expenditures in low-income neighborhoods. Although Freidman's neoliberal ideas for education reform were unpopular at the time, his ideas have garnered great support over the years.

Neoliberalism and Education Reform

During the 1970s the Nixon administration conducted a series of educational experiments, one of which was vouchers (Benveniste, Carnoy, & Rothstein, 2003). Although the voucher program varied in several ways from Friedman's idea, its implementation foreshadows many of the challenges faced by programs of choice. In order to carry out the idea, the Office of Economic Opportunity (OEO) provided a contract to a group of education scholars at Harvard to develop a voucher design that could be tested at the school district level. The team, headed by sociologist Christopher Jencks, developed a plan to be tested in the Alum Rock school district in San Jose, California. The plan allowed parents to choose a number of "mini-school" alternative programs that were organized in public schools (different from Friedman's intention of using vouchers for private schools). Admissions were based on a lottery system for oversubscribed schools. The vouchers were equivalent to the districts per-pupil expenditure (PPE) and a higher amount was provided for students identified as special needs and low-income students. This is

also an important distinction from Friedman's idea of using vouchers to reduce PPE. The schools were required to provide transportation and the district was required to provide information to parents regarding their programs—key components of choice programs that determine success (Good & Braden, 2000). After the program concluded several studies were conducted to measure its efficacy.

Studies that examined the voucher program, which lasted for four years, have found that reading scores did not vary among voucher and non-voucher classes nor did instruction (Wells, 1993). Participation was also limited--only one fifth of eligible parents participated (Wells, 1993) and the parents that participated had higher levels of education and income than the overall population (Benveniste, Carnoy, & Rothstein, 2003). After the Alum Rock experiment, vouchers were not tested again until the early 1990s and were first implemented in Milwaukee which was more similar to Friedman's idea, where vouchers were used for private schools. Vouchers have seen a great deal of expansion in recent years spreading to Cleveland, New York City, Washington D.C, Dayton, Charlotte, and many other cities.

Meanwhile, following the Alum Rock experiment, Friedman's ideas regarding privatization were rekindled when the Department of Education (DOE) commissioned sociologist James Coleman to make use of the longitudinal study, High School and Beyond (HS&B), which provided information on high school students, their demographic data, and their post-high school education (Benveniste, Carnoy, & Rothstein, 2003). Coleman, author of the Coleman study of the sixties that made the controversial argument that socioeconomic status and family background rather than schools explained achievement variation, came to vary different conclusions in his second analysis of the HS&B data. Analyzing the achievement of Catholic high schools versus public high schools, Coleman found that students in private schools, regardless of background, performed better. Although his work was later criticized for overestimating the Catholic school effect and for exaggerating small test gains, his conclusions were used nonetheless to provide

support for private schools. He argued that publically funded private education was a better alternative to public schools and believed that choice would strengthen communities by reducing segregation, an argument similar to Friedman's. Adding a new insight, however unfounded, he also argued that parents would be more likely to participate in their child's education if their child attended a private school.

Drawing on Coleman's ideas regarding the benefits of the private sector in education, two political scientists from Stanford, John Chubb and Terry Moe, published *Politics, Markets, and America's Schools* (1990). After reanalyzing the HS&B data, Chubb and Moe found higher achievement gains among Catholic high schools versus public schools, but they attributed the success of Catholic schools to a competitive marketplace (Chubb & Moe, 1990). Public schools, Chubb and Moe argued, are restrained by bureaucracy preventing the type of teaching and learning possible in the competitive, private sector (Chubb & Moe, 1990). Private schools, as a result of their autonomy, offer more ambitious and innovative instruction and have stronger educational leadership. Not only will competition foster a higher quality education, however, but competition will also make schools more efficient. Chubb and Moe argue that competition creates incentives for schools to improve their efficiency and schools that falter will be forced to shut down. Competition will also lead to greater choice for parents and result in better schools for less money, reminiscent of Friedman's cost efficiency theory.

In order to let the free market of schools prevail, and maximize the benefit of private enterprises' ability to compete, Chubb and Moe argued adamantly for deregulation including: the elimination of attendance zones, the end of statewide tenure, the end of district wide collective bargaining agreements with teacher unions, school autonomy and decentralization, and less restrictions for charter school authorizers. The neoliberal arguments made by Chubb and Moe, for privatization, limited government intervention, and deregulation of schools has greatly influenced subsequent school reform and provided support for school choice measures such as vouchers,

charter schools, and open enrollment policies. Before getting to the school choice movement, however, it is necessary to discuss another important influence in neoliberal school reform, considered broadly as neoconservatism.

The Connection between Neoconservatism and Neoliberalism

Ronald Reagan, considered a critical leader in the movement toward neoliberalism through his economic policies, familiarly known as "Reaganomics" (Harvey, 2005), as well his approach to education (Good & Braden, 2000), also fueled the expansion of the neoconservative Excellence Movement in the eighties (Webb, 2006). President Reagan was a strong supporter of limited government intervention and privatization in education. As President, he made repeated attempts in 1983, 1985, and 1986 to obtain congressional support for a voucher plan (Good & Braden, 2000). President Reagan also proposed abolishing the Department of Education, although he was unsuccessful, and reducing federal education spending, which he achieved through program and block grants (Webb, 2006). One of the more lasting impacts of his administration, however, was the appointment of the National Commission of Excellence in Education which produced *A Nation at Risk: The Imperative for Educational Reform* in 1983. The report, painting a grim picture of education, was most critical of the public school system's curriculum, lowered expectations, decreased time spent on education, and the teaching force and its training. Although there has been much criticism regarding the data analysis used in the report (Good & Braden, 2000), the crisis depicted of the state of education, whether real or perceived, inspired a great deal of reform known as the Excellence Movement which supported a much stronger government intervention than President Reagan advocated for (Webb, 2006).

The Excellence Movement, fueled by the fear that the United States was declining in economic and intellectual competitiveness with other nations, led many states to enact reform that

focused on higher education requirements, standardized curriculum mandates, and increased testing for students and teachers (Webb, 2006). In the mid-1980s alone there were an estimated 3000 separate school reform measures in the states (McGuinn, 2006, p.46). The Excellence Movement also found support in the "Back to Basics Movement" that had begun in the 1970s in response to declining standardized scores and advanced the idea that "there is a body of knowledge that all Americans should know" (Webb, 2006, p.332). Their ideas, articulated in several state reform measures, focused on installing a core curriculum and cutting back electives. Picking up on the momentum of school reform, President George H.W. Bush, pledging to be the education president, presented America 2000 to congress, a plan calling for national standards and assessment as well as vouchers (Webb, 2006). Although the plan failed to elicit congressional support it was recycled and rebranded during the Clinton administration as the Goals 2000 act.

Goals 2000 made a number of important steps in expanding neoconservative reform measures such as standards and accountability as well as neoliberal programs such as choice programs. One important measure was the Improving America's Schools Act (IASA), a reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965 (Webb, 2006). IASA required states to develop school improvement plans that established content and performance standards, assessments, and measures to hold schools accountable. The reform also called for $100 million for the development and expansion charter schools. By the end of Clinton's presidency thirty-seven states were operating charter schools, forty-seven states had adopted content standards, thirty states had adopted statewide assessments, and a number of states had instituted high-stakes testing policies.

Many states also began issuing report cards on state, district, and school progress based on a number of performance indicators including student performance. Alongside the increase in accountability measures, many states authorized legislation authorizing state and mayoral takeovers of chronically underperforming schools and in some cases school districts (Reinhard,

1998). Beginning in 1993 in New Jersey with the state takeover of Jersey City Schools, state takeover legislation, as of 2000, had been implemented in twenty-four states and Washington D.C (Wong, 2000) which have disproportionately impacted predominately minority districts (Reinhard, 1998). During Bill Clintons' presidency a number of important policy measures were implemented, at the federal and state level, which paved the way for the No Child Left Behind Act including a number of standards and accountability measures and support for choice movements.

The reauthorization of ESEA in 2001, also known as the No Child Left Behind Act (NCLB) and the cornerstone of President George. W. Bush's education reform, demonstrates the interconnectedness of neoliberal policies of school choice reform and neoconservative drives of increasing government intervention through accountability and standards. Dramatically increasing the government's role in education, NCLB requires a significant amount of testing, accountability measures, and sanctions. For example, all students in grades three through eighth are tested annually in reading and math, and once more in grades ten through twelve. Students must also be given annual science assessments in grades three through five, or six through nine, or ten through twelve (Webb, 2006). States must then compare the results with a small sample of fourth and eighth graders taking the National Assessment of Educational Progress (NAEP).

To increase accountability, NCLB requires that schools make adequate yearly progress (AYP) toward reaching grade level proficiency on state designed tests (Webb, 2006). However, what level determines proficiency is state determined. Schools failing to achieve AYP are subject to a number of sanctions including improvement plans, notifying parents of school choice (other schools within the district where students can transfer), providing supplemental educational services for students, replacing staff, implementing new curriculum, hiring an external advisor, and the final phase "restructuring" (p.367). Restructuring includes state takeovers and neoliberal

measures such as hiring a private contractor to manage the school, or converting the school to a charter school.

While equity is proclaimed as the goal of NCLB, the results are still in question. Studies have shown that increasing high-stakes testing results in higher dropout rates among minority students (Webb, 2006) and increased pressure to show results causes many teachers to teach to the test and focus on students who they believe are more likely to pass the test (Hursh, 2005; Lipman, 2009). NCLB also does not provide sufficient funding to cover state requirements, the reason many refer to it as an unfunded mandate (McGuinn, 2006). By some estimates, it provides funding for roughly thirty percent of the increased costs (Webb, 2006). There is also the problem of holding schools accountable to the same standards without increasing the available resources. As a result, struggling schools are subject to pressure and humiliation without the help needed to overcome the challenges they face (Noguera, 2004). In Florida, the state has gone as far as to place a letter grade, such as an "F", on the front door of the school so that students and families know their child is attending a failing school. Meanwhile NCLB does nothing to mitigate crumbling infrastructure, overcrowding, unequal funding, access to relevant learning materials, teacher shortages—just a few of the many problems schools face. Instead, NCLB often has negative consequences for the students it professes to help. While NCLB is not the intended focus of this paper, and its inherent problems are too great to expand upon here, it is important to mention for two reasons. First, NCLB highlights the increasingly strong relationship between federal and state intervention, and the expansion of school choice reforms. Second, NCLB and, as discussed in next section, school choice legislation, promote equality as the goal but continue to produce unequal results.

In summary, there remains a curious relationship between the strengthening of key components of federal intervention, such as standards, accountability, and restructuring, and the proliferation of privatized and deregulated education (Apple, 2006). This alludes to an inherent

contradiction of neoliberalism: “Contrary to the illusion that markets regulate themselves, the conversion of education into a market system requires the intervention of the state for both the destruction of the existing institutional arrangements and political compromises and the creation of a new infrastructure” (Lipman & Hursh, 2007, p.161; Hursh, 2007). NCLB, for example, makes this possible through the “coupling of markets and mechanisms” (Apple, 2006, p.71). In order to compare schools, consumers must be provided with “data”, such as standardized tests and school performance scores, in order to exercise choice. Through such mechanisms, public schools are sanctioned for their status as failing, deprived of the resources needed for improvement, and most often subjected to takeover and privatization. As a consequence, the interconnected relationship of strong state intervention and the deregulation of private enterprise, evident in state and federal reforms such as NCLB, have led to a dramatic growth in what is called the school choice movement.

SECTION 3

THE SCHOOL CHOICE MOVEMENT

The term school choice encompasses many ideas. Some see its history in the alternative schools movement, such as the schools without walls development (Wells, 1993), and the community control movement of the sixties where African American parents and activists in Harlem and Brooklyn were granted temporary local control over their school districts (Stulberg, 2008). Some see it as the freedom of choice movement instituted to speed up desegregation such as the building of magnet schools (Wells, 1993). Also referred to as "controlled choice", these choice options were developed to speed up desegregation by race, and more recently socioeconomic status and language proficiency. School choice has also been used to hinder desegregation reform through white flight (Stulberg, 2008) and exclusive admissions policies where schools exercise the right to select their students (Holme & Richards, 2009).

Choice has also been employed by communities to create schools that better serve their children such as the Council of Black Independent Schools (CIBI) (Stulberg, 2008), the rise of "community schools" (Wells, 1993), the rise of bilingual charter schools (Huerta, 2009) or the rise of charter schools for students with special needs (Good & Braden, 2000). More recently, school choice has expanded options to include post-secondary options for high school students, vouchers, and open enrollment programs.

In recent years, many states have implemented choice legislation with the professed goal of increasing the diversity of schools available for students (Wells, 1993). The first statewide school choice plan, launched in Minnesota in 1985, was the Postsecondary Enrollment Option Plan (PSEO). This plan allowed students to take nonsectarian courses on a part-time or full-time

basis at approved postsecondary institutes such as universities, community colleges, and vocational technical institutes. Many states now offer similar programs including Arizona, Florida, Colorado, Maine, Oregon, Utah, Wisconsin, and New Mexico.

Another recent statewide phenomenon to increase choice involves the use of vouchers. Vouchers, in a Friedman sense, refer to the use of public funds to pay for tuition at private schools and more recently parochial schools for low-income families (Benveniste, Carnoy, & Rothstein, 2003). The nuisances of vouchers vary greatly by state on a number of variables including funding, family financial contributions, and whether or not vouchers are redeemable at parochial schools. For example, some policies cover all of the tuition, as is the case in Milwaukee, and some programs require the family to cover a partial amount of the tuition, as is the case in Cleveland, based on a sliding scale of their income. Some states such as Wisconsin and Ohio also allow the use of vouchers at religious schools (Good & Braden, 2000).

In addition to vouchers, many states have expanded choice through open enrollment policies. Open enrollment programs are often characterized as providing students with a mix of public options, usually between charter and public schools, where choice is most often not limited by any parameters such as attendance zones or guidelines intended to address segregation (Wells, 1993). Open enrollment programs operate under a neoliberal design emphasizing "individual choice with no constraints" (p.17) through the creation of a deregulated and decentralized educational marketplace. Open enrollment policies also usually coincide with increased privatization through the expansion of charter schools (Wells, 1993).

Open enrollment programs vary significantly in structure between school districts and across states. Programs can be "intra-district", where families have a choice of only schools within their district (Bifulco, Ladd, & Ross, 2009) or "inter-district" where families can choose from schools in surrounding districts (Holme & Richards, 2009). Open enrollment programs also

vary by state laws regarding charter laws, attendance zones requirements, admissions policies, policies for serving students identified as special needs, transportation requirements, and their procedures for disbursing information to parents (Good & Braden, 2000). Although there are many variations of school choice, for the purpose of this paper, I will focus on the complexities of open enrollment programs and the growth of charter schools, including their neoliberal design, which is essential to understanding post-Katrina reform in New Orleans.

Open Enrollment Choice Policies

The first open enrollment program was adopted in Minnesota in 1987 allowing students in any grade to transfer from one school district to another. To support the program, school funding, equivalent to the state average per-pupil expenditure rather than district average, is sent from the sending district to the receiving district (Wells, 1993). To determine enrollment the state prohibits the use of student information such as previous academic achievement or disciplinary record for admissions decisions. Instead it requires school districts to use a lottery system to decide who will be eligible for transfer. The state does not require that transportation be provided but it does extend the option of allowing low-income families to apply for reimbursement for transportation. Since the implementation of the Open Choice Enrollment Plan several studies have been conducted to measure the program's effectiveness.

The open enrollment option plan appears to have mixed results. The Minnesota Department of Education conducted a study and determined that parents who participated were highly satisfied with their school of choice (Wells, 1993). There were also positive effects noted on student confidence. The Policy Studies Associates Report indicated that sixty-three percent of participating students reported an increase in confidence since transferring schools. However, the open enrollment program also had a number of consequences. For example, a Carnegie Report

examining school choice in Minnesota found that the program was increasing the gap between high-income and low-income districts as state funds were channeled from sending districts, often poorer districts that cannot compete, to receiving districts, usually wealthier districts. There was also an uneven participation rate in the program. Parents with a higher level of education and an income greater than the median family income in Minnesota were more likely to participate. The same report, using survey data from school administrators, also found that the open enrollment had no impact on the diversity of teaching styles or instructional innovation. The challenges observed in Minnesota's choice plan have been observed in other states as well.

Since Minnesota implemented an open enrollment, inter-district choice program many other states have enacted similar legislation. From 1993 to 2000, the number of states enacting inter-district legislation has increased from fourteen to forty-four (Holme & Richards, 2009, p.151). Colorado, for example, soon after Minnesota, passed an open enrollment law in 1994 that allows students to apply to "any school district in the state that is tuition free" (p.153). The policy, however, differs from Minnesota's because it allows admissions requirements such as "age requirements, course prerequisites, and required levels of performance" (p.153). Schools are also given the right to deny admissions to students identified as special needs. The state also does not require districts to provide transportation or give preference to students from low-performing schools. The state also does not require that the district inform parents regarding their choice options. These variables, common to open enrollment programs, have a number of consequences.

Conducting an analysis of inter-district data in Denver, Holme and Richards (2009) found problems similar to the challenges encountered by Minnesota's choice plan. Across the region, Holme and Richards (2009) found that wealthier students were more likely to participate in choice programs, a possible result of lack of transportation. Participation was also more common among white students who often used choice options to transfer from high minority to low minority districts. The authors speculate that low participation among minority students may be

attributed to “possible filtering by districts” given the schools’ ability to determine what “type” of student they admit (p.153). The cases of Colorado and Minnesota demonstrate similar problems in participation that is supported by further studies.

Participation rates in open enrollment choice programs have also been correlated with the availability and access of information of school choice programs. Andre-Bechley (2005), for example, interviewed parents regarding their choice sets and found that many parents were prevented from participating because of institutional barriers. One student’s application, for example, was rejected because the parent simply forgot to indicate her daughter’s next grade level. Another parent was denied because of a missed checkbox. Simple procedures that a busy parent could easily miss serve as barriers for accessing choice programs. It could also be argued that the schools of choice could provide more assistance to families by informing them of application mistakes and allowing for correction. Many parents also found it difficult to get information from the school. One parent remarked that the school was not willing to assist her.

