A Failure in Social Responsibility: Preserving Privilege and Educational Injustice in New Orleans

by

Alix Liss
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TABLE OF CONTENTS

Acknowledgements 2

Introduction 3

Chapter 1: The Story of Selective Admissions 30

Chapter 2: The Firing of Veteran Teachers 68

Chapter 3: The Power of Discipline 81

Conclusion 96
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ABSTRACT

Slamming the southeast coastline of Louisiana on August 23, 2005 at 174 miles per hour, Hurricane Katrina devastated the city of New Orleans. While the storm brought great tragedy, local and state forces spurred transformation of a number of government led programs in its aftermath. Under the direction of Governor Bobby Jindal's administration and the Louisiana State Department of Education, policy reforms were written and the governing Recovery School District expanded. These actors used the crisis as an opportunity to reshape public schooling in the Crescent City – as an experimental site by which to motivate great change.

Hope for education reform in New Orleans was supported by the conversion to a fully charter run system, the construction of a centralized enrollment system, the hiring of an entirely new workforce and a renewed focus placed upon discipline in elementary, middle and high schools. However, the transformation was hindered by white middle class families, who in an effort to maintain some semblance of control and exclusivity, carved out their own educational enclaves under the leadership of the Orleans Parish School Board. The influence of the Orleans Parish School Board is surprising, given they represent the minority in a city with a population that is about sixty percent African American. Through sustained determination to conserve existing classroom and neighborhood catchment areas, the white minority has been able to perpetuate school-based segregation as a mechanism by which to preserve their privilege. As a result, the transformation of the New Orleans public educational system has halted – where it can and will go next remains unclear.
INTRODUCTION

What is Segregation and What is Desegregation?

In its most basic definition, segregation is the separation of students based on one particular social variable, whether that is race, gender or class. There are two forms of racial segregation: de facto and de jure. Supreme Court Chief Justice John Roberts defines de jure segregation as “segregation established by federal, state or local government action.”\(^1\) It is segregation that occurs due to rule and law. In contrast, de facto segregation is that created and practiced by individuals without legal encouragement or obligation. According to University of Pennsylvania law professor Frank I. Goodman, de facto segregation can be understood as “the racial imbalance resulting merely from adherence to the traditional, racially neutral, neighborhood school policy in a community marked by racially segregated residential patterns.”\(^2\) Those who find themselves labeled are also those who dislike the associated stereotypes and classifications. Goodman writes in his piece entitled “De Facto School Segregation: A Constitutional and Empirical Analysis,” “school segregation is a racial classification and does in fact disadvantage and discriminate against blacks.”\(^3\) Therefore, it is clear the concepts and logic of de facto segregation are those that ultimately contributed to the outcome of Brown v Board of Education.

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The famous 1954 Supreme Court case declared school-based segregation unconstitutional.

In regards to education, desegregation is a practice dedicated to mixing classrooms, putting an end to the separation of students based on the color of their skin or systems of belief. Integration, often confused with desegregation, is defined as making previously segregated public facilities accessible by to all. James Farmer, an activist of the Civil Rights Movement, said desegregation is by choice where as integration is forced, making it less preferred.⁴

As society moves forward, pushing further away from the Civil Rights Movement, many argue there should be greater governmental efforts made toward promoting school-wide desegregation. Our society’s future should be marked more by coexistence and tolerance and less by racism and discrimination. While that desire may be seen as morally and socially conscious, others argue desegregation has become a failed effort. According to these individuals, academics and otherwise, activists should instead focus on constructing equitable education for all, regardless of a student’s background.

*The Importance Behind School-Based Desegregation*

Derrick Bell, the first black tenured law professor at Harvard, is one scholar who claims to see the benefits behind maintaining those classroom environments that already exist. He claims forcing school wide desegregation is a mistake that will promise to produce poor results. Bell argues the argument regarding desegregation in

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schools is more complex than advocates often suggest.\(^5\) In his piece entitled “Serving Two Masters: Integration Ideals and Client Interests in School Desegregation Litigation,” he writes, “this theory of school segregation fails to encompass the complexity of achieving equal education opportunities for children to whom it has long been designed.”\(^6\)

Bell argues, “racial balance is increasingly inaccessibly and all too often educationally impotent,”\(^7\) recommending classroom integration is only an option given opportunity for improved classroom placement and limited discriminatory placement. Otherwise, as indicated with historical evidence, minority students and their families are left to feel marginalized. With limited availability of instructors, resources and training, students are left to learn in lesser quality environments. And these stereotypically non-white students only thereafter more prone to develop poor behavior, becoming further damaged with “unequal and inadequate school resources provided and black parents are excluded from school policymaking.”\(^8\)

These beliefs and questions have led Bell and several other academics to question whether desegregation is a goal worth striving toward. In the place of coeducation, perhaps the focus should be placed upon equitable education for all. Ultimately, academics are not all a student should be learning anyway; tools

\(^6\) Ibid: 478.
\(^7\) Ibid.
\(^8\) Ibid: 487.
associated with sympathy, truth and knowledge are far more influential on a young person’s future.⁹

While Mr. Bell’s argument is well communicated, it includes an overwhelming number of feelings stemming from a historical context, a time of resentment and frustration associated with policy development beginning before the time of Brown v Board of Ed. With greater effort and more open race-based education and discussion, it is possible the next generation could have more interracial and academic success. As Gary Orfield, an education professor at UCLA, writes with Susan Eaton, a professor of public policy at Harvard, “To give up on integration, while aware of its benefits requires us to consciously and deliberately accept segregation, while aware of its harms…Segregation, rarely discussed, scarcely even acknowledged by elected officials and school leaders…is incompatible with the healthy functioning of a multiracial generation.”¹⁰

Jonathan Kozol is a white educator, activist and public speaker. In his piece “The Shame of the Nation,” Kozol speaks to the advantages associated with desegregated classrooms, suggesting students understand they differ from peers in access to opportunity often because of their race. They learn at an early age, especially if not regularly interacting with children of varied races and backgrounds. Throughout the past ten years, there has been little progress in bringing attention to how terribly divided students are and the extent to which this present separation has persisted in the last decade. Orfield writes, “American public schools are now twelve

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⁹ Ibid: 515.
years into the process of continuous resegregation. The desegregation of Black students, which increased continuously from the 1950s to the late 1980s, has now receded to levels not seen in three decades.”¹¹

Segregated schools make for racially illiterate and ignorant students, individuals who Kozol suggests will remain forever scared of and intimidated by those who look different.¹² In speaking about her primarily African-American students from the Bronx in New York, St. Ann’s Pastor Martha Overall says,

“They don’t have any friends who are white children. When I take them with me sometimes to Manhattan to go shopping or something special that they want or to go to a movie maybe on one of their birthdays, and they find themselves surrounded by a lot of white kids, many of the other ones get very scared. It’s an utterly different world for them. In racial terms, they’re almost totally cut off.”¹³

According to scholars like Kozol, desegregation is essential in order for each and every student to attain his or her optimal success. Historically, segregated classrooms make students, typically those that are not white, feel inferior to their peers. This makes for the creation of a long-lasting dynamic felt as ‘us’ versus ‘them.’ In one classroom in which Kozol was speaking to students about who they are in relation to peers at school, he asked a young black woman if she felt as though America was lacking space for her and for others of her race. She responded and asked, “If people in New York woke up one day and learned that we were gone, that we had simply died or left for somewhere else, how would they feel?” Kozol responded, “How do you think they’d feel?” and in turn, the young lady asked quietly, “I think they’d feel relieved?” This question and its answer keep the

¹¹ Ibid: 19.
¹³ Ibid: 17.
emotional and physical segregation of students and their families contemporary, even in the twenty-first century.\textsuperscript{14} There must be a better answer – a stronger solution.