> They say go to the schools and we’ve got people that will help you. Just come on over. And even if you’ve got everything the way they say you have to have it, and I have—this has gone on time after time. I have done everything they have requested, dotted every *i*, I’ve crossed every *t*, and still, they have given me problems. But when you come and they look at you and they see that you’re trying to make a difference, seems as though they’re not hearing you. Seems for some reason, when you’re Black and trying to make it better for yourself, they don’t hear you. (Andre-Bechley, 2005, p. 290)

From her words, it is evident that access, related to race, income, and education, proves to be a large determinant of participation in open enrollment programs. Similar problems have been noted in the states of New Jersey, Georgia, and Wisconsin where studies have shown that white students and more affluent students are more likely to participate in inter-district choice programs (Holme & Richards, 2009).

Inter-district choice programs have also proven to negatively impact the structure of urban schools which often lose students and resources to wealthier and often, predominately white suburban districts (Morris, 2001). Many students who do leave the district encounter

discrimination and low expectations in other districts and have either had to return to their neighborhood school or complete their education in schools where they feel isolated. One teacher observes the "false promises" of choice legislation:

> Parents have been sold on the idea, and the school system and the courts have assisted the parents with publicity blitz "school of choice" that the [all-Black] schools in St. Louis are not as good as those in the counties. . . . There would be signs everywhere such as "Do you want your child to go out to a good school?" This used to be advertised in the buses on the placards. (Morris, 2001, p.585)

While choice legislation promises families a better education, the experience of many students proves otherwise. There is another consequence as well. The promotion of choice legislation serves to denigrate historically black schools as inferior, failing, and underfunded and to discredit black teachers as "under-qualified" (p.587). The promotion programs operate through advertisements that stigmatize and generalize all inner-city, predominately African American schools and their teachers. Furthermore, the plan has disrupted the strong connection between communities and their neighborhood schools, a stable force especially important for low-income, predominately black communities. The literature shows that there are many challenges presented by inter-district choice plans.

Intra-district open enrollment programs, more similar to the model used for New Orleans reform, pose comparable challenges for families. In Durham, North Carolina, for example, parents participating in choice options have higher education and income levels than non-participating parents (Bifulco, Ladd, & Ross, 2009). Similar to the case in Denver, the choice program in Durham is also found to have a segregating effect where white students are transferring to schools with a higher percentage of white students than their assigned neighborhood school. Open enrollment options in San Diego, which have been added to what used to be a controlled choice system, are found to have segregating effects along the lines of student achievement (as measured by standardized test scores), race, and English language proficiency (Koedel et. al., 2009). This questions Friedman, Jencks, and other choice advocates' assumption that choice will decrease segregation when studies have shown the opposite--choice

has lead to a greater segregation across schools than exists across neighborhoods (Bifulco, Ladd, & Ross, 2009).

There is also a question of whether parents even have "choice" among their available options. Bell (2009) spoke with fifteen parents in Weldon, Ohio about their available choice sets since open enrollment legislation was passed. The parents did not believe there was really a choice because all of the schools they were able to "choose" from were nearly identitical. Several parents were searching for schools that were academically superior to their assigned school but faced a dichotomy of "selective admissions, non-failing schools" and "non-selective admissions, failing schools" and for a variety of reasons, such as missed deadlines and prior academic history, could not send their children to the "selective admissions" schools (p.201). Many parents were unable to participate due to transportation constraints and logistical reasons such as keeping their child at a school located near work. Parents also encountered a problem of availability—in many cases the demand for choice, at schools considered academically superior, far exceeded supply and as a result many students were turned away. This challenges the argument that unregulated competition will cause privately run schools to "spring up to meet the demand" (Friedman, 1955, p.91).

There is also debate about who benefits from open enrollment choice policies. Renaissance 2010, for example, an open enrollment, intra-district choice policy implemented in Chicago in 2004 has had a number of devastating consequences for the communities it is intended to serve (Lipman, 2009). This policy is also structurally similar to the reform model implemented in New Orleans and warrants closer examination. After closing sixty schools, the city of Chicago has plans to open one hundred "schools of choice" that are two-thirds, non-union charter or contract schools that are publically funded but run by private organizations and are not required to have democratically elected governing bodies. The remaining one-third will be public schools with five year performance contracts. The majority of schools that have closed are in communities of color. Evaluations that determine which schools will close are made jointly by

Chicago Public Schools (CPS) and the Renaissance School fund, an organization set up by the Commercial Club of Chicago (CCC), a group of business and financial leaders. With the stated objective of "ending the monopoly of public education", a recycled slogan of Friedman, the CCC, moving ahead of schedule, has already closed seventy-six schools (p.219). Since the implementation of the program a number of studies have been conducted that examine who has benefited from the reforms.

Five years after Renaissance 2010 was put in place the University of Chicago's Consortium on Chicago School Research conducted a study following the students who have been displaced by school closures and found that most students did not benefit from the reform (Dillon, 2009). Rather, many of the students experienced a loss of learning, about six weeks in length, and experienced a decline in standardized test scores in reading. The study also found that the majority of students re-enrolled in schools considered academically weak. This finding is supported by Lipman (2009) who found that fewer than two percent of the students who were displaced were attending a "school of choice" the following year. The system has also proved problematic for parents. Many of the charter and other contract schools have different applications, some more than ten pages in length, some that can only be completed online, some that require interviews and essays, and some that require volunteer commitments. Many parents have voiced frustration with the application process for the open enrollment system.

Parents have also struggled with having their voice heard in policy decisions that affect their community. School closure meetings have been held with less than three days notice to teachers and parents. Many meetings have been held at the Chicago Public Schools downtown office rather than near the school site nominated for closure making access difficult for families without transportation. And many school closures have been held in closed door sessions without public knowledge. Although some community members have joined in alliance and successfully prevented school closures in their neighborhoods, many parents have not had the same success. It remains to be seen why school closure rather than investment is the cornerstone to reform. As one

parent in Lipman's study poignantly observes, "CPS should be held accountable for decades of unequal education in communities of color rather than making parents and students the scapegoat" (p.227). In the case of Chicago many see the reform as part of a larger goal gentrification and "urban renewal" which is rapidly closing down public housing for more profitable real estate and closing schools in communities of color and reopening them to appeal to a middle-class, white market. If equity were the goal there would be "an additional outlay of state funds to repair decades of disinvestment" (p.231). Bartlett, Gulbrandsen, & Murillo (2002) have made similar arguments regarding the restructuring of Durham County Schools in North Carolina where schools of choice have been developed to foster economic growth and attract more business professionals from Research Triangle Park. In the meantime, neighborhood schools are shut down and replaced by selective admissions schools displacing and "segregating poor black students into under-resourced, low-performing schools" (p.23).

As the literature demonstrates, there are several concerns regarding open enrollment choice policies that render equity claims suspect. The literature shows that many parents do not feel they have valid choice sets, are unable to participate in the reforms, and are prevented from participating by a number of barriers—schools selecting for "race" and "English proficiency", complicated applications and unreasonable submission policies, limited school availability and waitlists, parent volunteer contracts, and transportation. Students are displaced and often re-enrolled in academically weak schools. Students who successfully transfer schools are often victim to discrimination and low expectations. Students identified as special needs are often denied admissions. Teachers feel their schools have been maligned in choice legislation which depicts historically black schools as inferior. Communities have lost their connection and stable relationship to neighborhood schools. Through choice policies schools are often further segregated by previous academic achievement, race, ethnicity, language, and class. Administrators have cited that open enrollment policies do not lead to curriculum innovation or

competition among schools. The many consequences of choice policies question any goal of "equity".

The other component of open enrollment policies to consider is the expansion and deregulation of charter schools. While the data suggests mixed results on the success of charter schools, the data regarding charter schools in low-income, high minority, urban districts, such as New Orleans, is even less encouraging (Wells, Holme, Lopez, & Cooper, 2000). However, the expansion of charters, particularly in open enrollment policies, has far outpaced the available research (Good & Braden, 2000). In the next section I will briefly examine the growth of charter schools in the choice movement, the arguments advanced by supporters such as Chubb and Moe in light of the literature, and finally, whether charter schools hold true on their promises for equity.

Charter Schools

As a major component of open enrollment choice policies, charter schools have seen significant growth in recent years. First introduced in Minnesota in 1991, and in the following year passed in California and then Arizona, charter schools have grown tremendously and as of 2009 were in operation in 40 states, Puerto Rico, and the District of Columbia (Scott, 2009). Charter schools have been defined in a number of ways and vary greatly by state but are in general considered an independent school that is given a charter for a specified period of time (typically five years) to provide an education based on the school's design with minimal oversight (Good & Braden, 2000). Charters are funded by the state "based on their student enrollment by allocating to them a similar per-pupil expenditure that is earmarked for non-charter public schools" (p.119). State charters laws vary greatly in terms of how many charters are allowed within a state, if charters can hire non-licensed teachers, whether employees can be members of a union or receive tenure pay, who can establish a charter school such as parents, teachers, and community groups, financial arrangements, such as the granting of charters to for-profit

organizations, the form of charter school such as newly created schools or the transforming of public, private, or home schools, policies regarding special needs students and other student requirements, and the length of charter contracts. Individual charter schools within a state can have great variation as well depending on their thematic focus such as math and science or fine arts, admissions criteria, and parent contracts.

Charters have been promoted as an important mechanism to expand school choice programs such as open enrollment. Supporters of charter schools have made similar arguments regarding benefits such as increased choice for families, increased accountability, greater autonomy to enhance client orientation, and competition among public schools that will lead to innovation and sharing of best practices across schools. In many ways charter schools have offered a number of benefits. Charter schools, for example, are considered to have greater autonomy and control over governance, financial arrangements, and employment practices such as merit pay (Lubienski, 2003). In terms of client orientation, a number of communities have developed schools to better serve their students whose needs were not being met by the larger school system. For example, in Tucson, Arizona, the Laurent Clerc Elementary School was developed to serve hearing impaired students who were not provided with direct instruction in American Sign Language in the public school system. The charter school emerged as a bilingual school assisting both deaf and hearing students in becoming proficient in American Sign Language and has experienced a lot of success in student self-efficacy and achievement (Good & Braden, 2000). Charter schools have also been developed, such as the West Oakland Community School, that focus on providing an empowering and affirming environment for African American students whose cultural identity has been denigrated by the public school system (Stulberg, 2008). Many charter schools have had a great deal of success in responding to student needs not met by the current public school system and many parents are supportive of charter schools (Cooper, 2005; Huerta, 2009).

Although there are many successful models of charter schools, it is important to approach choice reforms with a detailed understanding of the challenges that charter schools experience as well. One of the most prominent arguments regarding charter schools, so popular it has been written into many state charter laws and the federal No Child Left Behind Act, is the use of "innovational programming" (Lubienski, 2003, p.400). Research on charter schools, however, suggests that innovation is rare. After analyzing fifty-six studies on charter schools, Lubienski found that few charter schools reported practices that differed from their surrounding public schools. In Colorado, for example, the charter schools reported using hands-on-learning, portfolios, and cooperative learning—practices that have long been in use in the local public school system. Several of the schools reported practices that many educators would not see as innovation but its opposite such as "back to basics approaches", "vocational track curriculum", and the use of "unlicensed teachers" (p.414). Studies have also followed former public schools converted to charter schools and concluded that charter status had "little impact on actual classroom teaching" (Good & Braden, 2000, p.147). Research has also shown that charter schools face the same bureaucratic constraints as public schools that hinder innovation such as standardized testing (Benveniste, Carnoy, & Rothstein, 2003). The literature does not support the argument that charter schools as a group offer greater curricular innovation than public schools.

Charter schools are also said to be more responsive to the consumers of schools (Chubb & Moe, 1990) but there are challenges to this notion. Serving students identified with special needs, for example, has been a great challenge for many charter schools. With the exception of charter schools specifically designed to accommodate students with special needs, such as Laurent Clerc Elementary School mentioned early, many charters have failed to serve students with special needs. In Arizona, for example, parents have expressed concern that charter directors are unaware of their legal responsibilities for serving students with special needs (Good & Braden, 2000), that charter schools refuse to initiate individualized education plans (IEPs), and that charter schools will refuse to enroll children with special needs. In one case, a charter school

refused enrollment to a boy who used a wheelchair because the school was not wheelchair accessible. There are also cases of charter schools with selective admissions policies that deny admission to children in the same attendance zone whether or not a nearby alternative exists (Andre-Bechley, 2005). One parent complained that her child had to take a forty-five minute bus ride to her assigned school because she was not admitted to the selective charter school across the street from her house. The idea that charter schools offer greater client orientation is not always the case.

School autonomy can be considered an asset but it can also create increased responsibilities for teachers taking valuable time away from instruction and planning. Many charter advocates argue that autonomy gives "teachers greater freedom and more opportunities for decision making" (Good & Braden, 2000, p .165). In a study of two charter schools in California teachers reported that additional time was spent on operational responsibilities normally covered by support personnel such as budgeting, janitorial services, security, and hiring decisions. Similar problems have been found in other charter schools where teachers experience enormous stress when managing their traditional duties as well as administrative duties such as selecting school insurance policies and deciding pay schedules and procedures (Huerta, 2009). While charter schools do provide autonomy, it is often more defined in an administrative capacity rather than in curricular decisions (Lubienski, 2003) since charter schools are often constrained by standardized testing and accreditation (Benveniste, Carnoy, & Rothstein, 2003). Administrative autonomy also has the potential of overwhelming newly chartered schools that can become consumed with the pressures of running a school that were previously handled by the school district such as insurance policies, and contracting services and vendors (Good & Braden, 2000).

Charter schools and the generation of competition among schools are said to have a number of benefits including greater parental choice and the sharing of best practices (Good & Braden, 2000). Rather than providing greater choice for parents, however, charters often select

the parents and students they are looking for through a number of mechanisms such as parent volunteer commitments, lengthy applications and interviews, and selective admissions processes (Benveniste, Carnoy, & Rothstein, 2003). Charter schools are also said to increase accountability to families but often do the opposite. In a traditional public school system dissatisfied parents have the option of going to the school district which holds administrators accountable. Parents could also participate in school board elections (Lipman, 2009). In charter schools, while parents can express their concerns, if the school is unresponsive, their remaining option is to transfer to another school. As Benveniste, Carnoy, & Rothstein (2003) point out, while the school can make demands of parents such as participation requirements, "parents are accountable to the school rather than the other way around (p.85)." Competition can also lead to the closing of public schools due to the loss of funds and students to surrounding charter schools which has happened in several schools in Michigan (Good & Braden, 2000) and Minnesota (Wells, 1993) which ultimately decreases parental choice and leads to a monopoly of privately run charters rather than a mix of schools that supporters attest to.

There is also little evidence that competition leads to the sharing of best practices. Surveying a set of non-charter public school superintendents, Good and Braden (2000) found that the majority of superintendents did not feel that charter schools could inform public education and cited that the transfer of ideas was impeded by the differences of context. Researchers have also found that there is a lack of communication across public schools and charter schools and that there is no evidence of competition or idea sharing between them (Wells et. al., 1999). Studies have also indicated that charter schools use the same curriculum as the public school system (Lubienski, 2003; Good & Braden, 2000). There has been research done on the sharing of culturally relevant, African/ African American centered curriculum between the Council of Independent Black Institutions (CIBI) and the public school system to improve African American education beyond the reach of the independent schools (Stulberg, 2008). So it withstands reason

that there are other similar models between charter schools and public schools, however, few relationships have been noted (Good & Braden, 2000).

Charter schools and other privately run schools are also believed to be more cost efficient (Chubb & Moe, 1990). This claim has been questioned on several grounds. Charter schools often have higher administrative costs than public schools because of "the administrative layer needed to support a new charter school is large and costly" such as directors, associate directors, budget officers, and insurance costs (Good & Braden, 2000, p.171). This can cause a diversion of funds from instructional to administrative budgets. Charter schools are also more likely to reallocate instructional funds to marketing and public relation costs in order to "market" their schools (Apple, 2001). There are also cases of overfunding when states provide charter schools with the same funding as if they had the same number of special needs students as local public schools but actually serve a much smaller percentage. Studies specifically examining overfunding of charter schools on a number of variables have been able to calculate the extra amount received by charter schools in per-pupil expenditure. For example, in Massachusetts, charter schools were overfunded $1307 per pupil and in Arizona $1000 per pupil in 1995 to 1996 school year. There is also the problem of adding more schools within a district while holding the funding the same; the net result, decreased money spent on instructional costs (Good & Braden, 2000).

Many states also allow for-profit agencies to run charter schools as well as Educational Management Organizations (EMOs) that administer services such as hiring, buying textbooks, or contracting services such as janitorial services (Benveniste, Carnoy, & Rothstein, 2003). Charter schools, as it turns out, can be a profitable business. In Arizona, for example, the Cato School received 3.9 million in government funding but only spent fifty-six percent on program expenses leaving a 1.7 million profit in one school year (Good & Braden, 2000). As Good & Braden (2000) point out, and it is important to remember, "The funding of charter schools is not a revenue neutral act. Charter schools are not a free experiment (p.171)."

A last important concern regarding charter schools is the issue of equity and whether charter schools are the right model for a historically underfunded and segregated urban school system such as New Orleans Public Schools (NOPS) which has a ninety-three percent African American student population and eighty-seven percent of students qualify for free or reduced lunch (Perry, 2006, p.14). Researchers have found that charter schools in low-income communities with high levels of segregation tend to have teachers with less experience, fewer credentials, and "tend to leave schools at higher rates than their traditional public school counterparts" making it difficult for charter schools to build a network of mentor teachers (Scott & Villavicencio, 2009, p.237). Studies have also shown that when you disaggregate student enrollment at the school level, as opposed to looking at district and national level, researchers have found that charter schools have a higher segregation rate than public schools (Good & Braden, 2000). Charter schools also tend to be more unstable and have a much shorter lifespan than traditional public schools. There have been many documented cases of charter schools closing in the first year of operation due to financial mismanagement and inability to handle administrative duties. In one case in Arizona an Alternative Learning Center closed mid-year leaving 150 students with nowhere to go. Many of the students were unable to graduate on time as a result of the school closure.

Contradictions of Neoliberal Education Policies

The literature on the outcomes of neoliberal school policies such as open enrollment policies and charter schools, particularly in low-income, high minority districts present troublesome findings with regard to equity. The mechanism of individual choice in open enrollment policies, for example, tends to undermine social cohesion, a contradiction commonly observed in neoliberal economic reform (Harvey, 2005). While individual parents, often white, middle-class with higher levels of educational attainment exercised individual choice in states such as Minnesota low-income districts lost funding (Wells, 1993), school segregation increased

(Bifulco, Ladd, & Ross, 2009), and predominately African American neighborhood schools with strong community connections were dismantled (Morris, 2001; Lipman, 2009).

Open enrollment policies also assume that everyone is able to exercise choice; a tendency referred to as rational choice theory (Harvey, 2005). However, there were many mechanisms that prevented parents and guardians from exercising "choice" such as selective admissions policies, transportation, the availability of schools that differ substantially from one another (Cooper, 2009), discrimination (Holme & Richards, 2009; Good & Braden, 2000; Morris, 2001), complicated and unclear application procedures, lack of availability of information (Andre-Bechley, 2005), and unrealistic volunteer commitments for working parents (Benveniste, Carnoy, & Rothstein, 2003).

Finally, there is considerable debate over who actually benefits from the deregulated educational market place created by open enrollment policies. Participation, for example, is found to be more common among white, middle-class parents with higher levels of educational attainment (Wells, 1993; Bifulco, Ladd, & Ross, 2009). Many African American and Latino/a parents from low-income neighborhoods, however, often feel excluded, prevented from participating due to discrimination by schools of choice (Andre-Bechley, 2005), barred from community meetings regarding school closures (Lipman, 2009). Many parents are also frustrated over the loss of democratically elected school boards and their loss of the right to participate in school governance (Lipman, 2009). Most often it is African American students from low-income, urban neighborhoods who are displaced by school closures, are negatively impacted academically by school transfers, and are unable to enroll in schools of choice (Morris, 2001; Lipman, 2009; Dillon, 2009). For students who are identified as special needs, their school choice options are also greatly diminished by admissions policies and school caps (Good & Braden, 2000).

Given the findings on open enrollment policies and charter schools in predominately African American, low-income, urban school districts, it is difficult to understand why the state of Louisiana would implement an open enrollment, majority charter based system for the New

Orleans Public School System (NOPS) post-Katrina unless other interests were being served. So the question ensues, what are the intentions behind the reform? To analyze New Orleans school reform, I turn to Critical Race Theory as a theoretical lens.

SECTION 4

CRITICAL RACE THEORY FRAMEWORK

Although Critical Race Theory (CRT) has numerous influences, ranging from critical pedagogy, Black Studies, Chicano Studies, feminism, and elements of politically driven multicultural education (Yosso, Parker, Solorzano, & Lynn, 2004; Lynn & Parker, 2006), it is considered to have emerged from an earlier legal movement known as Critical Legal Studies (CLS) (Ladson-Billings, 1999). During the eighties a group of law professors began to question the objective and rationalist nature of law which served to privilege white, middle-class citizens (Lynn & Parker, 2006). While the movement was critical of the ways in which legal ideology supported class structure, many believed CLS did not challenge the effects of racism or provide strategies for change (Yosso, Parker, Solorzano, & Lynn, 2004). In response, legal scholars such as Derrick Bell, Mari Matsuda, Richard Delgado, Angela Harris, and Kimberle Crenshaw developed a race-conscious, politically driven critical legal scholarship known as Critical Race Theory.

While there are variations and disagreements within the movement, there are several guiding principles that are considered to be the basic tenets of Critical Race Theory (Delgado & Stefancic, 2001).The first recognizes that “racism is endemic to American life” and is a “permanent fixture” in our society (Ladson-Billings, 1999, p.12). Because racism appears normal and natural, CRT theorists must work to expose racism and its various expressions. This includes not only explicit racist behavior such as the killing of Danny Brumfield but also more subtle forms of racism such as failing to call on a student who continually raises his or her hand in class (Delgado & Stefancic, 2001). School reform measures that fail to account for racism, such as school choice reform, therefore are problematic in nature for failing to account for the effects of

racism in selective admissions policies, how choice is exercised by families, which schools are selected for closure, and which students are displaced from their neighborhood schools—an important consideration for New Orleans school reform.

Critical race theorists, therefore, argue that the permanence and pervasiveness of racism makes suspect "claims of neutrality, objectivity, colorblindness, and meritocracy" (Matsuda, Lawrence, Delgado, & Crenshaw, 1993, p.6). For that reason any analysis of law and society should be contextual and historical. Since racism is embedded in our social structures and maintains the status-quo, color-blind ideology will fail to perceive racial inequity and serve to "keep minorities in subordinate positions" (Delgado & Stefancic, 2001, p.22) while camouflaging the interests of dominant groups (Yosso, Parker, Solorzano, & Lynn, 2004). Only color-conscious efforts will redress racial harm and lead to institutional change. Of particular significance for New Orleans school reform, it is important to further examine color-blind policies such as school choice that fail to perceive the role that racism plays in determining educational inequity and therefore fails to address it. Similarly, color-blind approaches also fail to recognize that African American students posses a distinctive culture and heritage (Ladson-Billings, 1994) and ultimately fail to provide meaningful educational outcomes for African American students.

CRT is also critical of liberalism and the belief in incrementalism, the slow process of building legal precedence towards civil rights rather than implementing any radical changes (Ladson-Billings, 1999). Legal cases often rely on precedence and if no similar case exists then legal innovation is needed and even when the improved interpretation of the law is put into use there is still time needed for reference books and indexing tools to adapt making legal change slow with little impact on the institutionalization of racism (Delgado & Stefancic, 2001). Similarly related, CRT is critical of rights awarded that are "procedural" rather than "substantive" (p.23), also known as restrictive versus expansive equality, a concept derived from the work of Kimberle Crenshaw (Dixson & Rousseau, 2005). Restrictive equality refers to anti-discrimination law that views equity as equality of treatment and as process oriented where expansive equality is

outcome driven. An example of this is demonstrated through the Brown v. Board Supreme Court decision which applied a restrictive instead of expansive view of equality. The decision proposed the equal access of public schools as a solution for educational inequity without redressing past inequity or considering ways to improve education for African American students (Tate, Ladson-Billings, & Grant, 1993).

Contrary to mainstream legal scholarship, CRT also calls for the use of storytelling, or counter narratives, to challenge the preconceptions or myths that marginalize people of color (Dixson & Rousseau, 2005), also referred to as the master narrative (Ladson-Billings, 1999). CRT argues for the unique voice and "experiential knowledge" of people of color to "analyze law and society" (Dixson & Rousseau, 2005, p.10) and to challenge the master narrative put forth by dominant groups (Delgado & Stefancic, 2001). Theorists believe that "those who have experienced discrimination speak with a special voice to which we should listen" (Matsuda, 1995, p.63). However, CRT is careful not to conflate individual experience or advance essentialism and does not argue that there is "a single common voice for all persons of color" but there is a common experience of racism that "structures the stories of people of color" (Dixson & Rousseau, 2005, p.11). Dixson and DeCuir (2006), for example, examine the experience of two African American students at a predominately white, independent school, and find that while the school claims to "celebrate diversity" the students felt "uncelebrated" (p.27). One student described the administration's ideal black student and said: "Don't be quoting Marcus Garvey everywhere you go. Don't be so pro-African that you are going to come in the dashiki on the wear what you want to wear day" (p.29). The student's words forcefully counter the school's master narrative regarding the celebration of diversity and demonstrates the importance of voice. The use of storytelling is vital to reexamining the outcomes of New Orleans school reform and challenging the stories of success presented by the Bring New Orleans Back Commission that do not accurately represent the experiences of many families who have experienced discrimination when applying to schools of choice.

CRT also examines legal determination of property and maintains that property rights, granting privileges such as the right of possession, use, and disposition, have historically benefited whites and have "established Whiteness as a form of property" (DeCuir & Dixson, 2006, p. 28). The property functions of whiteness are associated with a number of privileges such as "the right to transfer, the right to use and enjoyment, and the right of exclusion" (p.28). As a result whites "possess a property that people of color do not" which "confers aspects of citizenship not available to others" (Ladson-Billings, 1999, p.18). The right to well-equipped, safe schools with high-quality curricula, for example, is "enjoyed almost exclusively by white students" (DeCuir & Dixson, 2006, p.28). The absolute right to exclude, historically reinforced through laws prohibiting the education of African Americans and school segregation, has more recently been demonstrated by white flight, tracking, and the "insistence on vouchers" (Ladson-Billings & Tate, 1995, p.59). The right to exclude, as the literature on school choice demonstrates, is a key factor in accessing school choice. As whites maintain the right to exclude through mechanisms such as white flight, lack of information disbursal to parents of color, and discriminatory, selective admissions policies, schools of choice continue to benefit white, predominately middle-class families at the expense of many families of color. The final component of CRT, the notion of interest convergence and revisionist history, which are the focus of this paper, will be discussed in more detail in the next section.

Interest Convergence Theory and Revisionist History

To understand the "ebb and flow of racial progress and retrenchment", Critical Race Theorists argue that it is necessary to take a "careful look at conditions prevailing at different times in history" (Delgado & Stefancic, 2001, p.18). Also known as revisionist history, Critical Race Theory calls for a reexamination of American history to replace dominant interpretations of historical events with an analysis that accurately depicts the experiences of people of color (Delgado & Stefancic, 2001) and uses racism as a category of analysis (Butchart, 1988). For

example, emerging in the mid-1960s, historians began building a revisionist black educational history that examined the effects of black cultural values on education, the autonomous education initiatives of the black community, and skepticism of philanthropy in black education (Butchart, 1988). By engaging in critical scrutiny of many unquestioned assumptions regarding American institutions, revisionists have exposed the contradiction and conflict between the interests of dominant and minority groups such as civil rights legislation (Tate, 1997), school desegregation (Bell, 1995), and more recently, school choice measures (Morris, 2001; Lipman, 2009).

What is revealed from such analysis is a pattern of racial progress and retrenchment throughout history that is built in support of the interests and welfare of dominant groups (Delgado & Stefancic, 2001). While there is a long history in the subordination and exploitation of African Americans as well as indigenous Indians and immigrant populations that support the interests of white elite and working class, there is also a correlation between civil rights gains and dominant interests. Revisionist scholars have revealed a convergence of interests where civil rights gains have coincided with changing economic and political conditions and white self-interest. Legal scholar Derrick Bell first proposed this idea by challenging the proclaimed altruistic jurisprudence of the U.S Supreme Court in the Brown v. Board of Education decision which overturned the landmark "separate but equal" ruling in the Plessy v. Ferguson case (Bell, 1995). Bell, analyzing the political and economic conditions of the fifties, observed that "Brown offered much needed reassurance to American blacks that the precepts of quality and freedom heralded during World War II might yet be given meaning at home" (p.36). In other words, the Brown decision would forestall any potential domestic unrest. There was great resentment among many black veterans who sacrificed their lives overseas but were not accorded the same rights as white veterans. One soldier wrote, "The Army jim crows us. The Navy lets us serve only as messman. The Red Cross refuses our blood. Employers and labor unions shut us out. Lynchings continue. We are disenfranchised, jim-crowed, spat upon" (Zinn, 2003, p.419).

Bell also observed that the U.S was struggling to maintain its international image of "prestige and leadership" against the backdrop of segregation (p.36). Engaged in the Cold War, in a struggle against communism, the U.S needed to improve its image among developing nations. Bell argues that the Brown decision was "a timely reassertion of the basic American principle that all men are created equal" (p.36). Bell concludes that "Racial justice—or its appearance—may, from time to time, be counted among the interests deemed important by the courts and by society's policymakers" (p.22). He further argues that the interests of blacks will only be accommodated when it converges with the interests of whites, in this case, forestalling domestic unrest and improving the U.S's image abroad.

The second component of interest convergence is the notion of retrenchment. Responding to the changing social discourse in politics following the civil rights movement, such as the Regents of the University of California v. Bakke decision in 1978 (Tate, 1997), Bell observed that any gains made for African Americans will be retrenched when the social status of whites is threatened. While interest convergence may result in an effective racial remedy, it will "be abrogated at the point that policy is threatening the superior societal status of whites" (p. 37). As evidence, Bell argues that the courts have focused on racial balance plans and anti-defiance laws rather than focusing on the "educational components" of black education such as the "creation and development of all black schools" (p.24). Similar arguments have been made regarding the consequences of racial balance plans such as the firing of black teachers and administrators (Fairclough, 2000) and the burden of desegregation faced by the black community—parents and guardians were fired for participating in desegregation, often their lives threatened while their children were attacked and subjected to humiliation (Baker, 1996). Many question the vagueness of the "Brown II" decision that called for desegregation "with all deliberate speed" but did not provide meaningful steps towards desegregation such as a mandated timeline (Clotfelter, 2004).

While the idea of interest convergence was controversial and Bell's article was "met with outrage", his findings were later confirmed by legal historian Mary Dudziak (Delgado & Stefancic, 2001, p.19). Dudziak, who conducted extensive archival research in U.S Department of State and the U.S Department of Justice, found foreign press reports and letters from U.S ambassadors supporting Bell's theory. The Department of Justice first intervened in the ongoing school desegregation battle when it received numerous "cables and memos outlining the United States' interest in improving its image in the eyes of the Third World" (p.20). By examining the prevailing economic and political conditions and the interests of the majority group, interest convergence theory offers important explanatory power for understanding the outcomes of reforms intended for racial equity. If we are to understand the tension between reforms that are portrayed as equity measures, such as school choice legislation, and the persistence of inequitable results, it is important to build a more critical, historical and contextual analysis of school reform that accounts for racism.

To provide greater insight into New Orleans school choice reform, it is first necessary to build a more critical, historical analysis of black education in New Orleans to examine the patterns of progress and retrenchment and the underlying contradictions between the interests of dominant and minority groups (Butchart, 1988). It is equally important to reexamine the outcomes of school choice reform in light of the experiences of many African American educators and families who were excluded from reform discussions and prevented from exercising school choice through discriminatory practices such as selective admissions policies. Before moving forward and analyzing the Bring New Orleans Back recommendations from a Critical Race Theory perspective and looking at the emergence of interest convergence, it is necessary to provide historical background on New Orleans schools from a revisionist perspective to challenge the common understanding of school choice as a measure of equity (Friedman, 1955; Chubb & Moe, 1990)

SECTION 5

CRITICAL RACE THEORY CRITIQUE: NEW ORLEANS SCHOOL REFORM

A Revisionist History of Black Education in New Orleans

> The first impression of the old city slumbering under the glorious sun; of its quaint houses; its shaded trees; its suggestions of a hundred years ago; its contrasts of agreeable color; its streets reechoing the tongues of many nations; its picturesque surprises; its warm atmosphere, drowsy perhaps with the perfume of orange flowers, and thrilled with the fantastic music of mocking birds—cannot ever be wholly forgotten. (Hearn, 1999, p.91)

> In the city's antiquated architecture, slaves' handiwork is everywhere—in the grillwork, the tile work, the mortuary work, and the carpentry. In New Orleans, you can easily see, and feel, that slavery wasn't so long ago. (Sublette, 2008, p.7)

At first sight New Orleans is an incredibly beautiful city—French colonial and Greek revival plantations, Spanish colonial stucco cottages adorned with clay tile roofs, vestiges of the city's colonial rule (Spain, 1979), situated amid a tropical backdrop of palm and magnolia trees. Alongside the rows of plantation style mansions and the well adorned Creole cottages of the Garden District and French Quarter built on high elevation along the city's natural levees, are the shotgun style homes and 'river shacks', temporary housing built along the battures or backswamps, areas of low elevation, once used to accommodate the growing number of formerly enslaved African Americans. In New Orleans, racial history has determined the city's geography of environmental risks such as access to flood protection and vulnerability to soil and water contamination from superfund sites and unlined landfills, access to basic necessities such as medical care or education, and overall quality of life. Although the salience of New Orleans' racial history in mediating present day life opportunity is evident and unmistakable after Hurricane Katrina, the use of race as a tool of analysis for New Orleans' educational history as well as post-Katrina reforms remains under theorized. To bring a more critical analysis, I will begin with a revisionist history to center the experiences of African Americans—their

autonomous efforts to build educational opportunity, their educational goals and values (Anderson, 1988), the permanence of racism in education (Ladson-Billings, 1999) and the competing interests of white policymakers and the interests of the black community.

History of New Orleans Schools

Originally established as a French territory in 1718, in order to create a port along the Mississippi River, the city of New Orleans was uninhabitable—an impossible route of alternating swamps and bayous, situated along the crescent of the river, prone to flooding and storm surges (Sublette, 2008). Under such circumstances, it seemed unlikely that the colony would survive; the founding of New Orleans was made possible because of the arrival of many forced emigrants from Senegambia, the first Africans to arrive in Louisiana, as well as the native Choctaw Indians. In response to the increasing number of African emigrants, the state of Louisiana developed the Code Noir, or black code, in 1724, laws regarding race and slavery. Originally the laws were different than the English colonies—enslaved Africans had the right of property ownership, had the right to be married, and had the right to an education (Caldas & Bankston, 2002). In French Louisiana, rights were also accorded along a three-tiered racial structure that is still visible today: individuals were classified as white, black, or Creole (DeCuir-Gunby, 2006). The term Creole, in a Louisiana sense, has typically been defined in recent years as someone with mixed racial and ethnic ancestry—a combination of African, Caribbean, French, Spanish, Native American, or European heritage. Individuals that were classified as Creole were generally free citizens but not afforded the same rights as white citizens—as DeCuir-Gunby (2006) describes, they were somewhere in the middle of white and black Louisianans. The rights of enslaved Africans and "dark colored" Creoles, however, dramatically changed after the Louisiana Purchase in 1803 including the loss of the right to an education (Caldas & Bankston, 2002, p.4).

The state's first governor William C.C Claiborne, an Englishman, tried to establish a comprehensive public school system in the city of New Orleans in order to Americanize the parishes' Native American, French, Creole, and Spanish populations (Devore & Logsdon, 1991). French speaking natives, however, sought control over their own schools and refused English only instruction. As perhaps the nation's first bilingual system emerged, New Orleans schools were divided into two sections: the American controlled Uptown, where instruction was in English, and the French and Creole downtown section, where instruction was in both French and English. As immigration increased during the early nineteenth century, more schools in the Creole section of the city emerged to accommodate German speaking as well as English speaking Irish immigrants. Many Catholic schools, mostly from the Ursuline and Carmelite orders, were established, often in private homes, and still exist today. The majority of these schools, with the exception of parochial schools, only accepted white students and "light colored" Creole students (p.11).