In her piece entitled, “The Benefits of Racial and Economic Integration in our Education System: Why this Matters for our Democracy,” Marguerite Spencer suggests children studying in integrated schools have “[a] higher level of parental involvement, higher graduation rates, complete more years of education, earn higher degrees and major in more varied disciplines, gain greater access to professional jobs and have higher incomes.”\textsuperscript{15} Spencer’s study also looks at the correlation between racial integration and test scores. One particular example focuses on a set of researchers who analyzed national data collected from the No Child Left Behind Act and found “black and Hispanic students’ mathematics gain scores were greater in integrated schools than in segregated ones.”\textsuperscript{16} These researchers also looked at a separate study showing “seventy percent of Mexican origin students who had the profile for low achievement excelled academically in elite colleges and universities.”\textsuperscript{17}

The United States is a country that is also a growing melting pot of several races, ethnicities and cultures. Each of these variables ultimately plays a large role in a child’s potential and predicted success in a classroom. In speaking about single race domination in charter schools, Richard Kahlenberg and Halley Potter write, “Children

\begin{footnotesize}
\begin{enumerate}
\item Ibid: 29.
\item Marguerite Spencer, “The Benefits of Racial and Economic Integration in our Education System: Why this Matters for our Democracy.” The Ohio State University Kirwin Institute for the Study of Race and Ethnicity, 2009: 15.
\item Ibid: 1-16.
\item Ibid: 15.
\end{enumerate}
\end{footnotesize}
are at risk of developing stereotypes about racial groups if they live in and are educated in racially isolated settings.”\textsuperscript{18} They write, “When school settings include students from multiple racial groups, students become more comfortable with people of other races, which leads to a dramatic decrease in discriminatory attitudes and prejudices.”\textsuperscript{19}

In her article entitled “What Will You Think of Me? Racial Integration, Peer Relationships and Achievement Among White Students and Students of Color,” Sabrina Zirkel speaks heavily to the benefits of integrated learning – the positive outcomes that result from environments of dual learning. She writes,

“Studies of the long term effects of desegregation for the educational and professional outcomes of students of color provide qualified support for the argument that, on the whole, desegregated schools do produce more successful educational and professional outcomes for students of color and they do reduce prejudice and increase racial integration in the larger society.”\textsuperscript{20}

It is clear with integration, a greater degree of democracy can be provided to students. However, in order to understand why desegregation has not yet actually occurred nationwide, it is essential to first look at mechanisms by which racial stigmas endure in schools nationwide.

\textit{Racialization and its Continued Existence}

Early on in their book entitled “A Smarter Charter,” The Century Foundation’s Richard Kahlenberg and Haley Potter write, “American schools are not


\textsuperscript{19} Ibid.

only about raising achievement and promoting social mobility; they are also…promoting an American identity, social cohesion, and democratic citizenship.” Unfortunately, these goals have not yet been successful and are proving to be doing so even less today. This is clear in lower income majority-minority cities, like those of Jacksonville, Detroit and Atlanta. The largest contributing factors of continued school-based segregation include housing opportunities, zoning, white flight, and gentrification and school choice.

In an April 2014 piece from The New Yorker, entitled “The Failure of Desegregation,” Jelani Cobb discusses how accessibility to resources such as transportation and after school care are two variables weighed heavily in the national conversation on segregation. If individuals cannot directly afford to live in the wealthy districts of their cities, they are then not typically zoned to attend elite local schools. Douglas Massey and Nancy Denton write In their piece entitled “American Apartheid: Segregation and the Making of the Underclass,” Douglas Massey and Nancy Denton write residential segregation “is a key conditioning variable in the social transformation of the ghetto.” They use this argument to “illustrate the crucial role it plays in concentrating poverty and creating the underclass.” Spatial arrangement makes a large impact on determining whether or not a child is eligible to attend a particular school. In her “New York Times” piece entitled “New York City Council to Look at School Segregation,” Elizabeth Harris writes, “one significant

driver behind school segregation is the practice of deciding admissions based on where students live, a system the city uses for many of its elementary schools.”

Kahlenberg and Potter speak to this point of location as well. They argue charter schools, institutions of choice, ignore spatial lines and create opportunity for classrooms populated by students of varied races. They write, “By locating in an area accessible to parents of different incomes and ethnicities — and by making sure that all families have transportation to the school—charter schools can increase their chances of attracting a diverse student population.”

However, school choice has proven to actually be yet another large contributing factor for unrelenting segregation. Initially designed with the intention to eliminate classroom-based segregation, charter schools have maintained and focused on two goals: empowering teachers and enhancing diversity. “Al Shanker, [one of the original designers of charter schools] believed public schools should provide a common education to children from all backgrounds that teaches not only skills but also American history, culture, and democracy.”

Today, with varied missions and instruction styles, charter schools are extremely segregated. Kahlenberg and Potter suggest, “charter schools [are] more likely than traditional public schools to be urban; majority low-income, extremely high poverty, and/or racially isolated for minorities.” They have become the first school of affordable choice for many low-

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26 Ibid: 57.

income and disadvantaged families and have remained exclusively geared towards those individuals. And in her piece entitled “Choice Without Equity: Charter School Segregation and the Need for Civil Rights Standards,” Erika Frankenberg, a Professor at the Penn State College of Education, writes, “At the national level, seventy percent of black charter school students attend intensely segregated minority charter schools…”

District lines, gentrification and school choice have immortalized segregation in schools nationwide. Racial isolation and exclusion have plagued this nation’s education system for hundreds of years, gaining greater traction and concern at the turn of the twentieth century. And while racial separation is present in schools everywhere, its societal implications tend to be more or less significant based on the city in question.

One significant urban area of America that has most certainly experienced the impact of racial divides and school-based segregation is that of the Crescent City: New Orleans.

**Spotlight on New Orleans, Louisiana**

Beginning before the 1896 Supreme Court case of Plessy v. Ferguson, which upheld the statement ‘separate but equal’ for public places and facilities, racial segregation has existed in American schools. And as long as racial inequality has existed, so has school-based segregation.

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This year marks the sixty-second anniversary of the Supreme Court case Brown v. Board of Ed (1954). At the time of the decision, Supreme Court Judges Felix Frankfurter, Hugo Black, Earl Warren, Stanley Reed, William Douglas, Tom Clark, Robert Jackson, Harold Burton and Sherman Minton declared school-based segregation unconstitutional. Despite this historic decision, racial separation in classrooms has not disappeared. At its turning point, as Erica Frankenberg writes in her piece entitled, “School Segregation, Desegregation, and Integration: What Do These Terms Mean in a Post-Parents Involved in Community Schools, Racially Transitioning Society?,” the Supreme Court case created “upheaval in communities and new situations in schools whose teachers had been trained and had gained teaching experience in one-race schools.”

Decades later, cities across America continue to be overwhelmed by racial segregation. New Orleans, Louisiana, a city integrated prior to the violence following the Civil War, is one documented heavily in this greater conversation, especially given the long and difficult road it has traveled in order to attain education that is both equitable and accessible.

In 1952, prior to the ruling on Brown v Board of Ed and following years of inequitable education, Attorney A.P. Turead, Supreme Court Justice Thurgood Marshall and the NAACP filed a lawsuit on behalf of black parents in Louisiana, pleading for desegregation in New Orleans schools. This suit would come to be known as Bush v New Orleans Parish School Board. The plaintiffs argued the

guidelines and statutes of the Louisiana State constitution violated their rights granted through the Fourteenth Amendment, which universally guarantees equal rights to all regardless of race, ethnicity or religion. All schools were advertised as having equal resources; that too was not true.