While state laws and city ordinances prohibited the education of all free and enslaved African Americans in any form, there were many, predominately African American led schools in existence (Devore & Logsdon, 1991). There were many classes, for example, held in private homes and there were several efforts to organize larger schools. It is estimated as early as 1848 that The Couvenant School opened in the Creole section of the city for the children of a large group of black artisans. Disguised as an orphanage, the school worked in collaboration with Catholic clergy and eventually enrolled over 250 students. It is believed that its graduates produced one of the first anthologies of black poetry known as "Les Cenelles" or the holly berries. Soon following the Pioneer School of Freedom in 1860 was established which is believed to be the first black school in the U.S with systematic instruction (Anderson, 1988). Before the civil war, there is great evidence of a strong, African American led education network in New Orleans.

After union forces invaded New Orleans in 1863 and the city was placed under military rule, General Benjamin Butler took over municipal operations including the public school system. He abolished the city's dual school systems, the Creole and French, and the American, and mandated English only instruction. Butler also set up the first authorized school for African American students in Louisiana, not out of benevolence but in an effort to recruit African American soldiers (Devore & Logsdon, 1991). Under the next General Nathaniel Banks, a Board of Education was established for black schools and was given the ability to levy property taxes to support its schools (Anderson, 1988).

During the reconstruction period, however, the two systems--the white and black Board of Education, merged and the schools were desegregated; New Orleans was the only known desegregated southern school system at this time (Anderson, 1988). Protected by federal troops and recently given the right to vote in 1867, African Americans constituted a political majority in New Orleans—something of interest to white politicians who needed to court their vote (Harlan, 1962). The gain in civil rights can be seen as interest convergence—whites had a political interest in gaining support of black voters. As a result a number of gains for African Americans were made. The city experienced an increase in the number of African American teachers, approximately eleven percent, and saw its first black superintendent William Brown in 1873 (Devore & Logsdon, 1991). As Bell (1995) argues, however, with progress comes retrenchment as the "social status of whites" was threatened (p.37).

As the schools began to desegregate, many white families began to enroll in parochial schools. In 1868 there were only ten private schools; by 1871 there were over one hundred (Spain, 1979). Soon gains in education were reversed by the Compromise of 1877 which awarded Rutherford Hayes the disputed presidential election in exchange for the removal of federal troops from Louisiana and South Carolina (Devore & Logsdon, 1991). As troops left New Orleans, the schools were taken over by democratic leadership (referring to the historic anti-federalist party)

which had a number of consequences including re-segregation, the closing of female high schools, the elimination of black education beyond the fifth grade, and deteriorating financial support as white, wealthy families transferred their children to parochial schools.

The southern planter class gained “further control over black education as they increased their supervision and control over the ex-slave laboring class” (Anderson, 1988, p. 23). The planters relied heavily on child labor causing black school terms to be short and irregular as well as poor, white schools. It is documented, however, that African Americans began to establish secular and Sabbath schools to accommodate the needs of working children. The possibility of “an emerging literate black working class in the midst of a largely illiterate poor white class”, however, caused the white community to demand improved education for white working class children. As school superintendent Robert Mills Lusher stated, schools reform was needed so white children “would be properly prepared to maintain the supremacy of the white race” (p.27). In response, the city increased real estate assessment to increase funding, and opened several elementary and high schools in white working class neighborhoods such as the Ninth Ward including the city’s first vocational high school Francis T. Nicholls (Devore & Logsdon, 1991), now known as Frederick Douglass High School.

Without city support black leaders worked together through community organizations such as the NAACP and the Federation of Civil Leagues to raise funds, file petitions to the school board, and submit reports on the conditions of the schools such as the overcrowding, lack of high school or vocational programs, and equal pay for black teachers (Devore & Logsdon, 1991). Their efforts resulted in the building of McDonogh 35, a college preparatory high school for black students, locally known as “Mac35”, which still exists today as well as an evening school and a vocational school. Parents, organized by civil rights lawyer A.P Tureaud, also worked together to petition for better school facilities and eventually filed suit for school desegregation in the Bush v. Orleans Parish School Board in 1952 which became one of five cases grouped into

the supreme court case known as Brown v. Board of Education which declared legally protected public school segregation unconstitutional. Although many African American community groups such as the Ninth Ward Civic and Improvement League celebrated the decision, gains for African Americans were mitigated by the state's implementation of the desegregation plan.

The state of Louisiana enacted a number of bills to forestall desegregation by making school desegregation a violation of the state constitution that would result in loss of funding and accreditation and creating a per-pupil placement law that prohibited cross-race assignments (Baker, 1996). As schools around the nation requested assistance in implementing desegregation, the supreme court issued a ruling known as the "Brown II" decision, ordering district courts to enforce desegregation "with all deliberate speed". Without any specific parameters such as a timeline, Louisiana was given the right to develop a grade by grade desegregation plan starting in 1960 where each year an additional grade would be desegregated. The state also instituted an intense application process requiring an intelligence test, a mental health test, and a home visit (Wells, 2004). While one hundred and thirty-five black students requested a transfer out of 7000 black students, only four girls were accepted including Ruby Bridges, the first African American child to attend an all white elementary school in the South. The students were faced with a number of challenges—rioting mobs outside the schools, students who refused to take classes with them, teachers who refused to teach them and many of their parents and family members lost their jobs (Baker, 1996).

Over the next decade, and as some researchers note, as the state required faculty desegregation, more white students fled to parochial schools and surrounding parishes such as St. Bernard, Jefferson, and St. Tammany Parish (Bankston & Caldas, 2002). Many white families, faced with the threat of the losing the property right to exclude and the threatened status of their schools from white to nonwhite (Ladson-Billings & Tate, 1995), abandoned the public school system. In 1960, enrollment was fifty-eight percent black and forty-two percent white; by 1980, it

was eighty-four percent black and fifteen percent white; now it is ninety-three percent black and less than three percent white. Many scholars have noted that the start of desegregation also correlated with a population loss in New Orleans which was once the third largest metropolitan area in the U.S and has experienced a population decline since the 1960s (Spain, 1979; Dyson, 2006).

Meanwhile surrounding suburban parishes have instituted barriers for desegregation. In St. Bernard Parish, just south of the Ninth Ward, the school system, ordered to desegregate, instituted a gender segregated system and a platoon system, of half day attendance, to prevent an entirely desegregated system (Wells, 2004). This gender segregated system was in place until 1990. More recently, in the years prior to Katrina, the St. Bernard public schools instated caps on enrollment for students transferring from failing schools to schools with higher achievement scores. Many scholars argue that this cap was put in place to prevent African American students from the Ninth Ward from transferring to St. Bernard Parish schools (Wells, 2004). Today, there is a clear division between the Ninth Ward and St. Bernard Parish: while St. Bernard Parish is eighty-nine percent white, the lower Ninth Ward which borders it is ninety-eight percent black and the Upper Ninth, just across the industrial canal, is ninety percent black (Dyson, 2006). Today there remains a stark separation between the communities and the border between the two is rarely crossed--residents of St. Bernard Parish will often drive an extra thirty minutes along interstate ten to avoid driving through the Ninth Ward (Wells, 2004).

Despite the segregated communities and school systems, no further state action was taken to desegregate Orleans or St. Bernard Parish, a measure that may partially explain why the city has one of the highest segregation rates in the country (Tulane University, 2009a). As white families fled Orleans Parish, the funding for schools continued to decline along with the quality (Devore & Logsdon, 1991). In search of better schools for their children, much of the black middle-class community retreated from the central city to outlying neighborhoods such as

Gentility, New Orleans East, and Pontchartrain Park or to parochial schools (Bankston & Caldas, 2002). In the current population of New Orleans public school students, eighty-seven percent qualify for free or reduced lunch (Perry, 2006).

Although a number of reforms have been waged since desegregation such as recruiting "turnaround" superintendents such as Anthony Amato from other urban areas (Archer, 2003) and engaging in a number of restructuring reforms (Miron, 1996), the quality of New Orleans public schools has continued to decline due to a lack of funding and resources (Devore & Logsdon, 1991). After the publication of *A Nation at Risk* in 1983, a coalition of Louisiana business, industrial, and education groups pushed for education reforms which served entrepreneurial interest (Miron, 1996) and mirrored other state reforms during the Excellence Movement. The state, for example, revised the high school curriculum *Bulletin 741*, to include electives such as Free Enterprise and Computer Literacy, and to narrow the core curriculum, and the flexibility of electives, while increasing math and science requirements. The state also instituted standardized testing and became one of the first states to implement high stakes testing. The coalition also pushed for the creation and promotion of school and business partnerships, the creation of state charter laws (Miron, 1996), and city ordinance's regarding joint ventures between state and city government and corporations and agencies for education funding and research (Miron, 2003). Miron (1996) concludes that the entrepreneurial interests guiding state reforms ignore the needs and interests of students and do not improve education in urban schools. His conclusions, written a decade before Katrina, provide great insight into the challenges faced today in New Orleans and whether the reforms implemented are capable of or even intended to address the historical inequity of our schools.

Observing the history of New Orleans schools, a pattern emerges revealing the pattern of racial progress and retrenchment that correlates with the prevailing economic and political interests of the time period (Delgado & Stefancic, 2001). During the reconstruction period,

African Americans, who were afforded voting rights in 1867, constituted a political majority in New Orleans and were courted by politicians through improved educational opportunities (Harlan, 1962). When whites feared the loss of the right to exclude and the loss of the "white" status of their schools (Ladson-Billings & Tate, 1995), parents removed their children from desegregated public schools. After the Compromise of 1877, when federal occupation was removed, and Jim Crow laws against voting were put in place, through literacy tests and grandfather clauses, African Americans lost their voting rights (Anderson, 1988) and their political leverage; policymakers no longer needed to reform education to court their vote.

Although the quality of public schools for African Americans greatly declined— schools were overcrowded, often two to three students to a desk, and instructional time was cutback for lack of space, schools lacked indoor plumbing, experienced flooding from inadequate sewerage in areas such as the Ninth Ward (Landphair, 1999), no systematic reform was implemented until there were public calls and political pressure to desegregate schools (Baker, 1996). The state slowly began improving the quality of all black schools, such as building a high school and a college preparatory school, to forestall desegregation (Devore & Logsdon, 1991; Baker, 1996). After the Brown v. Board of Education decision, when the state was required to desegregate, the effectiveness of the desegregation plan was mitigated by state legislation intended to obviate desegregation, white flight, white resistance and violence, failure to develop a reasonable timeline, (Baker, 1996) and disregard for the educational outcomes of African American students (Bell, 1995). As a result, progress has been limited and the state of the public schools has continued to deteriorate.

The State of New Orleans Schools Pre-Katrina

There is no question that the New Orleans Public School District had failed its students. One year prior to Katrina, the Orleans Parish School System was ranked the worst in Louisiana, a state that measures forty-ninth in education for the country (Raynor, 2006). Forty-three percent of high school students failed the English exit exam, required to graduate, and forty-six percent failed the math exit exam, a percentage twice as high as the state average (Raynor, 2006). While there is debate regarding the validity of standardized assessments such as the Graduation Exit Exam (GEE), their high-stakes consequences are certain. With a citywide dropout rate of thirty-seven percent, a rate that tops fifty percent for African American youth (Dyson, 2006), New Orleans has a large population of adults without high school diplomas (Ladson-Billings, 2007) and one of the highest illiteracy rates in the country (Dyson, 2006).

New Orleans schools also have historically suffered from limited funding. Like other urban districts, New Orleans suffers from municipal burden, where a large portion of the tax revenue is diverted to non-school costs such as police and fire expenditures and public health costs (Kozol, 2001). This is compounded by the fact that state expenditure on education in Louisiana ranks nearly last in the U.S and has one of the lowest average per-pupil expenditures (Tulane University, 2009a). One area that is neglected is building repair. Ranking only behind Hawaii, Louisiana ranks second in need for the largest amount of funding to repair its public school buildings (Tulane University, 2009a). In New Orleans specifically, prior to Katrina thirty-nine percent of schools had at least one inadequate building and at least fifty percent of all school buildings were in need of at least one major repair such as roof repair, heating, ventilating, and air conditioning (HVAC), and plumbing. Many buildings could not provide heat in the winter, air conditioning in the summer, had impaired plumbing or roof failure, and broken windows.

New Orleans schools also have high rates of suspension and expulsion for offenses that are often minor in nature and could be addressed within the school setting (Tuzzolo and Hewitt, 2006). In the 2004 to 2005 school year, twenty percent of all children attending Orleans public schools were either suspended or expelled. Frederick Douglass High School, for example, suspended forty percent of its students during the school year prior to Katrina. Citywide, five hundred students were arrested on school property or one out of every 128 students. There have been documented cases where students have been suspended for problems such being late repeatedly and returning to school afterhours to submit homework. For students forced out of the system, there is little hope of success in the city's alternative schools settings such as the Arthur Ashe School which had a ninety-nine percent failure rate on the English GEE prior to Katrina and an equally abysmal graduation rate of less than three percent.

The outlook of many New Orleans schools was bleak. While there were many notable successful public schools in the city such as Sophie B. Wright Middle School, Bethune Elementary School, Eleanor McMain Secondary School, and "Mac35", far too many schools offered little if any opportunity to students. Many dilapidated and overcrowded, without adequate plumbing, heating or cooling, without desks or boards to write on, with too few teachers, without basic course offerings such as trigonometry or chemistry, the schools of New Orleans have needed help for a long time. Families, students, and educators have long fought for improved schools for their children but systematic reform was never enacted until Hurricane Katrina suggesting that other interests were being served.

New Orleans School Reform Post-Katrina

After Hurricane Katrina, Mayor Ray Nagin convened a committee of business and industry leaders from the state as well as a few token education leaders to head the Bring New

Orleans Back Commission (BNOB) (Tulane University, 2009b). Some members included Tulane University's President Scott Cowen, chief executive of Entergy Power Daniel Packer, Alden McDonald, CEO of Liberty Bank, Joseph Canizaro, a property developer, and Oliver Thomas, a city council member. The committee was charged with generating ideas for rebuilding the city's infrastructure such as public health, housing, and education. Since its creation, the committee has been controversial and has elicited a lot of mistrust from New Orleans African American community because of their recommendation to prohibit residents from the Ninth Ward and New Orleans East from rebuilding (Finch, 2009; BNOB, 2005) and for turning Broadmoor, also a predominately African American neighborhood, into a park (Russel, 2006).

The Bring New Orleans Back sub-committee on education has also been contentious. Many local educators were angered by the group's membership—mostly state policymakers and business leaders, national education leaders from the Gates and Broad foundations but an absence of senior leadership from New Orleans Public Schools (Simmons & Raynor, 2006; Perry, 2006). Many community members and educators also felt neglected from the public meetings held by the commission while many families were still displaced. Their recommendations for education rebuilding, generated over a series of meetings in October and November of 2005, in conjunction with state legislators, were compiled into the *Rebuilding and Transforming: A Plan for Improving Public Education in New Orleans* report which served as blueprint for school restructuring.

The Bring New Orleans Back Commission report represents an important tool for analysis in New Orleans school reform for several reasons. First, it represents important political differences in the approach to rebuilding New Orleans. Many see the efforts of the Bring New Orleans Back Commission as a broader goal to prevent the black community from returning and rebuilding and to repopulate a whiter New Orleans (Dyson, 2006; Russel, 2006; Finch, 2009). The document represents policymakers and local and state businesses' interests in using education reform to bolster economic growth, to reclaim New Orleans' public schools for white,

mostly middle-class students and educators while shutting out many African American students and educators. The document also provides the neoliberal rhetoric that has bolstered the argument of school choice for New Orleans as an equity measure. Before examining the outcomes of New Orleans school choice reform, it is necessary to review the *Rebuilding and Transforming: A Plan for Improving Public Education in New Orleans* report and the underlying recommendations it presents.

Bring New Orleans Back Committee: A Neoliberal Guide to School Reform

The first section of the *Rebuilding and Transforming* report discusses the methodology for building a model for New Orleans school reform in conjunction with state legislators (BNOB, 2006). To begin, the BNOB committee interviewed 40 education experts in high performing school districts and representatives from national education organizations such as Teach for America (TFA) and the Knowledge is Power Program (KIPP) schools. The report also states that the committee held regular public meetings and surveyed over 1500 parents, students, teachers, and administrators and held focus group interviews with teachers and principals from twenty different local schools. The stated goal of the process was "to enable all New Orleanians to participate and stay informed" (p.5) and work toward "one single vision for Orleans Parish schools" to "deliver learning and achievement regardless of race, socioeconomic status, or where students live" (p.5).

From the BNOB committee's survey and interview data, the committee identified six major aspirations for public education in New Orleans which was used to represent the interests of families, students, and educators (BNOB, 2006). The most important part of reform, for families, was ensuring equal access to high quality schools in every neighborhood for every student. Many parents were particularly concerned about the uneven distribution of resources in

New Orleans' schools such as funding, materials, and special programs. Parents also wanted a "simple, transparent mechanism for enrolling their children in schools" (p.13). Second, families and students expressed a desire for caring and qualified teachers and principals. Parents and students wanted teachers who were "strong and caring" and who would challenge students and look out for struggling students (p.14). Parents were also concerned that their children's most valued teachers would not be returning. Teachers and principals also expressed a desire to cultivate more principals and administrators from local teaching staff "rather than hiring principals from outside the public school district" (p.12). Families also wanted schools that provide a supportive learning environment for teaching and learning including increased services for students identified as special needs, smaller class sizes, and "well-equipped and well-maintained facilities" (p.13).

New Orleanians also wanted schools that engage and empower communities. Parents were adamant about schools providing more support to families through increased information, homework help lines, and adult education opportunities such as "literacy and numeracy classes" (p.15). Teachers also believed that partnerships with community organizations, neighborhood businesses, and local universities would improve schools. Stakeholders also wanted schools that embody the spirit of New Orleans. Parents wished for schools to teach their children about the unique heritage of New Orleans. Parents and students also believed that "public schools must play a role in bringing New Orleans back together" and preserving the New Orleans' tradition of close-knit communities (p.16).

The report argues that the committee took into account the interests of families, students, and educators in order to build a model for New Orleans school reform. The BNOB committee developed a recommendation for an education network model where "various entities can operate schools and the central office plays a strategic role—delegating decision making authority to schools but retaining system wide consistencies in key areas" (BNOB, 2006, p.25). Under this

model, schools are organized into networks—groups of similar public schools organized into a cluster with a dedicated manager such as a charter management organization (CMO), an educational contractor, or a public school employee. The manager would then be responsible for reporting to the superintendent. This model, it is argued, would allow schools to develop connections and share best practices and help schools to "access resources" (BNOB, 2006, p.30). In order to support a network model, school governance would be decentralized into three governing bodies: the Board of Elementary and Secondary Education (BESE) overseen by State Superintendent Paul Pastorek, the Recovery School District (RSD) overseen by Superintendent Paul Vallas, and the Orleans Parish School Board overseen by Superintendent Darryl Kilbert. Under each superintendent, there are managers of groups of schools as well as managers of individual schools. For example, the Algiers Charter Schools Association (ACSA) is a group of nine charter schools led by manager Chief Executive Officer Andrea Thomas-Reynolds which is overseen by the Recovery School District.

The network model also promotes a majority based charter system (BNOB, 2006). Charter schools, the BNOB committee reasons, offer "innovative models to serve diverse learning styles", have greater control over "budget and staffing decisions", and have greater flexibility to "create an entrepreneurial environment that may attract new talent into public education in New Orleans" (p.8). Charter schools, it is argued, also allow for increased autonomy where schools have a greater role in decision making and can control variables such as the amount of time spent on instruction or money spent on arts or music programs based on their mission. Charter schools are also said to have the ability to shop around for services with different providers and find "lower cost and higher quality services than those offered by other school districts (p.23). The BNOB committee also finds that charter schools provide a variety of "high quality options for meeting students' diverse learning styles" (p.17). As an example, the committee offers the KIPP Academy in Houston which has a waitlist greater than its enrollment. This is said to "reflect

parents' strong desire for high quality schools for their children" (p.17). This example, the committee argues, offers evidence of the need to increase the number of charter schools.

The BNOB committee also recommends the recruitment of top educational leaders to New Orleans schools including highly effective principals and teachers (BNOB, 2006). The report states that many experts agree that "traditional education programs do not adequately train teachers for the challenges they face in academically underserved schools" (p.20). Therefore the report recommends that school leaders look outside of traditional recruiting pools to find "highly motivated people to teach in these schools" (p.20). One path suggested is the use of alternative recruitment programs such as Teach for America (TFA), an organization that recruits recent college graduates to commit to two years to teaching in high needs schools. The report also recommends the use of New Leaders for New Schools, an outgrowth from Teach for America, which recruits former teachers, business leaders, and TFA alumni to become principals and school administrators.

The report also stresses the need for increased parental and community engagement and states that "clear roles and responsibilities will be assigned to parents to get them involved in their children's education" (BNOB, 2006, p.30). In order for New Orleans schools to be successful, the report concludes, "parents and communities must be ready to accept their roles and responsibilities" (p.26). To facilitate school choice for families, the BNOB committee stresses that there will be a rule-based, transparent process through which families "select and enroll their children in public schools" (p.27).

In conclusion, the report finds that the open enrollment, network school choice model with a majority charter based system is "a clear choice for New Orleans" (BNOB, 2006, p.31). The plan, it is argued, allows for a greater variety of high quality options for parents and ensures that all students have access to high quality teachers and schools. The report also states that

schools will have increased autonomy and decision making allowing them to be more "consumer oriented" (p.32). Under the recommended model, governance is argued to be highly effective and aligned providing "strong leadership at all levels"—"a fact based strategy that puts student achievement ahead of any other agenda" (p.32). The committee ensures that this model will become a "positive distinguishing feature of New Orleans" and attract businesses to our city" and deliver a "world-class education to all children" (p.4).

Before analyzing the recommendations posed by the Bring New Orleans Back Committee regarding school choice reform in New Orleans, it is important to review the outcomes of the reform for the many families who did not prosper from the promises of a world-class education. In the next section, I will reexamine the outcomes of New Orleans school reform from a revisionist standpoint—an account that is more accurate to the experiences of the many African American families and educators who were excluded from participating in school choice.

New Orleans School Reform: A Counter Narrative

On Broad Street the welcome sign to Israel Augustine Middle School reads "Welcome Back Students" and is dated "August 29, 2005". As if frozen in time, many of the school buildings in New Orleans look strangely as they did four and half years—just slightly altered by the water lines. While it is impossible to generate an exact number, it is estimated that 120 out of 125 school buildings were damaged in some way during Hurricane Katrina (Saltman, 2007). Today fifty-one buildings remain abandoned (Krupa, 2009). Many of the schools, such as Israel Augustine Middle School, have not been touched since the storm—their buildings are still filled with hazardous debris alongside artifacts from the school's past such as a crumbling poster of Martin Luther King Jr. or a molded calendar for the year 2005. These landscapes, prevalent in many neighborhoods, serve as reminders of the unfulfilled promises of restoration.

While many families were still displaced from Hurricane Katrina, before it was known whether New Orleans would ever be habitable again, Secretary of Education Margaret Spellings authorized forty-seven million dollars for the building of charter schools in hurricane ravaged regions (Saltman, 2007). No such funds were provided for the rebuilding of public schools. In response to the availability of funding for charter schools, Governor Kathleen Babineaux Blanco implemented the Recovery School District Act, also known as Act 35, which significantly expanded state takeover laws, revised state charter laws, decentralized school governance for Orleans Parish, and fired all of the city's public school employees.

The Recovery School District Act greatly expanded the state's ability to takeover public schools (Tulane University, 2009b). Act 9, the state's original Recovery School District Act, passed in 2003, had resulted in the takeover of only one school in the entire state in 2004. Act 35, however, made it much easier for the state to takeover public schools. In prior legislation, the state mandated that any school with a School Performance Score (SPS) of 60 or below, a ranking considered "academically unacceptable," could be placed into the Recovery School District (RSD) which is overseen by the state. However, through Act 35, the state was authorized to take over any school that was at or below the state average, with an SPS score of 86.2. After the law was implemented, 117 schools were taken over by the state leaving only five schools in the control of Orleans Parish School Board (Perry, 2006). As of 2008, 121 schools have been taken over by the state—all but four from Orleans Parish (Tulane University, 2009b). New Orleans is currently the only large metropolitan area where the state controls more public schools than local authorities (Huntley, 2009).

Alongside the expansion of the state's takeover law, Governor Blanco also revised the state's charter law, Act 42, originally passed in 1995, to make it easier for authorizers to apply for a charter school and to loosen restrictions for charter schools (Ferguson, 2009a). As a result, there has been a dramatic increase in the number of charter schools. Currently New Orleans leads the

nation in the percentage of students attending charter schools—approximately fifty-eight percent as of 2008 (Huntley, 2009). The revised charter law changed the state's original ruling which required charter schools to serve the same or greater percentage of students qualifying for free or reduced lunch (Ferguson, 2009a). Charter schools were also allowed to institute admissions requirements and were not required to accept a minimum of ten percent students identified as special needs—a previous requirement. The state did not formalize any agreement regarding information disbursal to families. The state removed all prior caps placed on the number and type of charters in operation (Robelen, 2009). Public schools not taken over by the state, for example, were allowed to convert to charter status such as Benjamin Franklin High School—a decision administrators felt was necessary to secure funding for rebuilding but resulted in overwhelming administrative burden (Ferguson, 2009b). Legislation also allowed newly granted charter authorizers to take over previously public schools (Tulane University, 2009b)—perhaps the most influential revision to the state charter law.

While many families, teachers, and administrators were evacuated, the New Orleans School Board held a series of public meetings that determined the conversion of public schools to charter schools (Dingerson, 2006). As a result many of the public school buildings with less damage were auctioned off and given to charter school authorizers without public say. This created a spatial mismatch since many of the public school buildings with less damage were in wealthier neighborhoods. As mentioned earlier, typically wealthier neighborhoods in New Orleans are built in areas of higher elevation along the city's natural levees, which are more secure, while low-income neighborhoods are often built along the artificial levees, many inadequately built and unstable. Therefore public schools in wealthier areas, with less flood damage, were more profitable to purchase. There was also great contention over this process as historically black schools such as Fortier High School, which served as the only open admission, high school in the Uptown/Riverbend area, was purchased by Tulane University and converted to

a selective admissions high school known as Lusher Charter. The high school students from this Uptown neighborhood had no access to a public school in the same area after Katrina until the New Orleans Charter School of Math and Science, a charter prior to the storm, reopened as an open admissions charter to accept the overflow of students. This problem was compounded by the fact that Act 35 abolished all attendance zones which ensured that all students were assigned to a neighborhood school in proximity to their residence (Tulane University, 2009b).

The first schools to reopen, beginning in December 2006, were all charter schools with admissions requirements (Dingerson, 2006), except for the New Orleans Charter School of Math and Science. The public schools had no funds to repair buildings and no assistance from FEMA who had fined the city for underinsuring its public school buildings (Saltman, 2007). It was not until a year later that public schools received FEMA assistance. As a result many returning students were unable to secure a seat in any school. Many returning students could not even return to the schools they previously attended—because of the changed admission requirements. This resulted in a waitlist of approximately three hundred students by January 2006 (Dingerson, 2006). Many students indentified as special needs were denied entry into schools which resulted in a lawsuit filed by civil rights attorney Tracie Washington on behalf of thirteen special need students. It has been estimated that approximately 30,000 children in the state of Louisiana, with the majority from New Orleans, did not attend school for the 2005 to 2006 school year (Huntley, 2009)—a phenomenon likely related not only to mobility but also to school availability.

There was also a significant teacher shortage. In December the school board voted to place all 7500 public school employees including 4500 teachers on disaster leave without pay and by February fired all of them without priority for rehire (Dingerson, 2006). The reforms, rather than focusing blame on the state's failure to secure resources for its schools, blamed the teachers and administrators, many who had dedicated their lives to serving their students. When teachers returned they were required to reapply for their previous position, schedule an interview, take a

basic skills test, and write an essay, which was graded for spelling and grammar, on why they chose teaching as a career. Many teachers were not allowed to return because of their "unsatisfactory" scores and were forced to move to other districts (Polier 2008, p.162). This created a dramatic shift in the racial makeup of the teaching force in New Orleans. As the city supported the hiring of unlicensed teachers, through alternative certification programs such as Teach for America and Teach NOLA (an abbreviation for New Orleans, Louisiana), the majority of whom are white, the previously eighty-five percent, of African American veteran teachers were displaced (Perry, 2006). This led to a dramatic increase of teachers without prior teaching experience. As of 2008, it was estimated that sixty percent of New Orleans teachers have less than one year's teaching experience (Maxwell, 2008). Many veteran teachers, mostly graduates from the city's three historically black universities and colleges (HBCUs), Xavier University, Southern University of New Orleans, and Dillard University, have moved to other districts. It is presumed that the influx of new teachers will begin to have negative effects on the teacher education programs of these schools that prior to the storm had relationships established with the public school system (Akbar & Sims, 2008).

The Recovery School District has also resorted to the use of international teacher recruitment agencies such as Universal Placement International which is now coming under allegations of extortion (Carr, 2009f). The company, which recruited teachers from the Philippines, charged recruits $15,000 to obtain employment in RSD and required employees to sign a contract handing over ten percent of their pay for every year of employment. The company charged not only the recruits but also the RSD $47,500 in 2007 to hire twenty special education teachers. When the teachers arrived they were intimidated and coerced into signing contracts and were told they would be sent to jail if they did not follow company mandates. The company, now under federal investigation, is no longer being used by the RSD but the twenty teachers hired are still working in the district awaiting reimbursement for all the money they have lost.

The state also severed the collective bargaining agreement with the local teacher's union and gave charter schools the right to include "no-union", employment contracts (Honawar, 2006). While the American Federation of Teachers (AFT) local 527 has had a long history fighting for equal pay for African American teachers during desegregation and winning the first collective bargaining agreement in the Deep South in 1974 (Devore & Logsdon, 1991), its membership has drastically declined since the storm. Prior to Katrina, the AFT had 4,300 members; now it has less than 300. Many teachers, who are working in the same schools they taught in prior to the storm, have experienced a pay cut because of their school's shift in public to charter school status as well as the loss of their rights to union membership (Polier, 2008). Union membership also placed time limits on the amount of lunch and hall duty teachers had to fulfill outside of their teaching obligations as well as the number of required faculty meetings. In many schools, where union membership is prohibited, teachers are now required to serve as additional support with no time limits for lunch duty, morning and afternoon hall duty, weekly faculty meetings (Polier, 2007), and in the RSD, an additional hour of instruction (Adamo, 2007). Some schools such as the KIPP Charter Schools also require teachers to teach on Saturdays (Robelen, 2008).

Parents and guardians also faced many challenges just getting their children into schools because there was no standardized process for admissions or any requirements by the state to provide information to parents. Many parents had to travel from school to school filling out applications. Children whose parents did not have transportation, for example, had limited choices. Disparity arose between parents who had the resources to navigate the complex, decentralized school system and the parents who could only send their children to the closest school (Dingerson, 2006). There was also a problem with information disbursal. Many parents had to search for schools based on signs posted along the neutral ground (what Louisianans refer to as the median between a divided highway) to find out which schools were open and accepting students.

There was also no way of knowing what school building was being used for which school. For example, the New Orleans Charter for Math and Science was relocated to Allen Elementary School but someone passing by the school would not know that because there was no sign stating what school was in the building. Many people would just assume it was Allen Elementary. There was also the problem of schools sharing buildings. One parent, trying to get her daughter into Success Preparatory Academy, was turned away and told she had to return between the hours of 1 and 4pm (Carr, 2009d). When she followed up with the school to submit the application again it turned out that the application submission procedure was for the other school sharing the building, Wicker Elementary. It turns out she could have submitted the application the first time she went to the school. Many parents have also received incorrect admissions decision. One parent, whose son maintained a 3.5 GPA throughout middle school, was rejected from two high schools because of an administrative failure to accurately calculate his GPA (Carr, 2009c). Without access to information regarding school location and admission procedures, many guardians literally had to travel from school building to school building applying in a trial and error like-fashion unaware of requirements and deadlines hoping to gain admittance into any school available.

At the same time three charter schools were forced to close due to financial and operations mismanagement, forcing five hundred students to find new schools the day before classes started (Dingerson, 2006). Recently, more charter schools are being added to the probation list due to their large budget deficits, low academic performance (Chang, 2009), as well as their inability to detect large missing sums of money (Carr, 2009b). For example, the Chief Financial Officer (CFO) Kelly Thompson of Langston Hughes Academy Charter School made 150 cash withdrawals totaling $675,000 over a fifteen month period but was not caught until nearly a year later. A possible explanation of the school's mismanagement is a lack of oversight (Sanders, 2009). In a recent audit in 2008, the Louisiana Department of Education's governance

of New Orleans schools was cited for many of the financial problems said to plague the pre-Katrina Orleans Parish School Board including: “not monitoring financial reports submitted by principals”, “not conducting internal audits”, “not properly insuring school property”, and “overpaying school employees” (Sanders, 2009, p.3).

The state run schools in the Recovery School District (RSD), which were required to be open admissions, also encountered a number of problems. The Recovery School District (RSD) was scheduled to open in August 2006. Many parents were counting on these schools to open because the state run schools were required to accept all students. However, due to a 170 teacher shortage, the RSD opened a month late leaving parents terrified that there would not be schools for their children to attend. When the RSD finally did open, there were still not enough schools to serve the student population resulting in another waitlist (Adamo, 2007). As parents began protesting, the RSD removed the waitlist and admitted students into already overcrowded schools since the district was unable to meet student capacity. This resulted in large class sizes, particularly at the high school level. In some cases, classes were as large as fifty students. Unfortunately, nearly four and a half years later, this problem has not been resolved. There have been recent reports that high schools such as John McDonogh and Frederick Douglass have had class sizes as large as ninety students (Carr, 2009a). Elementary schools such as Benjamin Banneker, also in the RSD, have reported class sizes between thirty and forty students. As one teacher remarked, “you cannot cram this many kids in a classroom and make sure their needs are met” (Carr, 2009a, para. 11).

When the RSD schools reopened the disparity of resources became obvious. Because the RSD inherited the buildings most damaged by the storm, the schools faced great challenges to reopen. Many of the buildings housed classes in trailers and lacked stalls for the bathrooms (Dingerson 2006; Adamo, 2007; Huntley, 2009). The schools had a shortage of counselors and in many cases could not provide mental health services to students—a problem for a student

population with a high percentage of students suffering from Post Traumatic Stress Syndrome (PTSD). Many schools also did not have nurses or social workers, and were unable to provide services for students identified as special needs. Schools lacked textbooks, desks, chalkboards, and basic operating supplies such as printers and copiers (Tuzzolo and Hewitt, 2006). Many schools in the RSD also were unable to provide hot lunches for students for nearly nine months (Adamo, 2007). Because of the inadequate facilities several RSD schools had to resort to half-day, platoon programs where some students would attend school from 7 to 1:15 and others would attend from 1:45 to 7:30 pm until a larger school facility opened up (Simmons & Raynor, 2006). Teachers, administrators, and parents, however, had little recourse for action. By the end of the first school year following Katrina, the RSD did not have a telephone line in its central office or even a website.

Although the RSD was unable to provide basic necessities to students, well-maintained school buildings, or basic curriculum, it spent a significant portion of its budget, roughly twenty million, on school security. Prior to the storm, there was a ratio of one security guard for every 333 students; after the storm, in the RSD, there was a ratio of one security guard for every thirty-seven students (Adamo, 2007). The district also increased the number of metal detectors, a new trend for many of New Orleans schools. In many of the RSD's high schools, such as Frederick Douglass and John McDonogh, students and teachers were overwhelmed and frustrated by the metal detectors, the large number of police officers, national guardsmen, and private security officers from firms such as Guidry Group. As one teacher observed at McDonogh High, while the school only has one social worker, there are thirty-two security guards as well as a "contingent of New Orleans police officers" for only eight hundred students (Adamo, 2007, p. 48). There is also no central hearing office for student or parent appeals to ensure that school discipline policies are just (Polier, 2008). Many RSD schools have instituted unjust policies such as requiring suspended high school students to return with a parent, even though many students are displaced from their

parents. When they return without a parent, they are sent away. Many schools, operating without any oversight of their discipline policies, have had complaints of security guards using excessive force with students (Tuzzolo & Hewitt, 2006; Adamo, 2007) and schools instituting "lock downs" where classroom doors literally lock when class begins and students even a few minutes late are shut out and often suspended for the day (Tuzzolo & Hewitt, 2006; Polier, 2008).