Given its timing, the media frenzy surrounding Brown v Board of Ed kept Bush v OPSB quiet. And after Brown v Board of Ed was decided, the OPSB asked for time to make the enforced changes. However, despite the public announcement, Dr. Clarence Scheps, President of the OPSB at the time, privately said the 1954 decision would actually have no immediate effect for at least a year. Louisiana voters argued schools should keep from integrating in an effort to continue “promoting and protecting public health, morals, better education and the peace and good order in the State, and not because of race.” Scheps was even later quoted saying, “Absolutely not. We will not integrate. We couldn’t integrate even if we wanted to.”

In 1955, due to deception and little progress made in response to Brown v Board of Ed, Bush v New Orleans Parish School Board returned. Thurgood Marshall worked diligently to encourage black parents to become involved in what would become one of the biggest and continuous fights in United States history. On the other side, together came the Greater New Orleans’ Citizens’ Council, the Association of Citizens’ Council of Louisiana and the OPSB. They hired defense attorney Gerard A. Rault. But still, in early 1956, Judge J. Skelly Wright, serving at

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the United States District Court for the Eastern District of Louisiana, declared the statutes of the Orleans Parish School Board unconstitutional. He mandated desegregation in schools with equal opportunity for all.

Many white families were fearful of what would come next, especially because school maps revealed black families lived closer to predominantly white elementary schools than they did to schools they currently attended. The anxious state legislature also enacted a number of its own laws allowing school boards to keep classrooms closed to all. These violated Judge Wright’s ruling, reading, “No child shall be compelled to attend any school in which the races are commingled.” The state, the city and the court were all at odds, beginning a grand struggle, one that held promise for unrelenting permanence for the years to come.

Four members of the OPSB, Rittiner, Riecke, Theodore Shepard and Matthew Sutherland, began to work a new strategy recognized as the Pupil-Placement Plan, which suggested there should be neither full integration nor complete desegregation. There was hope this plan would cater to individuals sitting on both sides of the argument. Judge Wright agreed to delay his order until 1960, giving citizens time to become better adjusted.

D-Day

As promised, on November 14, 1960, a day that would come to be known as “D-Day,” Ruby Bridges, Tessie Prevost, Gail Etienne and Leona Tate walked through the doors of two all-white elementary schools, William Frantz Elementary School and

McDonogh No.19, in the Ninth Ward. As the Civil Rights Movement reached its peak nationwide, ninety white students and their families ran in panic as schools became integrated learning environments.

The state angrily ceased funding the OPSB and the board decided they would plan to hold an election for new members. A white advocacy group known as “Save our Schools” began busing white students into desegregated environments. At the time, the city’s population was sixty percent African American, but the young students who had served as guinea pigs for the efforts of integration continued to be ostracized.

Almost sixty years has passed since, but little has really changed with regard to how people work together in the city’s educational community. The New Orleans Parish School Board has continued to experience mismanagement and corruption, and only recent government efforts to develop new policy has worked to eradicate that.

*Bobby Jindal: The Politics Behind Prioritizing School Choice*

Given the troubles, trials and tribulations that have long faced the Board, it is clear why Act 9 was written and enacted. This policy, written in 2003, created the Recovery School District (RSD), a governance and advisory board for schools failing to meet certain state standards. And following Hurricane Katrina and the displacement of 65,000 students, Act 9 advanced with the implementation of Act 35. This particular government document allowed the RSD to “more easily take over
failing public schools, those deemed academically unacceptable 34 and below the national average. One hundred two of the one hundred twenty-eight citywide public schools evaluated by the Louisiana Board of Elementary and Secondary Education (BESE) and through scores from the Louisiana Educational Assessment Program (LEAP), were now to be controlled by the RSD. 35 Through advanced policies, physical infrastructure and more highly trained teachers, the RSD continues to exist as a governance board intended to oversee struggling schools with a mission to “achieve excellence and equity in a decentralized system of schools,” 36

The state played a major role in the creation of the Recovery School District. The BESE, the Louisiana Board of Elementary and Secondary Education, oversees the RSD, which has focused heavily upon making education a priority in the lives of young people statewide and specifically in New Orleans. Understanding the more intricate and interpersonal politics behind the state’s participation in establishing the RSD will help to explain the dynamic between local and state interests today.

Politically speaking, those that usually support the growth and expansion of charter schools are Republicans. They advocate for government control of schools while encouraging competition, private provision of services and a focus on enriching minority-majority communities. The right has consistently suggested choice implies greater regulation with less inherent struggle. In contrast, democrats are convinced school choice is an ineffective method by which to better the nation’s school systems,

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35 Ibid.
under the impression poor parents are given little choice while rich parents can buy it. According to CNN, those politicians on have often argued, “in the name of union special interests,” while also claiming, “school choice will harm public education.”

Following Kathleen Blanco’s time as Governor, Governor Bobby Jindal was elected. He served from 2008-2016, leading the effort to revitalize the state’s education system and arguing every student deserved equal opportunity and access. He narrowed his focus on New Orleans. He had three priorities: teacher tenure and educator freedom and school choice. In addition to general policy, Jindal helped to encourage his goals through the construction of a voucher program, best known as the Louisiana Scholarship Program. Vouchers were intended to “allow low-income families to send their children to private, often religious schools using state tax dollars.” Jindal hoped this program would help to reduce racial segregation, increase civic knowledge and engagement and enhance respect for all individuals’ rights. Jindal promised to help students attain the highest level of academic achievement. He would do so through the development and enrichment of school choice.

In 2010, Jindal began his efforts to fully convert the public school system into one of solely charters. Local constituents were not given much choice in the matter. Charter schools are institutions built and funded by the government but operated by

38 Ibid.
individual parties and their prospective school leaders. In order to continue receiving funding from the state, schools must follow federal organized Common Core standards and have students take annual standardized state examinations. And in order to have their charter renewed, the Recovery School District must examine their standards and judge whether or not the school and its students have been able to reach ambitions of significant and associated achievement.

The United States Department of Education granted these charter schools $20.9 million with $2,000 allocated for each individual student. New Orleans Mayor Ray Nagin established the BNOBC, or Bring New Orleans Back Commission, dominated with white membership, which focused upon how to best rebuild public education in New Orleans. Another $24 million was donated to the charter system in 2006. As of 2014, every public school in New Orleans had been converted to that of a charter. Since Katrina, the city has maintained interest in prioritizing the revitalization of programs catered toward the youth.

Jindal’s work was well respected, but he left many disagreeing colleagues in his tracks. In 2012, the Justice Department decided to reevaluate the structure and effectiveness of the Louisiana Scholarship Program. After all, taxpayer dollars were moving into religious affiliated institutions, away from public institutions that remain under state orders to desegregate. The DOJ suggested these vouchers are a violation of civil rights and equal opportunity. Jindal reacted to this government decision with haste, remarking, “The Department of Justice proposal reeks of federal government intrusion and proves the people in Washington running our federal government are
more interested in skin color than they are in education.”\textsuperscript{41} However, he failed to recognize the federal government never directly opposed the vouchers. Instead, they were concerned with the level of effectiveness the vouchers would have in creating greater equality.

Today, the voucher program still exists, but recently elected Governor John Bel Edwards does not show support. In 2008, he voted against its pilot program, and he voted against its expansion in 2012. Now with Edwards at the helm, there is growing concern efforts toward the expansion of school choice and the development of a system to measure success will be destroyed. Parents worry the strides toward equitable education along with the progress and opportunity that has become accessible and more available since Hurricane Katrina will begin to disappear.\textsuperscript{42,43}

\textit{Today’s Continued Racialization of Education}

Historically, elite charter education was considered attainable only by the middle or upper class. Following Katrina, with emphasis placed upon education, there came renewed hope for opportunity and equality. But with an elite and powerful white population, it would quickly become clear individuals maintained preference to keep students learning in socioeconomically and culturally homogeneous environments. Middle class white families had always separated their kids from others who are supposedly ‘different’ due to the color of their skin, but with the

\textsuperscript{41} Ibid.
\textsuperscript{42} Ibid.
\textsuperscript{43} “Louisiana Scholarship Program,” \textit{Louisiana Department of Education}, https://www.louisianabelieves.com/schools/louisiana-scholarship-program.
establishment of charters, they would now begin to do so even more intentionally. As activist Chris Stewart once said, “New Orleans has always had schools that screened out poor kids to create enclaves for the black elite and the sons and daughters of bankers and doctors. I know what the other side of that coin looks like having attended schools for the other people.”