The demographic of students served by the RSD is different than the district as a whole. The percentage of students living in poverty attending RSD's traditional schools and open admission charter schools were approximately double the percentage of those attending OPSB selective admissions schools—roughly eighty-eight percent against forty-seven percent (Huntley, 2009). The system is also highly segregated by race. There are only 1,876 white students attending public schools in New Orleans, approximately four percent, and nearly seventy-five percent of these students attend selective admissions schools run by the Orleans Parish School Board. Two thirds of all white students in the district are concentrated into three selective admissions schools: Benjamin Franklin High School, Lusher Charter School, and Audubon Charter School. These three schools are also the only public schools in New Orleans that serve less than fifty percent of students that qualify for free or reduced lunch. Many researchers have argued that the enrollment patterns are related to charter school's ability to self-select students (Huntley, 2009; Adamo, 2007).

Since the reform has been implemented, achievement gains have been noted for the district overall. In 2005, only fifty-one percent of fourth grade students in Orleans Parish passed the state's promotional exams (Huntley, 2009). By 2009, sixty-three percent passed. Similar trends are noted for eighth grade students from roughly forty percent to fifty percent. Although many supporters of reform have interpreted the achievement gains as proof of the power of the private sector (Tough, 2008), researchers have called for a more detailed analysis of achievement gains (Huntley, 2009). For example, student achievement gains did not begin in 2005. From the

years 2002 to 2005, significant gains were made in state achievement scores at the fourth and eighth grade level which is a likely contributing factor to post-hurricane improvements (Perry, 2006; Huntley, 2009). The results are also not consistent across the district. For example, eighty-eight percent of fourth graders in Orleans Parish run schools received a score of basic or above on the state math assessment while only forty-one percent of students in the RSD received a score of basic or above. The disparity increases with grade level. At the high school level, the RSD actually experienced a decrease in achievement scores from pre-Katrina levels. Prior to Katrina the Orleans public high schools had a failure rate of forty-three percent on the English exit exam and forty-six percent on the math exit exam. Post-Katrina over sixty percent of the high schools in RSD failed the English exit exam as well as the math exit exam (Maxwell, 2008). On a state level, in the school year of 2008 to 2009, the RSD received the lowest district performance score in the state of 51.4, based on variables such as achievement scores, dropout rates, and attendance data (Tulane, 2009c). There were differences in per-pupil instructional costs between types of schools in New Orleans in 2006 to 2007 (Huntley, 2009). The RSD charter schools as a group spent the least amount for instruction ($5,120), while OPSB public schools spent the most ($8,652)—a total of $3,532 more per pupil than RSD charter schools.

As a result of the inequity, the U.S Department of Education's Office of Civil Rights is currently investigating a complaint alleging that many of New Orleans charter schools have discriminatory admissions policies against African American students (Carr, 2010b). Some of the schools included in the investigation are Benjamin Franklin High School, Lusher Charter, Warren Easton High School, Lake Forest Elementary, Einstein Academy, and Priestley Charter School. The Orleans Parish School Board has been asked to hand over a list of the schools' admissions policies including any admissions tests as well as a list of all students who applied during the 2008 to 2009 school year and were accepted and rejected. There have also been recent allegations of continued discrimination against students identified as special needs—an important problem

for a school district where one out of every ten children are labeled as special needs (Carr, 2010a). Many families have complained that they were discouraged from applying to many of the city's charter schools or that their children were counseled out. As a result, these guardians have had to enroll their children in the RSD which continues to have a negative reputation among many families who resist enrolling their children in the state run schools.

While the literature on school choice reveals that many of these problems could have been predicted and prevented, the state still forged ahead with an open enrollment, majority charter based system based on the recommendations of the Bring New Orleans Back Committee. Of consequence, the decision not only served to exacerbate the pre-existing inequality of New Orleans Public Schools but it also prevented the community from having a voice in the decisions made and dismantled the predominately African American teaching force. When comparing the recommendations from the Bring New Orleans Back Commission on Education with the outcomes of the school reform, based on accounts from teachers and researchers, a contradiction emerges between the intentions of creating "a world-class education system" for students "regardless of race or class" (BNOB, 2006, p.38) and the reform's consequences for the predominately African American, low-income student population. To understand the tension between the recommendations of the reform and the outcomes I draw on Critical Race Theory to analyze the Bring New Orleans Back Committee's recommendations for reform.

New Orleans School Reform: A Color-Blind Discourse

> Like natural disasters, the educational disasters that are inflicted on African Americans are known; they are structural; and their effects can be predicted. (Darling-Hammond, 2007, p.xiv)

Critical Race Theory argues that racism is "endemic in American life, deeply ingrained legally, culturally, and even psychologically" (Ladson-Billings & Tate, 1995, p.52). Therefore,

failing to account for racism in any analysis of education reform will only fail to "perceive racial inequity" and serve to "keep minorities in subordinate positions" (Delgado & Stefancic, 2001, p.22). Any analysis that appears color-blind therefore is detrimental for failing to redress inequity, for failing to provide meaningful outcomes for African American students, and for concealing the self-interest of dominant groups (Yosso, Parker, Solorzano, & Lynn, 2004). Operating from a color-blind discourse, the Bring New Orleans Committee's recommendations achieve just that—the reforms fail to address education for African American students, fail to address the racial inequity of New Orleans schools and the deficit perspectives used to describe African American educators and parents, and conceals the neoliberal interests guiding the reforms that largely benefit white, middle-class students.

When reviewing the Bring New Orleans Back Commission recommendations for school reform, there is a glaring absence of race. Although African American students make up nearly all of the student population, the forty-three page report never mentions the word "African American". When the document does discuss race, it uses the phrase "to deliver learning regardless of race or socioeconomic status" (BNOB, 2006, p.5) or education for "all students" (p.6). By failing to acknowledge how race and ethnicity are central to learning, the reforms fail to provide any meaningful educational outcomes for African American students such as developing a "healthy racialized self-concept", focusing on community empowerment (Stulberg, 2008, p.111), valuing African American culture and history in curriculum, and helping students "understand the world as it is" (Ladson-Billings, 1994, p.139) such as the culture of power, and language diversity (Delpit, 1995), and acknowledging and coping with racism (Ladson-Billings, 1994).

By using a color-blind discourse, the reforms also fail to address how race is a "significant factor in determining inequity" (Ladson-Billings & Tate, 1995, p.48). While the Bring New Orleans Back Commission does acknowledge some of the challenges New Orleans

schools faced prior to Katrina such as low per-pupil expenditure, the deteriorating physical condition of many school buildings, and low performance scores, the disproportionate effects on African American students are not discussed. Prior to the storm, African American youth were significantly more likely than white students to attend schools that were overcrowded (Devore & Logsdon, 1991), lacked air conditioning and heating (Landphair, 1999), offered mandatory vocational coursework, and had high rates of failure on graduation exit exams—in some schools nearly a one hundred percent failure rate (Dyson, 2006). African American students were also more likely to attend schools such as Moton Elementary in the Upper Ninth Ward that suffered from soil contamination with chemicals such as arsenic, mercury, and lead (Lyttle, 2000). In New Orleans, African American youth are also significantly more likely to drop out, a rate greater than fifty percent, and in some areas like the Ninth and Third Ward nearly seventy percent; more likely to be suspended or expelled; more likely to end up in Angola Prison; and more likely to die before the age of twenty-five (Dyson, 2006). The Bring New Orleans Back report does not acknowledge how schools have inequitably served African American students through tracking policies, discipline procedures, school environment and quality, and as a consequence it fails to take seriously the challenges many students face.

Rather than fully characterizing the history of racial inequity that has plagued New Orleans schools, the report serves to blame the predominately African American teaching force for the low performance rates. This is often a common strategy used in urban districts trying to implement school choice reform; black educators are stigmatized as incompetent and then disqualified from teaching (Morris, 2001). Although the Bring New Orleans Back Commission does not directly state that teachers were the problem, it argues repeatedly that it is “essential to attract high-performing teachers” and that experts recommend looking “outside traditional recruiting pools to find highly motivated people” (p.20). The report goes on to say that “experts agree that traditional education programs do not adequately train teachers” and recommends the

hiring of alternatively certified teachers through programs such as Teach for America (p.20). These recommendations presume that New Orleans veteran teachers were not high-performing and that the city's historically black colleges and universities (HBCUs) that prepared most of teaching force (Akbar & Sims, 2008) were not adequately preparing teachers. The report also urges for the need of "one single voice" (BNOB, 2006, p.5)—not addressing whose voice is heard and whose voice is neglected such as the 7500 public school employees who were fired without priority for rehire (Perry, 2006).

The report also indirectly blames families for school failure by questioning their involvement. The report argues that "parents will be assigned clear roles and responsibilities to get them involved in their children's education" (p.30) and that "parents and communities must be ready to accept the important roles and responsibilities they each have to play" (p.25). These statements imply that families were not previously involved in their children's education and that parents have not taken responsibility for their children's education. The commission does not acknowledge the historically strong activism of African American communities and families in fighting for desegregated schools (Baker, 1996) and better school facilities (Devore & Logsdon, 1991), fighting against high-stakes testing (Tulane University, 2009a), and contesting the post-Katrina reforms (Raynor, 2006). The report does not talk about the many ways parents have been involved at the school level such as setting up writing projects and after school programs (Raynor, 2006), volunteering in the classroom, participating in after school tutoring (Miron, 2003), and advocating for students against unjust discipline policies (Utter, 2007). The report does not acknowledge the many barriers that families face in terms of participation such as the discrimination that parents of colors face when trying to access school choice models (Andre-Bechley, 2005; Bell, 2009), the high number of adults in New Orleans that lack access to transportation (Brinkley, 2007), the high number of adults with low levels of educational attainment which often influences parents' beliefs about their ability to participate, and the

impossible work schedules many families face in a service economy where it is essential to have more than one job. The reform documents depict families and teachers in a negative light—constructing a representation that rationalizes the silencing of many African American teachers and families.

Finally, the report does not define "involvement" which is interpreted differently by many families—some of my students' families believed their role was to instill a value for education and to check in with their student about their work while leaving school decisions up to the teachers, others believed in serving as a presence in the classroom and in the school, other parents believed their role was to push for their children to take responsibility over their education and their siblings' education. All of these parents were greatly committed to their children's education even though their methods for involvement varied. The report, although it does not say it, is advocating for a particular model of involvement required in school choice—where families must search for schools, construct a choice set, figure out admissions procedures, complete admissions requirements, and seek out additional schools of choice if a school does not adequately serve their children or if a school shuts down. Nor does this report acknowledge that this form of parental participation privileges parents with access to transportation, parents who have a more flexible work schedule, and in particular, puts parents of color at a disadvantage whose access is limited by discriminatory admissions procedures and an unwillingness of many schools of choice to provide access to information to families of color.

The Bring New Orleans Back Commission report also manipulates families' interests in school reform to support the neoliberal interests guiding the reform. The report begins by describing how community input was an important part of the reform process--"talking to the people that know the schools best" (BNOB, 2006, p.9) and holding a series of public meetings (p.8). But many local educators and advocacy groups felt that the public meetings were held largely while many families were still displaced (Perry, 2006; Dingerson, 2006) and that there

was a notable absence of education leaders from New Orleans (Simmons & Raynor, 2006; Perry, 2006). Many educators felt that they had no voice in the policies implemented (Polier, 2008). Furthermore, many of the concerns of families and students represented in the BNOB report do not correlate with the recommendations for school reform put forth by the BNOB commission. While the document argues that community input informed the recommendation process, there are key differences in the reform families were hoping for and the reforms that were implemented.

The most important element of reform for families was ensuring that all neighborhoods had access to high quality schools with equitable funding and resources (BNOB, 2006). The recommendations for reform, however, emphasize access to high quality charter schools, which are not available in every neighborhood. Additionally, the report does not discuss the large disparity between RSD schools and the schools run by the Orleans Parish School Board. The recommendations also fail to discuss the challenges of racial discrimination that prevent many students from obtaining admission into their schools of choice (Holme & Richards, 2009; Bell, 2009) and the problems with information disbursal in school choice programs (Wells, 1993; Good & Braden, 2000; Andre-Bechley, 2005). Families also felt it was important for all schools to have "smaller class sizes" (p.12) but the recommendations for school choice do not address this issue. Class sizes in many schools in the RSD have continued to increase—far exceeding their pre-Katrina levels (Carr, 2009a).

Families, students, and teachers also indicated that school reform should ensure that all special needs students were served (Huntley, 2009). The recommendations, however, focusing on a majority charter based system, do not discuss the historical problems many charter schools have had serving special needs students (Good & Braden, 2000). The report does not discuss the challenges that students identified as special needs face with finding a school of choice since many charter schools place caps on the number of special needs students they will admit. The

report also does not address the fact that many charter schools are not adequately set up to provide services for special needs students (Good & Braden, 2000).

Families and students also wanted to ensure that all students had access to caring and qualified educators (BNOB, 2006). Students felt they learned best "when they have teachers who are strong and caring, who challenge them to do their best, and who look out for them when they are struggling" (p.13)—strengths often used to characterize the teaching practices of African American educators (Foster, 1993; Ladson-Billings, 1994; Delpit, 1995; Siddle Walker, 2001). Students and parents were concerned that their most valued teachers would not be returning. The reform, although it does mention retaining "high performing teachers" (BNOB, 2006, p.20), does not discuss how many African American educators were forced to move to other districts when the school district hired alternatively certified, predominately white Teach for America and Teach NOLA candidates (Perry, 2006). The reform does not discuss the importance of recruiting and retaining black educators or valuing their knowledge in building reforms.

Finally, families wanted "schools that engage and empower communities" (BNOB, 2006, p.14). In New Orleans, many residents, whose families have lived in New Orleans for centuries, often in the same ward and sometimes even in the same house as their early ancestors, have a very strong sense of place and a deep connection to their ward (Brinkley, 2007) and their neighborhood schools. While the reform recommended schools that engage the community, school choice models often operate contradictory to this goal. School choice models often uproot students from their neighborhood schools (Morris, 2001; Bartlett, Gulbrandsen, & Murillo, 2002), force neighborhood schools to shut down to make room for selective admissions charter schools (Andre-Bechley, 2005; Lipman, 2009), and abolish attendance zones which allow students to attend schools with their siblings and the students they live near and with whom they have grown up. School choice models are also unstable as charter schools can have contracts as short as three years, can close down due to financial insolvency or overwhelming administrative pressure, and

can change management frequently (Good & Braden, 2000). If the true goal of reform was to engage communities, it is difficult to understand why reform measures could not have been put in place to improve the existing public school system—many schools that have been in operation for over a century, and already had strong community connections.

When reviewing the reforms recommendations presented by the Bring New Orleans Back Committee on Education, there is a clear disconnect between the recommendations by families, the recommendations by the committee, and the outcomes of the reform. A closer examination of the recommendations reveals that families, teachers, and students' interests were not guiding the reform. The reform, which operated without redressing the historical inequity of New Orleans schools or providing educational outcomes for African American students, reflected neoliberal interests in "creating an entrepreneurial environment for charter schools" (BNOB, 2006, p.8), and "attracting businesses" to New Orleans (p.12) and offering tax incentives for private enterprises (Klein, 2007) which have served to benefit white, middle-class students (Huntley, 2009) at the expense of many African American, mostly low-income students who were excluded. Because of the failure to account for race, racism, and racial inequity the neoliberal school reforms have had a devastatingly negative impact on many African American educators, families, and students despite the reform's goal to provide a "world-class education regardless of race" (BNOB, 2006, p.2). Sadly, as the vast amount of literature on neoliberal school reform indicates, the disproportionately negative consequences of open enrollment school choice policies for African American students in low-income communities were known.

Interest Convergence and The Contradictions of Neoliberal School Reform

School choice proponents argue that by creating a free market of schools within a framework of limited government intervention and deregulated private enterprise schools will

"spring up to meet the demand" of parents (Friedman, 1955, p.91) and that the competition will lead to "greater choice for parents" (Chubb & Moe, 1990, p. 193). As evidenced from New Orleans school reform, the demand of parents far exceeds the supply of charter schools invested in educating African American students and as a result many parents have very limited if any choices at all. As charter schools employ selective admissions policies and other mechanisms of racially driven exclusion, schools are able to select their students (Holme & Richards, 2009) rather than the other way around (Benveniste, Carnoy, & Rothstein, 2003). Therefore, the assumption that the free market is a neutral, self-governing force (Friedman, 1955) is problematic—this argument does not account for asymmetries of power (Harvey, 2005) and, in particular, the centrality of race.

A traditional, centralized public school system is argued to "restrict parents' individual freedom" to choose their children's schools (Friedman, 1955, p. 90). What is neglected from this argument are the many barriers that prevent an individual's ability to exercise choice such as discriminatory school policies (Andre-Bechley, 2005; Cooper, 2009), access to information and transportation (Good & Braden, 2000), and what must be sacrificed such as a student's ability to attend the school closest to his or her home (Andre-Bechley, 2005), the right of community members to serve on a democratically elected school board (Lipman, 2009), a teacher's right to unionize (Perry, 2006), receive fair pay or reasonable work hours (Polier, 2008), or the strong community networks sustained by neighborhood schools (Morris, 2004). And for New Orleans, there is also the loss of stability and the right to community rebuilding—we have lost the right to recreate our schools, learn from our history, rehire our teachers, or serve the students who previously attended our schools. While neoliberal policies are said to advance individual freedom (Friedman, 1955), it is often at the expense of collective freedom.

While many neoliberal school reforms are portrayed as serving the interests of families and students, and most often those who have been underserved by the traditional, public school

system, the benefits are largely accrued to white, middle-class students (Wells, 1993; Bifulco, Ladd, & Ross, 2009) while students of color and students in poverty are excluded (Andre-Bechley, 2005; Morris, 2001; Lipman, 2009). In New Orleans, while many families have waited decades for reform, their children embedded in a failing system that inspired little hope, relief from catastrophe was never brought until Hurricane Katrina, when families interests' in reform converged with the interests of white, business elite interested in the promotion of a neoliberal agenda. As Derrick Bell (1995) concludes, "Racial justice—or its appearance—may, from time to time, be counted among the interests deemed important by the courts and by society's policymakers" (p.22). While many have praised New Orleans school reform for "educating poor African American kids" (Tough, 2008, p. A6; Isaacson, 2007, Torres, 2009), many African American educators, families, and students have been exploited, silenced, and maligned in the reform efforts (Perry, 2006; Dingerson, 2006)—suggesting policymakers had their own interests in mind.