Leslie Jacobs, education reform advocate, writes, “My seminal moment on the school board was when I was judging essays for the United Teachers of New Orleans ... and I’m looking at these graduates’ transcripts and looking at their essays. And they had straight A’s in English and they could not write a sentence,” Jacobs said bluntly. “They had to come in with an essay about ‘Why Do I Want to Go to College,’ and they forget about being persuasive; they could not write a sentence. ... [The OPSB] was warehousing kids in separate-and-unequal schools.” Her children are white. In the end, there is progress, but it is specific to each individual race, rarely inclusive of all at once.

Hurricane Katrina ultimately played a very little role in altering the racial divide in New Orleans. In fact, it is likely the wealth and achievement gaps have only grown. Nathalie Hrizi of Liberation News adamantly argues, New Orleans was not “necessarily changed by [Hurricane Katrina] itself but by the US government’s disinterested, racist attitude toward actually addressing the needs of the population

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after destruction.” Hrizi suggests school privatization occurred so that larger companies could focus on the closing of schools they saw as ineffective and harmful. By providing funding to charter school networks, like KIPP, Firstline and Achievement First, private corporations have been able to work to both gentrify and redefine this historically black city. We are left to wonder, are their investments really about education or more so about citywide financial revitalization?

Statistical Background

For reference purposes, the city of New Orleans is sixty percent African American and thirty percent white. The white population often holds the majority position in the upper class whereas the black population most often captivates the role of the lower income family residing in tighter communities and neighborhoods, those often recognized include the Lower Ninth Ward, Algiers and Central City.

According to KatrinaTruth.org, ten years after Hurricane Katrina, “the median income gap between black and white households in New Orleans has widened by 18% from 2005 to 2013. The median white household income in New Orleans increased from $49,262 to $60,553 while the median household income for African Americans only increased from $23,394 to $25,102.” That contrasts with a $9,000 median income growth nationwide, illuminating growth came to a virtual halt in New Orleans in 2005.

47 Ibid.
Today, 50.5% of black children in New Orleans live in poverty—higher than before Katrina; black women make forty-nine cents for every dollar that white men make; and 52% of black men in New Orleans are considered to be unemployed. Currently, 87% students educated in New Orleans public schools are black. Of RSD schools specifically, 93% are black and 84% are eligible for free and reduced lunch. 92% are considered to be economically disadvantaged. Seventy-seven percent of students participate in a free- and reduced-lunch program, one of the most commonly used ways to measure poverty, and 84% are considered “economically disadvantaged.”

Below, two maps are pictured. One depicts the racial make-up of New Orleans based on geography. The other does the same but looks more specifically at differences in socioeconomic status. Each reflects data from the Census Block from 2001-2011.

49 Ibid.

Pictured below is a chart comparing the racial makeup of students in schools in 2004 different from the racial makeup of students in school as of 2014. These dates are significant for 2004-2005 was the school year immediately preceding Hurricane Katrina, and 2014-2015 marked the ten-year anniversary.

![Pie chart comparing racial makeup of students in schools in 2004 and 2014](chart.png)


The bar graphs below clearly evaluate the racial breakdown of charter schools in New Orleans in comparison to others existing nationwide. It is essential to remember all public schools in Orleans Parish are exclusively charters, while those in nearby Jefferson and St. Bernard are not. The differences in ethnicity between varied Parishes are more clearly depicted in the second graph.
Percentage of Students by Ethnicity, 2011

The ethnicity of students in Louisiana charter schools is different from the ethnicity of students in charter schools nationally. However, students in Louisiana charter schools have ethnicities similar to the large urban public school districts where most are located.


Percentage of Students by Ethnicity

Ethnic minorities make up 53% of public school students in Louisiana, higher than the national average (42%).

Data on Louisiana students taken from the October 2011 student enrollment count. National data from the 2009-10 school year are from the National Center for Education Statistics. Data for East Baton Rouge, Caddo, and Orleans Parishes include Recovery School District direct-run and charter schools.

The last graph printed below depicts academic performance of students measured in contrast to the socioeconomic and class-based degree of poverty present in classrooms. The graph looks exclusively at the 2010-2011 school year but reflects data that, in reality, does not change very much from one year to the next.


The city’s school wide segregation is not only prevalent in student bodies but within New Orleans’ teacher base throughout the city as well. In January 2006, following Hurricane Katrina, all 7,500 employees of the Orleans Parish school system were unceremoniously fired, with most learning of this while seeking refuge in other
cities, most often Houston. 4,600 of the dismissed employees were teachers, primarily African-American women who were also classroom veterans. They quickly found themselves replaced by over three hundred young white recent graduates from out of state coming through programs like that of Teach for America (TFA) and teachNOLA. The firing of veteran teachers and the employing of young instructors in charter schools helped to make traditional teacher unions disappear.

Statistically, in the last ten years, the percentage of black teachers has shifted from 71-50%, which marks the most significant loss of black teaching talent since Brown v. Board of Ed. The percentage of teachers with five or fewer years of experience increased from thirty-three to fifty-four percent. The percentage of teachers with 20 or more years of experience dropped by over 20 percentage points. And the mechanisms by which these teachers educate their students differs based on the school, the educators and the degree and type of discipline encouraged. With charter education, discipline is an attribute heavily emphasized, pushed on students so that they will achieve their best. And if they don’t, they are often suspended or expelled; in some way, shape or form, they are pushed out. Typically it is those students learning in low-income primarily African American schools that experience the heaviest level of disciplinary action, proving even citywide policy has become racialized.

**Organization of This Thesis**

Racialization does not occur irregularly in a city like New Orleans; it plays a daily role in the lives of each and every citizen, particularly for people of color. This
is exceptionally true when it comes to environments of education and learning, particularly for those students ranging in age from 5-19. Desegregation is a goal that seems unreachable at times, especially when the barriers are so great. The current state is perpetuated through selective admissions policies, the firing of veteran schoolteachers and intense disciplinary action. In this thesis, I will expose and explore the implications of each of these.

The first chapter will focus upon policies resulting in the development of selective admissions. It will also examine how those exclusionary schools have avoided centralized enrollment, thereby limiting who can and who cannot apply. The second chapter brings attention to the effects of firing veteran schoolteachers and replacing them with young white college graduates, further regulating the development of teacher unions in New Orleans. Finally, the third chapter centers on methods of discipline, becoming more and more present in no-excuse charter schools. These are institutions that most regularly enroll low-income non-white students at risk of constant and consistent suspension.

Through this work, I hope to illustrate how each of these variables has allowed white middle class families to carve out their own educational enclaves. By doing so, they are able to resist efforts for classroom-based desegregation and preserve their enduring privilege.
CHAPTER 1: THE STORY OF ADMISSIONS

“There still aren't nearly enough top quality schools in New Orleans. We must all dedicate ourselves to changing that.”

- The New Orleans Times Picayune

It is important to note the charter system within New Orleans is unique, especially in regard to the ways in which students are given access to varied institutions. Unlike most other cities, the charter lottery is completed through a centralized online computer algorithm known as OneApp, designed and executed by the State’s operated Recovery School District and Innovation in Public School Choice, overseen by Stanford Economist Al Roth and Nobel Prize winner Lloyd Shapley. The program was first promoted and used by Louisiana Association of Public Charter Schools, the RSD, New Orleans Parents’ Guide and the Louisiana Urban League. When the RSD first arrived in New Orleans, lotteries were only used at schools with a greater number of applicants than seats. Given the ratio of students to schools, that has since changed. Now, when a spot opens in a school of interest, families do not walk – they run.