Although the reforms have resulted in some gains for African American students who have successfully enrolled in high performing schools of choice (Tough, 2008; Carr, 2009c), these isolated stories of success do not measure up against the many students who have been shut out of the system, stranded in schools with conditions far worse than their pre-Katrina counterparts (Dingerson, 2006; Adamo, 2007; Maxwell, 2008; Carr, 2009d). Ensuring white interests in preserving exclusive public schools, through the creation of two systems of choice, the RSD schools of last resort and the NOPS selective admissions schools, policymakers have ensured that "the superior societal status of whites" (Bell, 1995, p.37) is not threatened. As a result, the reform is contradictory in nature claiming to improve education for all students while simultaneously sorting students into two systems that vastly differ in quality. So the question remains, how can we build an alternative framework for reform that takes into account educational outcomes for African American students.

SECTION 6

ALTERNATIVE FRAMEWORK FOR REFORM

Valuing and Retaining African American Educators

One of the strengths of New Orleans public schools prior to Katrina was the large percentage of African American teachers—many who have moved on to other districts or retired as a result of the state's decision to fire them without priority for rehire (Perry, 2006). Many of the teachers who were rehired faced pay cuts, loss of tenure benefits, substandard and intensified working conditions, and were subjected to a humiliating series of basic skills tests (Polier, 2008) while alternatively recruited teachers, many without any teaching experience, were hired without question. Like many policies of school choice, African American teachers were silenced, maligned, and exiled from reform efforts (Morris, 2001; Perry, 2006). If we are seriously committed to reform, however, and the education of African American students, we need to ensure that African American teachers are given a voice in reform decisions and are retained through restructuring processes.

Moving forward with reform there needs to be a structured dialogue between the Bring New Orleans Back Commission and a more inclusive group of African American educators to discuss strategies for improving educational outcomes for African American students. To begin, it is more likely that teachers of color will critically assess the processes of schooling that denigrate African American students' culture (Ladson-Billings, 1994) and can provide insight into key problems that have historically troubled New Orleans schools such as discriminatory tracking policies and discipline procedures, low expectations, low parental engagement, and irrelevant curriculum. School reform must also address more micro-level problems such as classroom culture and teaching practices. The Bring New Orleans Back Commission needs to work with

African American educators and examine teaching practices characteristic of many African American teachers that empower students such as developing a school and classroom environment of cooperation rather than competition, modeling learning as a social rather than individual event, and envisioning academic achievement as bearing personal and collective power as well as political consequence (Foster, 1993). African American teachers are also more likely to serve as role models and community liaisons and can provide powerful ideas for bridging the gap between communities and schools (Ladson-Billings, 1994).

It is equally important to retain African American teachers through rebuilding partnerships with the historically black university and colleges (HBCUs) in New Orleans. The city of New Orleans is home to three HBCUs—Xavier University, Dillard University, and the Southern University of New Orleans whose graduates prior to Katrina made up a large percentage of the teaching force (Akbar & Sims, 2008). In addition to providing many teacher candidates, these universities engaged public schools through a number of successful community programs. Xavier University, for example, has offered a number of college preparatory programs and internships to high school students such as SOAR which allows students to observe college classes and participate in on-campus service learning projects. The Southern University of New Orleans is also locally known for its successful pre-Katrina charter school Sophie B. Wright Middle School that provides an empowering curriculum for African American students and welcomes and encourages families to participate in building curriculum. To sustain the historically strong relationship between New Orleans' HBCUs and the public school system, it is vital that we include HBCU faculty in reform discussions--who were not included in the Bring New Orleans Back Committee on Education (Akbar & Sims, 2008). We must "acknowledge the significant contributions made by HBCUs in successfully educating African American students", encourage collaboration across teacher education institutions, and identify and build from programs that "aggressively and systematically pursue avenues that support early recruitment, retention, and training of African American teachers" (p.460).

Engaging Families and Students

The recommendations provided in the Bring New Orleans Back Commission failed to take seriously the important input from families and students such as ensuring high quality schools for all students, retaining strong and caring teachers, and engaging local communities. While some families and students were given the opportunity to provide input, their advice did not inform policy implementation. To rebuild our schools and improve educational outcomes for African American students, it is necessary to give African American students' and families' a voice in the reform measures. The Bring New Orleans Back Commission could begin by appointing a youth-led taskforce to examine school policies and reform measures, identify problems facing schools, and offer input on curriculum and programs at a district level, similar to models such as the Urban Youth Collaborative in New York City (Su, 2009). Such dialogue would not only generate meaningful ideas for reform and ways to locally generate curriculum relevant to our students' lives but it would also allow students to serve as intellectual leaders working against the often oppressive environments of schools. Students would be able to build a counter-narrative exposing the pernicious, discriminatory practices of schools which policymakers could learn valuable lessons from.

We could also build more democratic governance models at the school level that include participation of families and students. In Brazil, for example, the Citizen School Project has created school councils that include parents, students, teachers, and administrators in the decision-making process such as the "overall projects and aims of the school, the basic principles of administration, and the allocation of economic resources" (Gandin & Apple, 2003, p. 208). A similar idea was proposed by Ladson-Billings (1994) in her discussion of a model school where parents were included in school governance and had input in curriculum, instruction, discipline procedures, and personnel decisions. Families and students, many who are more familiar with New Orleans and its schools than many newly recruited administrators and teachers from outside of the district, could provide insight into building the unique heritage and history of New Orleans

African/African American culture into curriculum, discussing the challenges our students face beyond the classroom, establishing partnerships with local community organizations, churches, businesses, and schools, hosting community events in schools, and planning service learning projects that allow students to grapple with pressing community problems such as nutrition or the rebuilding of street lights in flood damaged areas. Our families and students are valuable resources to rebuilding our schools and it is essential that we develop meaningful partnerships with them.

Empowering Communities

In the survey conducted by the Bring New Orleans Back Commission, families, educators, and students recommended several important ideas for empowering communities that have not been put into practice such as rebuilding community centers in conjunction with schools and increasing the number of afterschool programs available. The Bring New Orleans Back Commission does offer recommendations for connecting schools and communities such as coordinating community services such as public libraries, health clinics, recreation centers, and classes for adult education (BNOB, 2006) but these recommendations have not been put into practice. There remains a need to build a dialogue between community organizers and local agencies to generate ideas for partnerships. For example, education reform discussion should include representatives from local food banks such as Second Harvest, the Housing Authority of New Orleans (HANO), community colleges that offer free adult education courses and work training programs such as Delgado Community College, and local medical and public health schools such as Louisiana State University and Tulane University.

Such ideas have been successfully implemented in other cities. For example, in MacArthur Park in Los Angeles schools have partnered with community colleges allowing parents to take classes that are tuition free including teacher education courses (Warren, Hong, Rubin, & Uy, 2009). To support parents, one school gave parents priority for hire in para-

professional jobs at the school site such as classroom aides and working in the school office and cafeteria. Schools in other cities have also set up public health clinics in the school site and offered parent workshops on dealing with children's health issues such as asthma and offered grief counseling for families struggling with the loss of a family member. These schools have also coordinated with community members such as librarians, university professors and other professionals to offer General Equivalency Diploma (GED) coursework at the school site, finance workshops, technology courses, and leadership training such as public speaking. It is important for schools and community services to work together to empower and support local families still recovering from the aftermath of Hurricane Katrina.

The Bring New Orleans Back Commission should also reach out to local non-profits that have a history of success in providing empowering educational opportunities for African American students and collaborate on ideas for after school program opportunities. There are many successful education non-profits such as the Roots of Music which provide afterschool programs. Roots of Music, started by Derrick Tabb, the drummer of the Rebirth Brass Band, provides a free, year-round music education program including provision of instruments and academic counseling for middle school students (Roots of Music, 2009). Partnering with non-profits as well as reaching out to community members could provide a number of afterschool programs. Ladson-Billings (1994), for example, discusses a school that recruited parents to conduct an artist in residence program where a parent or family member would come to the school site and teach students a variety of skills such as cooking, sewing, writing poetry, and playing music. With the support of the community, schools could provide more services to students afterschool—a measure that families and students have identified as an important need for New Orleans (BNOB, 2006).

School reform efforts should also address the dire need of community revitalization and invite more creative discussions about the role schools can play in improving communities. Through discussions with students and parents about what they would like to see improve in their

communities, the Bring New Orleans Back Commission could identify areas of need and brainstorm with community members on ideas for improvement. For example, many communities such as the Ninth Ward and New Orleans East have historically been contaminated by improperly maintained hazardous waste sites such as the Agricultural Street Landfill and careless industrial practices—a problem compounded by improper levee protection and flooding post-Katrina (Godsil, Huang, & Solomon, 2009). To address the problems of water and soil contamination, local non-profits and universities such as Tulane University have set up community-based laboratories that offer outreach programs such as environmental education, laboratory testing, and remediation services to residents (Nance, 2009). As a possible area of collaboration, community-based laboratories could be set up in school-sites and encourage student and parent participation creating a meaningful curriculum for students while revitalizing the local community. There are many community needs that are related to our students' success and could serve as building blocks for encouraging student activism and leadership as well as community engagement.

Further Areas for Research

There remain many areas of school choice reform that were beyond the scope of this study and deserve further attention. There has not been a comprehensive study of families and students' experiences with school choice. While there are a few cases presented in *The Times Picayune* and large scale surveys that have been conducted by Scott Cowen's Institute of Public Education (Carr, 2009e), there has not been an in depth examination of the variables that are related to how families construct their choice set such as access to transportation, admissions policies, or information availability and which families are more likely to participate. The larger literature (Wells, 1993; Good & Braden, 2000; Andre-Bechley, 2005; Bell, 2009) emphasize that these variables are key to the success of school choice programs.

It is also important to discuss with families and students their experiences in applying for schools of choice and the barriers to access they have encountered. In New Orleans there is preliminary evidence that families have been discouraged from applying to charter schools, have been counseled out of charter schools (Carr, 2010a), have experienced communication barriers with schools of choice (Carr, 2009d), and have been discriminated against through selective admissions procedures (Carr, 2010b). There are other instances where families have supported school choice and have been satisfied with reform efforts (Tough, 2008; Carr, 2009c). Further research is needed on the experiences of families and students regarding school choice and their views on the education provided by individual schools and whether students' needs are being met.

As more and more neighborhood schools shut down, it is important to track the students who are displaced. The literature suggests that students who are displaced from school closures do not benefit academically from the transfers (Morris, 2001; Lipman, 2009) and many are prevented from re-enrolling in the school they previously attended due to selective admissions procedures (Lipman, 2009). For example, in the fall of 2010, Frederick Douglass High School will close and reopen as KIPP Renaissance High School (Thevenot, 2009). KIPP schools, it has been noted, do not serve the same population of students as their traditional public school counterparts due to GPA requirements as well as their requirements regarding Saturday school (Robelen, 2008)—a task that is difficult for many high school students who must work to support their families. Further research is needed to see how displaced students from schools such as Frederick Douglass High School are impacted by school closures.

While many supporters argue that charter schools provide more innovative curriculum (Chubb & Moe, 1990, BNOB, 2006), there is no research available on the curriculum and educational programs implemented in New Orleans charter schools and how the curriculum varies to the offerings of the Recovery School District schools. The larger literature on charter

schools, however, suggests that the curriculum of charter schools does not typically vary from traditional public schools (Good & Braden, 2000; Lubienski, 2003; Benveniste, Carnoy, & Rothstein, 2003). Many supporters also argue that a varied educational model offers competition among schools and the sharing of best practices (Chubb & Moe, 1990). There is no research available on the relationships that have developed across schools and across networks of schools, such as the Orleans Parish Board run schools and the Recovery School District run schools. Research on charter schools has suggested that there is little communication or sharing of practices across charter schools and public schools (Wells et. al., 1999; Good & Braden, 2000; Lubienski, 2003).

New Orleans has also experienced a dramatic change in the makeup of the teaching force and an increase in the number of alternatively certified teachers (Maxwell, 2008). Research has shown that alternatively certified teachers are more likely to leave within their first year of teaching in comparison to their traditionally certified counterparts (Darling-Hammond, 2003; Scott & Villavicencio, 2009)—an important consideration for New Orleans schools which had low rates of teacher retention prior to Hurricane Katrina (Devore & Logsdon, 1991; Adamo, 2007). It is important to follow the teachers of New Orleans schools examining their paths for certification, their rates of retention, their beliefs regarding efficacy, their support networks such as professional development and the availability of learning communities and mentors. It is also important to monitor their working conditions such as the amount of hours required and the pay.

There is also the problem of funding and the disparity of per-pupil expenditure on instructional costs that exists between the Orleans Parish Board run schools and the Recovery School District schools (Huntley, 2009). This gap and the reasons for the difference have not been examined. Research has shown that charter schools are more likely to divert instructional costs to marketing costs (Apple, 2001), administrative costs, and contracting services such as for profit Educational Management Organizations (Good & Braden, 2000) which could be a

contributing factor. There have also been problems with financial oversight and financial irresponsibility (Carr, 2009b; Carr, 2009f; Sanderson, 2009)—suggesting that decentralized governance has not eradicated the financial troubles that have a long history in New Orleans public schools (Tulane University, 2009b). It is important to continually monitor the transparency of funding and district oversight.

Final Thoughts

> Over the decades, the Brown decision … has gained in reputation as a measure of what law and society might be. That noble image, dulled by resistance to any minimal steps toward compliance, has transformed Brown into a magnificent mirage, the legal equivalent of that city on a hill to which all aspire without any serious thought that it will ever be attained. (Bell, 2004, p.5)

Although there is nothing inherent about school choice reform that address the history of racial inequity that has plagued New Orleans public schools--problems of teacher retention, funding inequity, availability of resources, school maintenance, low quality curriculum, school environments that emphasize discipline and exile—policymakers forged ahead with an open enrollment school choice model. Even though there is nothing about school choice that addresses educational outcomes for African American students, supporters declared school choice as the key to education for "all students" (BNOB, 2006, p.2). And while there is no evidence that school choice has improved education for the majority of New Orleans students, advocates nationwide praise school choice declaring New Orleans as the "nation's pre-eminent laboratory for charter schools" (Tough, 2008, p.A6)--language suggesting that reform serves interests other than the well-being of our children.

Over the past two decades, the school choice movement has increasingly gained support as a mechanism for racial, ethnic, and class equality (Chubb & Moe, 1990; Lipman, 2009)—ensuring that "all students" have access to a world-class education system (BNOB, 2006, p.36).

Like the Brown v. Board of Education decision declaring that all children will have equal access to an education, that "noble image" (Bell, 2004, p. 5) remains in rhetoric rather than reality--thwarted by racially driven mechanisms of exclusion, unequal access to information and transportation, the disproportionate closure of black schools, and the firing of African American teachers that comes along with it. School choice has become what Bell (2004) refers to as a "magnificent mirage"— "the equivalent of that city on a hill to which all aspire without any serious thought that it will ever be attained" (p.5).

Hurricane Katrina brought the opportunity to bring relief to an otherwise struggling city—a place where forty percent of children live in poverty and thirteen percent in extreme poverty; a place where nearly half of the adult population lacks a high school diploma; a place where one in five households lack transportation (Dyson, 2006); a place where roughly one out of every twenty-five residents are homeless (Jervis, 2008); a city where fifty-five out of every 100,000 people are murdered each year, the highest rate in the nation (McCarthy, 2009). The challenges that our children face are dire. Our interest in education reform extends far beyond political or economic gain—it is a matter of our survival. Policymakers and school choice advocates such as superintendents Paul Pastorek or Paul Vallas do not bear the consequence of another failed school reform nor are their children among those who are turned out by the system. The consequence of failed reform will, however, permanently impact the children it fails to serve—their lives depend on it. Their future hangs in the balance as the experiment unfolds.

REFERENCES

Akbar, R., & Sims, M. (2008). Surviving Katrina and keeping our eyes on the prize: The strength of legacy and tradition in New Orleans's HBCU teacher preparation programs. *Urban Education, 43*(4), 445-462.

Adamo, R. (2007). *Squeezing public education: History and ideology gang up on New Orleans*. Retrieved from http://dissentmagazine.org/article/?article=862.

Anderson, J D. (1988). *The education of Blacks in the South, 1860-1935.* Chapel Hill: University of North Carolina Press.

Andre Bechely, L. (2005). Public School Choice at the Intersection of Voluntary Integration and Not-So-Good Neighborhood Schools: Lessons From Parents' Experiences. *Educational Administration Quarterly*, *41*(2), 267-305.

Apple, M W. (2006). *Educating the "right" way: Markets, standards, God, and inequality*. New York: Routledge.

Apple, M.W. (2001). Neoliberal projects and inequality in education. *Comparative Education*, 37(4), 409-423.

Archer, J. (2003). Amato to Run New Orleans Schools. *Education Week*, *22*(22), 16-17.

Baker, L. (1996). *The second battle of New Orleans: The hundred-year struggle to integrate the schools.* New York: HarperCollinsPublishers.

Bankston, C. L., & Caldas, S. J. (2002). *A troubled dream : The promise and failure of school desegregation in Louisiana.* Nashville: Vanderbilt University Press.

Bartlett, L., Frederick, M., Gulbrandsen, T., & Murillo, E. (2002). The marketization of education: Public schools for private ends. *Anthropology & Education*, 33 (1), 5-29.

Bell, C. (2009). All Choices Created Equal? The Role of Choice Sets in the Selection of Schools. *Peabody Journal of Education*, *84*(2), 191-208

Bell, D. (2004). *Silent covenants: Brown v. board of education and the unfulfilled promises for racial reform*. New York: Oxford University Press.

Bell, D. (1995). Brown v. board of education and the interest convergence dilemma. In K. Crenshaw, N. Gotanda, G. Peller, & K. Thomas (Eds.), *Critical race theory: The key writings that formed the movement* (pp. 20-26). New York: New Press.

Benveniste, L., Carnoy, M., & Rothstein, R. (2003). *All else equal: Are public and private schools different?* New York: Routledge Falmer.

Bergerson, A.A. (2003). Critical race theory and white racism: Is there room for white scholars in fighting racism in education? *Qualitative Studies in Education*, 16(1), 51-63.

Bifulco, R., Ladd, H., & Ross, S. (2009). The Effects of Public School Choice on Those Left Behind: Evidence from Durham, North Carolina. *Peabody Journal of Education, 84*(2), 130-49.

Bring New Orleans Back Commission. (2006). *Rebuilding and transforming: A plan for improving public education in New Orleans*. Education Sub-Committee.

Bring New Orleans Back Commission. (2005). *Meeting minutes: October 24, 2005*. Education Sub-Committee.

Brinkley, D. (2006). *The great deluge: Hurricane Katrina, New Orleans, and the Mississippi gulf coast*. New York: Morrow.