As reported in Louisiana Weekly, the common enrollment system was introduced with an emphasis placed upon “greater effort to expand the number of schools accessible to parents in Orleans Parish and help lighten the burden [of]
parents…having to navigate a multitude of autonomous schools to find the right choice for their child.”

OneApp advertises itself as “a fair and transparent annual process granting families the ability to apply to their preferred schools based on whichever values or interests are most important regardless of neighborhood or socioeconomic background.” Families are given login information and are then told to rank the schools in the order in which they and their children would be happiest given the results. In considering each school on the database, families compile their lists based on a number of factors, which include but are not limited to school size, distance from home, specific missions and a variety of after school programs. Information is also provided regarding application deadlines, transportation, school record, school schedules and geographic attendance. In the 2015-2016 school year, over one hundred public kindergarten through twelfth grade school programs and nearly fifty pre-kindergarten programs have been included in the database. Within OneApp, students are given priority in a particular school if they have siblings studying there, are children of a faculty or staff member or have attended a school within the particular charter network. In 2014, ninety-seven percent of those 1,500 students who

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applied to a sibling’s school received acceptance. The centralized enrollment program has broadened and now offers forms in Spanish and Vietnamese.

Introducing a lottery allows equal access to the chance of admission into one of these schools; it does not promise a seat. Generally speaking, there are “18,500 seats open in New Orleans schools rated A and B by the state. And there are 45,000 New Orleans students vying to get into them.”

In the 2014-2015 school year, seventy-one percent of families gained access and admission to their first choice. Thirteen percent were able to send their children to their second choice and six percent to their third. OneApp is a shaping factor with a heavy set of odds, meaning there are not enough seats for the degree of demand. Director Gabriela Fighetti argues, "OneApp is a process change, not a policy change. It is meant to be a way to ensure that every child has access to high-quality schools.” It is meant to be a mechanism by which to provide possible access to a chance to provide equitable education for all, regardless of race, ethnicity, class or general background.

The Politics Behind OneApp

Since 2012, when the Recovery School District determined every one of their charter and direct-run schools was to use a centralized enrollment system, it has

greatly affected the structure and make-up of student bodies. OneApp was not created out of thin air; instead, it required difficult effort, political debate and continued yet frustrating forms of development.

The system was first brought to the Orleans Parish School Board on June 14, 2012. Board Member Seth Bloom recommended there be debate regarding the “Intent of the OPSB to Work Toward a Uniform Student Enrollment Process.” Thereafter, the OPSB adopted Resolution 14-2, which explicitly called for common enrollment, with seven yays coming from members Ira Thomas, Brett Bonin, Seth Bloom, Thomas Robichaux, Cynthia Cade, Lourdes Moran and Woody Koppel. There were zero nays, absents or abstentions for which to be accounted. Not long after, despite objection from many of the selective admissions charter institutions, the State Board of Elementary and Secondary Education determined OPSB operated schools would eventually proceed to have to use the system as well.

The 2012 Orleans Parish School Board Election

Following the announcement of Resolution 14:2, the November 2012 elections for the Orleans Parish School Board took place. District Five, served by Seth Bloom, who focuses on anti-bullying policy, overseeing the legal committee and negotiations with the future Superintendent, was not up for reelection. The seats of seven other board members, including that of the President’s, was up for reelection.

District One serves the Lower Ninth Ward and areas of New Orleans East. New Orleans East serves 83,298 citizens, 7,031 of who work white-collar jobs and 5,063 who work those that are blue-collar. New Orleans East became a populated section of the city during the 1960s, following Hurricane Betsy, the building of NASA’s Michoud Assembly plant providing jobs, movement of the white middle class from Central City, the frequent trading route of the Mississippi River-Gulf Outlet Canal and the building of Interstate 10. During the 1970s, after African Americans were given the chance to hold political positions in the city government, the white middle class population fled. Today, the neighborhood hosts a large and growing Vietnamese population, and there is great bitterness regarding race and associated importance in the area. There is great bitterness regarding race in New Orleans East, especially given how little media and volunteer attention to the population. Instead, most help and attention served the Lower Ninth Ward, an area east of the Bywater and completely decimated by Katrina. It holds the word ‘lower’ in its name due to its positioning relative to the Mississippi River, sitting lower than any other section of New Orleans. For purposes of perspective, prior to Hurricane Katrina, 14,008 people lived in the Lower Ninth. As of 2010, 2,842 lived there. Prior to Katrina, the Lower Ninth also maintained the highest rates of black home ownership in all of New Orleans. Today, less than half have been able to return to their homes or escape poverty. When asked how the rebuilding of his house was progressing, one citizen named Irving Brown said, “Slow, very slow, much too slow.” And when asked why, he responded “money, money, money.” The area is 96.9 percent African American and is likely to be scarred with haunted memories and
FEMA housing forever. Incumbent Ira Thomas ran against former board member Heidi Lovett Daniels.

Previously Chief of Police at Southern University of New Orleans, Thomas campaigned using his past experience on the board as evidence of what he could continued to do to help improve the education system within New Orleans. At the time, he was focused upon the financing of the OPSB, while his opponent was focused on standardizing testing and teachers’ salaries. She was a woman of the unions. She argued Governor Bobby Jindal’s legislation of the time, supportive of school choice, had looked to “weaken teacher tenure and expand the use of private school vouchers by tapping public education dollars.” While in a debate with Thomas, Daniels also said,

“They literally start testing, some form of testing, first and second grade. And we continue to test them to death all the way through 12th grade, and we want to know why they’re tired. We want to know why teachers are tired. And that is nonsensical.”

Lovett Daniels, who had served on the Board during Katrina, was a college math teacher looking for another chance to make her mark on revitalizing the Crescent City. Thomas won with 68.02% of the vote with Daniels trailing with just 31.98%.

District Two, encompassing the areas of Audubon and Uptown pitted three candidates against one another: Incumbent Cynthia Cade, Durrell L. Laurent and Dwight McKenna. The Uptown section of New Orleans falls between the French

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57 Ibid.
58 Ibid.
Quarter and Jefferson Parish, upriver from the Central Business District. It encompasses Carollton, the Garden District, Irish Channel, the Lower Garden District and Central City. Audubon is just one section falling within the Uptown area. It is often called the “University District,” for Loyola University of New Orleans and Tulane University are both located there. The area is 85% white, 4.8% black and 3.2% Asian. Similar to Ira Thomas, Cade ran on the platform of continuing the work she had completed with the board over the course of the past four years. She stressed her interest in returning all schools to the control of the OPSB. She also suggested the board prioritize disadvantaged minority businesses over the charter schools, challenging others to think about how to best allocated New Orleans Parish School Board funding. Durrell Laurent, a young New Orleanian himself and owner of Geaux Group Insurance Advisors, ran for the seat with a desire to close the achievement gap between those schools that were successful and those that were not. He himself had been a student in the St. Roch area of the city was quoted having suggested the schools were “horrendous.” As reported in the Times-Picayune, Laurent, a clear union man said,

"The guys I grew up with, I feel like they weren't given the opportunity to compete in college or get quality work after high school. I believe education has improved compared to what it was prior to Hurricane Katrina, but it needs a lot more improvement, we have to strive for something much greater." “We have to get these kids to buy in to learning. We have to get locals they can relate to back in the schools.”^59

The last of the candidates, Dwight McKenna, a surgeon, had served on the OPSB in the 1980s and 1990s and became recognized for his work focused upon improving the lives of young black men. His campaign took a hit when many were reminded of his time in prison for tax evasion. Cynthia Cade won the district with 50.91%. McKenna won 37.62% of the vote and Laurent 11.47%. ⁶⁰

District Three covers constituents coming from Lakeview, Gentilly and the Westend section of Mid-City. Originally an underdeveloped swamp, Lakeview quickly became one of the neighborhoods almost entirely populated by white families in the 1990s. It had started off as middle class families and transitioned to cater toward all upper class white families. However, when Katrina struck and knocked down the 17th Street Canal, Lakeview was destroyed. The neighborhood remains 82.4% white, but the next census will be able to better explain how the community size and its racial existence have evolved since the storm. Gentilly, located northeast of Lakeview, struggled from the fall of this particular levee too. Only fifty percent of its predominantly diverse and mixed race population returned. Mid-City encompasses a section of the city adjacent to the Metairie and inclusive of Canal Street and Jefferson Davis Parkway. 14,633 individuals populate this district, representing a population with a mixed racial make-up of 55% Black and 27.3% white. The average household income of the local, middle class neighborhood is $44,026. Just 55% of the pre-Katrina population has returned to the heavily flooded low plain historical backswamp making up Mid-City.

⁶⁰ Ibid.
At the time of the 2012 election, there were three candidates running for governance in this district: Brett A. Bonin, Sarah Newell Usdin and Karran Harper Royal. This was a particularly unique race as Usdin, formerly a corps member with Teach for America and founder of charter network and consulting organization New Schools for New Orleans, received $110,000 in donations for her campaign. Incumbent Bonin, a family attorney, had received only $24,990 and Royal $5,569. Bonin is pro-charter but like Cade, has spoken in favor of returning all schools to the OPSB’s control. He argued charters should most certainly exist but by their own accord and under local governance. Karran Harper Royal is completely opposed to charter education, arguing there should be more transparency and greater community voice considered with regard to successful schooling, emotionally and academically, She sits as a part-time advocate for parents of disabled children at the Pyramid Community Parent Resource. Both Bonin and Royal spent much of their campaign time criticizing Usdin’s organization, while she spoke to the success schools under the RSD have brought to citizens of New Orleans, encouraging greater federal funding for their work due to great success. It is no surprise with her campaign tactics, connections, experience and support, she won the election with 58.25% of the vote. Bonin received 31.75% of the vote with Royal trailing with only 10%.

From the fourth district, which geographically covers Algiers and English Turn, came Leslie Ellison, an education consultant and church administrator, and incumbent Lourdes Moran, an Accounts Receivable Manager at Altus Global Trade Solutions. Algiers is one of the oldest neighborhoods in New Orleans. It is the only neighborhood sitting on the West Bank of the Mississippi River governed by the Orleans Parish School Board. As of 2000, the area was 89.4% populated by families of African-American descent. It is also one of the most impoverished areas in the nation. It is among several areas in the US with the lowest ranking income, falling below 91.3% of all United States neighborhoods. 54.4% of citizens live below the poverty line with a higher rate of children living in poverty than 92.5% of United States neighborhoods. It is also an area consumed with crime. In one month of 2014 alone, there were fifteen armed robberies, twenty shootings and forty-seven cases of simple battery. At the end of 2015, there were twenty-one homicides accounted for – the highest rate since 1990.

There was hope in 2012 one of the candidates could provide some modicum of change. Moran was known for her previous work on financial and administrative reforms. For her platform, she stressed how much improvement the OPSB saw and created during her time on the board and how she would like to continue to contribute to its future. Ellison focused on giving parents vast educational options with the growth of independent charter schools and promising to hold board meetings at times more convenient for those who work. Her name is most recognized for the controversial position she held in relation to Senator A.G. Crowe’s bill at the Louisiana State Legislature supportive of the extension of antidiscrimination
protections. She would not support an antidiscrimination clause, arguing it inhibited separation of powers. She was quoted as saying,

"I believe every child deserves a quality education in the same way that I believe in checks and balances in government and certain inherent rights we have as U.S. citizens. This bill had nothing to do with children or education, and everything to do with a disregard for the separation of powers and an attempt to suppress one's freedom of religion and speech."64

She won the race with a slim victory of 52.34% of the vote, leaving Moran behind with a close 47.66% of the vote.

District Six spans the neighborhoods inclusive of the Irish Channel, Central City and the Garden District. This particular district is interesting given how different each of the catchment areas truly is. The Irish Channel is a working class neighborhood, populated mostly by African American families but has also served as home for the Irish and English immigrants of the nineteenth century and their families. Given its geographical positioning on high ground, it did not experience flooding during Katrina. The Garden District, one of the most famous in the city, is 88.4% populated by white families living in old Southern Antebellum mansions. The average annual income, unlike that of any other section of the city, is $140,655. Celebrities, like Sandra Bullock, Beyonce and Jay-Z have purchased homes here. Lastly, Central City, 72.4% of which is populated by black families, is casually spoken about as the murder capital of New Orleans. It sits right above the Central Business District and during the 1990s, served as the area in which public housing was

available. They were known as the Melph, Calliope and Magnolia Projects, but they have since become privately owned mixed race apartment buildings. KIPP Central City is a high performing primary school in New Orleans. However, due to its location, it does not receive nearly as many applications as other primary schools. Because of its geographic positioning, wealthy families, stereotypically those that are white, will not send their children to school there.

Incumbent Woody Koppel ran against Jason Coleman for the seat in District Six. Coleman, a member of the Coleman Cab Company family, focused his campaign upon funding and the ineffective way in which the financing of the board had been organized in the past. In an effort to keep educational efforts more local, he argued schools should come back under the Orleans Parish School Board. However, he was caught having spoken about the board and its efforts without fact, suggesting he was not fully or well informed about the position for which he was running. Koppel is a real estate developer, former teacher and son of an OPSB board member of the 1970s. He spent much of his campaign, also focusing upon the need for an improvement of finances and on what the board chooses to spend its funding. His most exciting and innovative suggestion was that related to academic decisions and the idea they should be made at individual schools. As reported in the Times-Picayune, he said, "The academic decisions should be made at a school-site level, nobody knows the kids better than the teachers who are teaching them and the principal who is overseeing those teachers. Someone who is five miles away just doesn't have that connection."65

Unsurprisingly, Koppel won the election with 66.20% of the vote and Coleman lost with just 33.80%.

From District Seven, encompassing the neighborhoods within New Orleans East not served in District One, came three candidates: Incumbent President Thomas Robichaux, Nolan Marshall II and Kwame Smith. Marshall, formerly a photographer, suggested charters should allow for community participation and with a greater sense of accountability. They should be able to maintain great potential for the students of New Orleans. Citizens found him to be the most appealing candidate given his focus on the children themselves, as well as their needs, desires and interests. Smith, a substitute teacher at Lusher, suggested the greatest success would come from enforcing a return to a traditional school model. He argued the OPSB was in need of renewed leadership with a focus placed upon the governance at each school. Lastly, Robichaux, a lawyer and President of the OPSB, maintained trust and encouraged support of the mixed school model system in New Orleans at the time, claiming it had been operating productively and administrations would require greater accountability. With a high five-year rate of improvement, Robichaux had helped the school district to escape bankruptcy with a renewed focus on technology, but he was also white and self-congratulatory. Marshall won the election and would go on to serve as OPSB President from 2014-2016. 66 67

Below, a map depicts the racial make-up of the city of New Orleans since families returning following Hurricane Katrina. It clearly depicts the results of gentrification and limited housing in particular neighborhoods. Each is labeled.