Butchart, R.E. (1988). "Outthinking and outflanking the owners of the world": A historiography of the African American struggle for education. *History of Education Quarterly*, 28(3), 333-366.

Carr, S. (2010a, February 1). Equal treatment for special-needs students in short supply at New Orleans public schools. *The Times Picayune*.

Carr, S. (2010b, January 19). Feds investigating racial discrimination complaint involving some New Orleans charter schools. *The Times Picayune*.

Carr, S. (2009a, December 26). Some New Orleans teachers feel helpless as class sizes grow. *The Times Picayune*.

Carr, S. (2009b, November 24). Langston Hughes Academy's former financial manager booked on theft counts. *The Times Picayune*.

Carr, S. (2009c, November 12). High school search frustrates ambitious student. *The Times Picayune.*

Carr, S. (2009d, November 10). Grandmother struggles to navigate system. *The Times Picayune*.

Carr, S. (2009e, October 14). New Orleans school recovery depends on increased involvement, report says. *The Times Picayune*.

Carr, S. (2009f, October 1). Teacher recruitment agency accused of extortion in union complaint. *The Times Picayune.*

Chang, C. (2009, November 25). Four charter schools placed on probation amid problems with finances and student performance. *The Times Picayune.*

Chubb, J. E., & Moe, T. M. (1990). *Politics, markets, and America's schools*. Washington, D.C.: Brookings Institution.

Clotfelter, C T. (2004). *After Brown: The rise and retreat of school desegregation.* Princeton: Princeton University Press.

Cooper, C. (2005). School Choice and the Standpoint of African American Mothers: Considering the Power of Positionality. *The Journal of Negro Education, 74*(2), 174-89.

Darling-Hammond, L. (2007). Countering aggressive neglect: Creating transformative educational agenda in the wake of Katrina. In S.P Robinson & M.C. Brown (eds.), *The children Hurricane Katrina left behind :Schooling context, professional preparation, and community politics* (pp.xxi-xx). New York: Peter Lang.

Darling-Hammond, L. (2003). Keeping good teachers: Why it matters, what leaders can do. *Educational Leadership*, 60(8), 7-13.

Decuir-Gunby, J.T. (2006). Proving your skin is white, you can have everything: Race, racial identity, and property rights in whiteness in the Supreme Court case of Josephine DeCuir. In. A.D Dixson & C.K Rousseau (Eds.), *Critical race theory in education: All God's children got a song* (pp.89-112). New York: Routledge.

DeCuir, J.T, & Dixson, A.D. (2004). So when it comes out, they aren't surprised that it is there: Using critical race theory as a tool of analysis of race and racism in education. *Educational Researcher*, 33(5), 26-31.

Delgado, R., & Stefancic, J. (2001). *Critical race theory: An introduction*. New York: New York University Press.

Delpit, L. (1995). *Other people's children: Cultural conflict in the classroom*. New York: The New Press.

DeVore, D. E., & Logsdon, J. (1991). *Crescent City schools: Public education in New Orleans, 1841-1991*. Lafayette, La: Center for Louisiana Studies University of Southwestern Louisiana.

Dillon, S. (2009, October 28). Report questions Duncan's policy of closing failing schools. *The New York Times*. p.A17.

Dingerson, L. (2006). Dismantling a community timeline. *High School Journal, 90*(2), 8-15.

Dixson, A. & Rousseau, C. (2005). And we are still not saved: Critical race theory in education ten years later. *Race, Ethnicity, and Education, 8*(1), 7-27.

Dyson, M. E. (2006). *Come hell or high water: Hurricane Katrina and the color of disaster*. New York: Basic Civitas.

Fairclough, A. (2000). Being in the field of education and also being a Negro…seems…tragic.": Black teachers in the jim crow south. *The Journal of American History*, 87(1), p. 65-91.

Ferguson, B. (2009a). Center for Action Research on New Orleans Reform. *Equal Access Denied for At Risk Students*. Retrieved from http://www.researchonreforms.org/Shared%20Documents/Equal%20Access%20Denied.pdf

Ferguson, B. (2009b). Center for Action Research on New Orleans Reform. *Benjamin Franklin Performs Worse as a Charter School*. Retrieved from http://www.researchonreforms.org/Shared%20Documents/Ben%20Franklin%20High%20School%20Performs%20Worse%20as%20a%20Charter%20School.pdf

Finch, S. (2009, March 31). Marc Morial says mistrust slows New Orleans. *The Times Picayune.*

Foster, M. (1993). Educating for competence in community and culture: Exploring the views of exemplary African American teachers. *Urban Education*, 27 (4), 370-394.

Friedman, M. (1955). *Capitalism and freedom.* Chicago: University of Chicago Press.

Gandin, L.A, & Apple, M.W. (2003). Educating the state, democratizing knowledge: The citizen school project in Porto Alegre, Brazil. In P. Aasen, M. Kim Cho, L. Armando-Gandin, A. Oliver, Y.K Sung, H. Tavares, et al. (Eds.), *The state and politics of knowledge* (pp.193-220). New York: Routledge Falmer.

Godsil, R., Huang, A., & Solomon, G. (2009). Contaminants in the air and soil in New Orleans after the flood: Opportunities and limitations in community empowerment. In R.D. Bullard, & B. Wright (eds.) *Race, place, and environmental justices after Hurricane Katrina* (pp. 115-138). Boulder, CO: Westview Press.

Good, T. L., & Braden, J. S. (2000). *The great school debate: Choice, vouchers, and charters.* Mahwah, N.J.: L. Erlbaum Associates.

Harlan, L.R. (1962). Desegregation in New Orleans public schools during reconstruction. *The American Historical Review*, 67(3), 663-675.

Harvey, D. (2005). *A brief history of neoliberalism.* New York: Oxford University Press.

Hayes, A. (2009, Nov 19). Army corps of engineers liable for Katrina flooding. *CNN*. Retrieved from http://www.cnn.com/2009/US/11/18/louisiana.katrina.lawsuit/index.html

Hearn, L. (1999). The Glamour of New Orleans. In J. Long (ed.), *Literary New Orleans* (pp.89-92). Athens, Georgia: Hill Street Press, LLC.

Holme, J., & Richards, M. (2009). School Choice and Stratification in a Regional Context: Examining the Role of Inter-District Choice. *Peabody Journal of Education, 84*(2), 150-71.

Honawar, V. (2006, May 10). Depleted New Orleans teachers' union vows to rebuild. *Education Week*, 25 (36)

Huerta, L. (2009). Institutional v. Technical Environments: Reconciling the Goals of Decentralization in an Evolving Charter School Organization. *Peabody Journal of Education, 84*(2), 244-61.

Huntley, L. (2009). *New Orleans schools: Four years after Katrina*. Atlanta, Georgia: Southern Education Foundation.

Hursh, D. (2007). Assessing No Child Left Behind and the Rise of Neoliberal Education Policies. *American Educational Research Journal*, *44*(3), 493-518.

Hursh, D. (2005). Neo-liberalism, markets, and accountability: Transforming education and undermining democracy in the United States and England. *Policy Futures in Education,* 3 (1), 3-15.

Isaacson, P. (2007, September 6). The greatest education lab. *Time Magazine*.

Jervis, R. (2008, March 17). New Orleans' homeless rate swells to 1 in 25. *USA Today*.

Klein, N. (2007). *The shock doctrine: The rise of disaster capitalism*. New York: Metropolitan Books/Henry Holt.

Koedel, C., Betts, J., Rice, L., & Zau, A. (2009). The Integrating and Segregating Effects of School Choice. *Peabody Journal of Education, 84*(2), 110-29

Kozol, J. (2001). Discussion of school funding. In L. Iura (ed.), *The josey bass reader on school reform* (pp. 213-217). San Francisco: Josey Bass.

Krupa, M. City, school board urged to team up to save vacant schools. (2009, October 28). *The Times-Picayune*.

Ladson-Billings, G. (2007). Now they're wet: Hurricane Katrina as a metaphor for social and educational neglect. In S.P Robinson & M.C. Brown (eds.), *The children Hurricane Katrina left behind :Schooling context, professional preparation, and community politics* (pp.14-28). New York: Peter Lang.

Ladson-Billings, G. (1999). Just what is critical race theory, and what's it doing in a nice field like education? In L. Parker, D. Deyhle, & S. Villenas (Eds.), *Race is…race isn't: Critical race theory and qualitative studies in education* (pp. 7-30). Boulder, CO: Westview Press.

Ladson-Billings, G. (1994). *Dreamkeepers*. San Francisco, CA: Jossey Bass Education Series.

Ladson-Billings, G. & Tate, W. (1995). Toward a critical race theory of education. *Teachers College Record,* 97(1), 47-68.

Landphair, J. (1999). Sewerage, sidewalks, and schools: The New Orleans ninth ward and public school desegregation. *The Journal of the Louisiana Historical Association,* 40 (1), 35-62.

Leonardo, Z. (2004). The color of supremacy: Beyond the discourse of 'white privilege'. *Educational Philosophy and Theory*, 36(2), 137-152.

Lipman, P. (2009). The cultural politics of mixed-income schools and housing: A racialized discourse of displacement, exclusion, and control. *Anthropology & Education Quarterly,* 40 (3), 215-236.

Lipman, P., & Hursh, D. (2007). Reinaissance 2010: The reassertion of ruling class power through neoliberal politics. *Policy Futures in Education,* 5 (2), 160-178.

Lubienski, C. (2003). Innovation in education markets: Theory and evidence on the impact of competition and choice in charter schools. *American Education Research Journal*, 40 (2), 395-443.

Lynn, M., & Parker, L. (2006). Critical race studies in education: Examining a decade of research on U.S schools. *The Urban Review*, 38 (4), 257-290.

Lyttle, A. (2000). University of Michigan. *Agricultural Street Landfill Environmental Justice Case*. Retrieved from http://www.umich.edu/~snre492/Jones/agstreet.htm#BACKGROUND

Matsuda, M. (1995) Looking to the bottom: critical legal studies and reparations, in: K. Crenshaw, N. Gotanda, G. Peller & K. Thomas (Eds) *Critical race theory: the key writings that formed the movement* (pp. 63-79). New York: The New Press.

Matsuda, M., Lawrence, C., Delgado, R., & Crenshaw, K. (1993). *Words that wound: Critical Race Theory, assaultive speech, and the first amendment*. Boulder, CO: Westview Press.

Maxwell, L. (2008, June 4). As Year Ends, Questions Remain for New Orleans. *Education Week, 27*(39).

McCarthy, B. (2009, June 1). Despite drop in crime New Orleans' murder rate continues to lead nation. *The Times Picayune.*

McGuinn, P J. (2006). *No Child Left Behind and the transformation of federal education policy, 1965-2005.* Lawrence, KS.: University Press of Kansas.

Miron, L.F. (2003). Joint ventures between public schools and city government: Implications for community development. In L. Miron & E. P. St. John (Eds.), *Reinterpreting urban school reform* (pp. 229-248). New York: State University of New York Press.

Miron, L F. (1996). *The social construction of urban schooling: Situating the crisis.* Cresskill, N.J.: Hampton Press.

Moller, J. (2009, July 2). Jindal signs alternative diploma bill. *The Times Picayune.*

Moran, K. (2007, May 29). FEMA trailers called health hazards - formaldehyde found in new housing units. *The Times Picayune,* p. A1.

Morris, J. (2004). Can anything good come from Nazareth? Race, class, and African American schooling and community in the urban south and Midwest, *American Educational Research Journal*, 41(1), 69-112.

Morris, J. (2001) Forgotten voices of black educations: critical race perspectives on the implementation of a desegregation plan, *Educational Policy*, 15(4), 575–600.

Nance, E. (2009). Making the case for community-based laboratories: A new strategy for environmental justice. In R.D. Bullard, & B. Wright (eds.) *Race, place, and environmental justices after Hurricane Katrina* (pp. 153-168). Boulder, CO: Westview Press.

Noguera, P.A. (2004). Standards for what? Accountability for whom? Rethinking standards-based reform in education. In K.A Sirotnik (ed.), *Holding accountability accountable: What out to matter in public education* (pp. 66-81). New York: Teachers College Press.

Perry, T. (2006). The plight of the education systems--post Hurricane Katrina: An interview with Dr. Brenda Mitchell and Dr. Linda Stelly. *High School Journal,* 90(2), 16-22.

Polier, N. (2008). After Katrina: Tales from a chartered school classroom. In J. B Entin, R.C Rosen, & L. Vogt (eds.) *Controversies in the classroom: A radical teacher reader (pp.161-166).* New York: Teachers College Press.

Raynor, A. F. (2006). Save the last chance for me: Quality education in high schools for the young people who need it the most. *High School Journal, 90*(2), 51-58.

Reinhard, B. (1998, January 14). Racial issues cloud state takeover. *Education Week*

Robelen, E. (2009, August 11). State picture on charter caps still mixed. *Education Week*

Robelen, E. (2008, November 10). KIPP Success Cited, With Caveats. *Education Week.*

Roots of Music. (2009, December 1). *Introduction to our program.* Retrieved from http://www.therootsofmusic.com/

Russel, G. (2006, August 27). Broadmoor. *The Times Picayune.*

Saltman, K J. (2007). *Capitalizing on disaster: Taking and breaking public schools.* Boulder: Paradigm Publishers.

Sanderson, R. (2009). Center for Action Research on New Orleans Reform. *Legislative audit cites fiscal management of recovery school district.* Retrieved from http://www.researchonreforms.org/Shared%20Documents/Legislative%20Audit%20Cites%20Fiscal%20Mismanagement%20of%20Recovery%20School%20District.pdf

Siddle Walker, V. (2001). African American teaching in the south. *American Educational Research Journal*, 38(4), 751-779.

Simmons, W., & Raynor, A.F. (2006). K-12 Public Education Reform. *Proceedings of Louisiana Disaster Recovery Foundation's Commemorative Event,* New Orleans: LA, 1-17.

Scott, J., & Villavicencio, A. (2009). School Context and Charter School Achievement: A Framework for Understanding the Performance "Black Box". *Peabody Journal of Education, 84*(2), 227-43.

Spain, D. (1979). Race relations and residential segregation in New Orleans: Two centuries of paradox. *American Academy of Political and Social Science*, 441, 82-96.

Stevenson, P. (2009). New Orleans: They meant to kill us. In D.R. Penner & K.C Ferdinand (eds.) *Overcoming Katrina: African American voices from the crescent city and beyond* (pp. 35-39). New York: Palgrave Macmillan.

Stulberg, L M. (2008). *Race, schools, & hope: African Americans and school choice after Brown.* New York: Teachers College Press.

Su, S. (2009). Where youth have an actual voice: Teenagers as empowered stakeholders in school reform. In G. Alonso, N.S. Anderson, C. Su, & J. Theoharis (Eds.) *Our schools suck: Students talk back to a segregated nation of the failures of urban education* (pp.143-176). New York: New York University Press.

Sublette, N. (2008). *The world that made New Orleans: From Spanish silver to Congo square*. Chicago: Lawrence Hill Books.

Tate, W. (1997). Critical race theory and education: History, theory, and implications. *Review of Research in Education*, 22, 195-247.

Tate, W., Ladson-Billings, G. & Grant, C. (1993) The Brown decision revisited: mathematizing social problems, *Educational Policy*, 7(3), 255–275.

Thevenot, B. (2009, July 24). New Orleans charter school operators plan expansion. *The Times Picayune.*

Torres, M. (2009, September 8). New Orleans' appetitite for school reform remains strong. *The Times Picayune*.

Tough, P. (2008, August 17). A Teachable Moment. *The New York Times*, p. A6.

Tulane University Scott Cowen Institute for Public Initiatives. (2009a, October 24). K-12 Public Schools in New Orleans 101. *Louisiana Public School Facilities*. Retrieved from http://www.coweninstitute.com/wp-content/uploads/2009/08/4-LA-Public-School-Facilities.pdf

Tulane University Scott Cowen Institute for Public Initiatives. (2009b, October 24). K-12 Public Schools in New Orleans 101. *Recovery School District*. Retrieved from http://www.coweninstitute.com/wp-content/uploads/2009/08/3-Recovery-School-District.pdf

Tulane University Scott Cowen Institute for Public Initiatives. (2009c, October 24). K-12 Public Schools in New Orleans 101. *Public School Performance in Louisiana*. Retrieved from http://www.tulane.edu/cowen_institute/documents/2008Report_000.pdf

Tuzzolo, E., & Hewitt, D. T. (2006). Rebuilding inequity: The re-emergence of the school-to-prison pipeline in New Orleans. *High School Journal, 90*(2), 59-68.

Utter, D. (May 11, 2006). Treated like trash: Katrina report reveals abuse of incarcerated youth. *Southern Poverty Law Center*, 1-28.

Warren, M.R, Hong, S., Rubin, C. L., Uy, P.S. (2009). Beyond the bake sale: A community-based relational approach to parent engagement in schools. *Teachers College Record*, 111 (9), 2209-2254.

Webb, L.D. (2006). *The history of American education: A great American experiment*. New Jersey: Pearson Merrill Prentice Hall.

Wells, A. E. (2004). Good neighbors?: Distance, resistance, and desegregation in metropolitan New Orleans. *Urban Education*, 39(4), p. 408-427.

Wells, A.S., Grutzik, C., Carnochan, S., Slayton, J., & Vasudeva, A. (1999). Underlying policy assumptions of a charter school reform: The multiple meanings of a movement, *Teachers College Record*, 100 (3), 513-535.

Wells, A.S. (1993). *Time to choose: America at the crossroads of school choice policy*. New York: Hill and Wang.

Wells, A.S., Holme, J.J., Lopez, A., & Cooper, C.W. (2000). Charter schools and racial and social class segregation: Yet another sorting machine? In R.D. Kahlenberg (Ed.), *A notion at risk: Preserving public education as an engine for social mobility* (pp. 169-222). New York: The Century Foundation Press.

Welty, E. (1962). *Three papers on fiction*. Northhampton, MA: Smith College at Metcalf Printing and Publishing Co.

Wong, K. K., & Shen, F. X. (2000). *School district takeover as a school reform model*. Paper presented at the 2000 research conference of the Association for Public Policy Analysis and Management, Seattle, WA.

Yosso, T., Parker, L., Solorzano, D., & Lynn, M. (2004). From Jim Crow to affirmative action and back again: A critical race discussion of racialized rationales and access to higher education. *Review of Research in Education*, 28, 1–25.

Zinn, H. (2001). *A people's history of the United States, 1492-present.* New York: Perennial Classics.