One of the first and most important tasks the new OPSB, made up of Ira Thomas, Cynthia Cade, Sarah Usdin, Leslie Ellison, Woody Koppel, Nolan Marshall Jr. and Seth Bloom, would take on concerned the appointment of a new Superintendent, someone who could lead the board into a new and more successful, respected era. Each member held a different opinion on what qualities and experiences the new superintendent should have, as well as how grand the role of the OPSB should really be. Several were quoted. Cade openly suggested the
Superintendent should oversee the schools and should come from a national search with emphasis on local experience. In responding to how she views the role of the superintendent, Ellison said, "It's important that the school board hires a superintendent who has extensive leadership and education experience, is able to manage finances and can effectively communicate with administrators, teachers, parents, students and stakeholders." Koppel argued the schools should operate as they please under their own leadership with the new superintendent acting simply as a “resource manager and service provider.” And lastly, Marshall believes the OPSB needed to find a superintendent “who is interested in guiding the city's schools toward a more holistic approach to education and has proven experience doing that type of work.” Following Robichaux’s departure and Darryl Kilbert’s resignation on June 30, 2012, Stan Smith, previously the finance chief of the OPSB, led as Interim Superintendent. The search continued for over two years, resulting in the recent election of Henderson Lewis in 2015.  

*Universal Enrollment: The Story of OneApp*

The newly elected school board proposed their common enrollment policy at a meeting in December 2012. All schools, aside from those applying for or renewing a charter as soon as 2014, would be required to participate in OneApp come 2015. The application, including information regarding what each and every school had to offer, was available on an online database. The admissions process would be clearer and more transparent than ever.

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This particular board meeting, at which policy was to be proposed and discussed, confusion and outrage resulted instead. The OPSB was about to enter a battle with the school citizens and leaders of New Orleans. Lee Reid, who was the lawyer for all those opposing schools associated with the Eastbank Collaborative of Charter Schools, argued there should not be sudden and “unilateral change.” In response, the school Board decided schools would not be forced to participate in OneApp by 2015, but they could do so at the time at which their charter would require renewal instead. For several institutions, that meant 2021. The longer the school has existed and the greater its success, the lengthier its contract and existence can remain without government review. The Recovery School District and Superintendent Patrick Dobard were tired and frustrated – those schools offering open admissions were at an advantage, taking their students and thereafter putting a greater number of low-income students into a segregated pool for school entrance. Greater equality was not established; instead, the preservation of privilege enhanced.

Despite a number of concerns, within its first year, 28,000 students signed on to use common enrollment. Every individual was given eight options and the computer algorithm then worked to match each student with his or her top choice. There was excitement, but many also voiced concern. Erika McConduit, a vice president at the Urban League, said, "[OneApp] seems like a vast improvement, [but] who’s going to be making those decisions and when? Because in theory, we’re

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already in the game now.” Speaking of McConduit and this particular idea, Andrew Vanacore of The New Orleans Times-Picayune wrote, “[McConduit] does worry about some of the decisions that are still up in the air, including how the manual enrollment process will work for students who don't get one of their top choices.”

With centralized enrollment, seats come with luck. If a family does not earn entrance in this way, there are few alternative options – one of which is late enrollment.

Late enrollment can be defined as engagement with the admissions process during the summer. This can result from three circumstances: a family moves to New Orleans after the OneApp process has finished, the desired school is different from that which a family received through the algorithm or the school itself is new.

With new creative options for enrollment and varied opportunities, other questions arose quickly: How would OneApp integrate with society? How would families respond to it and the implications it had on a student’s potential success? How was the program to be best managed and how was this all to be done on an efficient timeline?

In June 2013, despite former efforts to develop OneApp and to answer these questions, the Orleans Parish School Board announced they would no longer participate in conversations regarding open enrollment and OneApp. At the time, Gabriella Fighetti, Director of Enrollment for the OPSB, worked to further emphasize

71 Ibid.
OneApp is simply “a framework of policies so families weren't just dropped based on a myriad of rules that were different at every school." RSD Deputy Superintendent Dana Peterson argued schools should not be able to select students. He said, "all kids deserve the same opportunity to get into schools that they desire." But OneApp did not provide promised and equitable opportunity; OPSB board members were conflicted. Woody Koppel, previously quoted as opposing the implementation of OneApp, voiced the need for OPSB schools to expand, to provide greater opportunity to those living within and outside white middle class enclaves.

At the meeting where the OPSB’s disregard for discussion about OneApp was announced, the audience included “50 McDonogh 35 football players clad in their maroon and gold uniforms and 25 McMain football players in white and gold, a visual reminder of the schools' traditions.” This was a performance clearly structured by local families disinterested in random school placement. Kendrick Grant, Roneagle #64 said, with OneApp, parents have “no insight on what the school is capable of doing to their children. We don’t know if [students] will be able to benefit [the] school or if they’ll lower [the] standards.” Danielle Dreilinger of the New Orleans Times-Picayune wrote in her article entitled, “Orleans Parish School Board pulls back on OneApp, lets schools choose students,”

“When a computer picks your students, [the schools] may not end up with the football team you're used to, or enough trumpeters in the band. If student athletes end up attending schools that don't offer their

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sports -- post-Katrina, not all schools offer all programs -- they risk losing out on scholarships.”

So many, particularly those who had children attending elite schools in New Orleans, were now arguing against centralized enrollment with randomized placement. In the days before the 2013 school year, two of five schools that first signed up to use OneApp were caught dishonestly and selectively admitting students. At Eleanor McMain Secondary School, Principal Bridgette Frick suggested there were forty seats available to fill, when in actuality, there were two hundred ten. At the time, Caroline Roemer Shirley of the Louisiana Association of Public Charter Schools suggested, the schools that have not completed OneApp fairly and directly are "why I feel a sense of urgency around the selection of the next superintendent…They have no one who's setting a vision…[and so] the schools are dictating what they want." She made these seats available for self-selected manual filling during late enrollment. It quickly became clear centralized enrollment was only sponsored when families received their top choice. Given how rare that could be, following the OPSB’s announcement to pull back, the program headed toward great distress.

Coming Full Circle

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75 Danielle Dreilinger, “Two New Orleans high schools said they were 'full' -- then enrolled more students.” The New Orleans Times-Picayune, November 22, 2013, http://www.nola.com/education/index.ssf/2013/11/two_new_orleans_high_schools s.html.
76 Ibid.
Time progressed and in 2014, the conversation regarding OneApp returned, mostly because the city decided to deregulate and privatize public schools, becoming a district solely made up of charters. New Orleans schools would be required to participate in centralized enrollment by the time of their charter renewal, or by 2021 at the latest.

With the New Orleans Early Education Network “increasing access and improving quality of all publicly funded childhood care and education in Orleans Parish,” and the implementation of the 2014 Louisiana Regional Legislative Session’s Act 717, OneApp became available to students ages six months through high school graduation. Funds were spread out as best as possible in an effort to provide the highest quality education to all those classified as living at-risk. With over one hundred thirty schools participating in the OneApp process for 2016, 2,394 Pre-K applications have been submitted with 1,826 seats already filled.

Compromises and solutions began to form. Some institutions that had previously been opposed to OneApp have now created programs available to students applying through open enrollment. In her article entitled “OneApp 2014-15 opens Monday to accommodate selective New Orleans schools,” Danielle Dreilinger writes, “In some cases families apply to a program, not to a school. For example, McDonogh 35 High School is listed separately from its magnet program emphasizing science, technology, engineering and mathematics, or STEM. Its STEM Academy has stricter entrance requirements and an earlier application deadline. And the International School of Louisiana offers three options: French immersion on its

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Uptown campus, Spanish immersion Uptown and Spanish immersion in Algiers."

This gives schools the chance to continue with selective admissions while also offering optionality so as to stay lawful with the OPSB, the RSD and the citywide centralized enrollment process.

Generally speaking, OneApp can be successful, but at the same time, it can be both discouraging and disorganized, especially for a parent unfamiliar with how the application works. As reported by the Cowen Institute, “In this decentralized system, no single entity is responsible for managing the enrollment process, assigning students to schools, managing lotteries and waitlists, or providing information to parents.” While the system introduced itself as one that would provide greater clarity in understanding the charter network than ever before, the Cowen Institute reports, “there is a lack of transparency, equitable access and oversight.”

Aside from complaints made about the actual program and associated schools, there are a number of additional issues associated with how OneApp operates. Aesha Rasheed, a community activist, does not believe OneApp has proven to be approachable by many and several agree. Following Katrina, she said parents “were put in charge of their children's education and sent out to navigate a complex system where not all schools played fair.” They had not been put in this position before.

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80 Ibid.

Access to computers is limited and some argue there is little instruction in how to utilize the application. Access to computers is limited as well. Families are left unfamiliar with the process, later filled with great demands and heavy anxieties nonexistent before. One parent, Ms. Fisher says, “There are roadblocks for people who don’t have a flexible job, can’t go to the open houses and don’t have transportation. Another parent, Mr. Varner says, “…I would argue now that parents who are well connected can game the system, and schools can game the system [too].”

It is clear OneApp perpetuates a great divide between those who have and those who do not; upper class families have first choice when picking schools and lower income families are thereafter left behind. It has become clear choice is really only present for those who have the ability to advocate for the schools they most prefer. When this choice does not exist, there results a sentiment of limited democracy, resentment and false hope. “Last year there were over 800 families who had to wait outside, in the sun, to enroll their families in school,” said civil rights activist Thena Robinson Mock. She is also Director of the Advancement Project’s “Ending the Schoolhouse to Jailhouse Track” program, which is geared toward deconstructing the pipeline guiding children to prison. He continued, “It was really disgraceful. There was some families who talked about how the experience almost felt like Katrina all over again, waiting and waiting in line, in August, to get resources.”

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83 Kirsten Savali, “‘Like Another Katrina’: The Charter School Debate Fractures New Orleans Along Lines of Race and Class,” The Root, August 27, 2015,
Several argue this choice is not really as limited as some suggest. The National Review reports, “the commitment to school choice is pervasive in New Orleans’ alternative schools, and it’s a refreshing shift in a city where parents had long felt trapped and deprived of options.”84 As reported in EdWeek and said by Robin Lake, a researcher of school choice issues at the University of Washington, “Nobody likes the idea that an algorithm is making a decision about where their child will go to school.” It is not only about money but also about knowing and understanding the system. She says, “Parents who have been savvy shoppers in the former system and get accepted into six different schools and then make their choice among those six have lost their advantage.”85 It is obvious there is a spectrum; both class, and even more so, race plays a large contributing role.

Selective Admissions and the White Middle Class Carve-Out

Following Katrina, those schools that were deemed academically successful remained under the governance of the OPSB and were therefore not required to participate in OneApp. They have their own individual applications and interview processes required for entry. Through their admissions process, these schools work to create and maintain a selective environment for primarily middle class white students, those who are also deemed an academically and socially promising match.

One school noted for doing this is Lusher Charter School, a K-12 institution located in Uptown New Orleans, just a few blocks away from Tulane University. Tulane and Loyola New Orleans faculty are given precedence in Lusher’s admissions process and so are students living in the neighborhood nearby. At exclusive institutions like that of Lusher, admission is dependent upon a reading/math examination, a written application, and ‘parental involvement,’ where prospective students earn points for parent attendance at a ‘curriculum meeting’ and for completing a questionnaire. If students are not dwellers in the neighborhood catchment area, they must complete yet another application. Students without any of these attributes, which typically are those who are black and from lower socioeconomic classes, are considered last if at all. Katie Riedlinger, chief executive of Lusher, has suggested her school’s disinterest in using OneApp stems from a fear of losing school control. The Wall Street Journal later reported Riedlinger felt “her school's selection process was fair and that it was “a major distraction to keep fighting over who gets into Lusher.” At the end of the day, due to obvious and positive results, she said, “The question should be: Why can't we create more like Lusher.”

Sean Wilson, Head of the OPSB governed International School of Louisiana, worries the specificities, requirements and deadlines of OneApp “would decrease applications and increase costs, and resented that centralized bureaucracy was being

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imposed on independent charters.\textsuperscript{87} He, like several leaders of different schools, is concerned about the lack of waitlist and limited direct interaction held between administrators and potential students. He argues OneApp is not clear and comprehensible, promising an eventual failure of elite education for those who are considered elite in New Orleans. Ultimately, desegregated education threatens the preservation of power and privilege with many running scared.

Audubon Charter School, operating under the leadership of the OPSB is an example demonstrating how scared these white enclaves are in regards to considering what it will mean to operate under the jurisdiction and direction of OneApp. For years, they have accepted LA-4 funding for twenty out of eighty seats in their pre-kindergarten class. LA-4 funding is the state’s funding allocation for a student in a 6-hour day classroom for an entire school year. In the 2014-2015 school year, the total allocation of LA 4 funding, provided through state and TANF federal grants, was $75,971,497.\textsuperscript{88} If Audubon takes funding, they will be required to admit students from all over the city accepted through the centralized admissions process. For this reason, the school has suggested they will stop requesting the $4,570 per student funding they have previously received and used. In avoiding this legal decision, according to Audubon Charter School Board Member Calvin Tregre, they have made plans to look for the $90,000 elsewhere.\textsuperscript{89}


\textsuperscript{88} “The New World of Learning in Louisiana,” \textit{Louisiana Policy Institute for Children}, http://www.policyinstitutela.org/#!education-funding/c1r2t.

Because there are just a few schools under sole guidance of the OPSB and white families opposed to use OneApp dominate those, there are questions regarding whether choice and its implicit racialization are still as broad and open a set of opportunities as they once seemed. Board Member Woody Koppel has even been quoted saying segregation is not a particularly prominent feature or mindset within New Orleans schools. He says,

“Look at Lusher. Lusher is probably 50 percent black and 50 percent other. That's diversity. No offense to a school that's 100 percent black. I don't buy the skimming-off-the-top argument. People choose where they want to go to school. Unfortunately, some choices are extremely popular, and that should be a good thing.”

His argument suggests he does not find great issue with selective admissions and probably does not find heavy need for OneApp. He, a prominent member and leader on the OPSB, does not see one as a problem to be fixed by the other.

More generally, the fear stemming from desegregation and equal access today has grown with the requirement for all institutions in New Orleans to operate with OneApp by 2021. However, they will operate under a system of dual match, wherein they rank applicants at the same time that applicants rank them, making their centralized enrollment still more selective than institutions using it now.

_A Continued Carve-Out_

Despite state mandated desegregation within the next decade, it is clear white enclaves have begun working even harder to maintain their privilege. As reported by

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Peter Cook, a Teach for America Corps Alumni, New Teacher Project consultant and now education blogger,

“With the Orleans Parish School Board (OPSB) in shambles in the aftermath of the storm, many of these schools seized the opportunity to reopen OPSB charters, while retaining their selective-admissions policies. The white schools remained open while direct-run public schools geared toward students of African-American descent were shut down.”

The seven charter schools currently choosing not to use OneApp are also those actively rejecting education within environments that are integrated. Acting US Secretary of Education John King recently said,

"[I]n far too many schools, we still offer [African-American and Latino and poor children] less – less access to the best teachers, less access to the most challenging courses, less access to art and music, and less access to the resources necessary to thrive.”

According to New Orleans Times-Picayune writer Jessica Williams, so much of this battle is just an “illusion of choice.” So much of this fight focuses on how opportunities are truly given to those who can afford them, paid in full. She writes in her 2015 article entitled “10 years later, I’m not sure where to send my child to school,”

“School reform critics, pointing to the number of schools with low scores, have questioned the city’s progress. When the only schools with room are failing or mediocre, parent choice is an illusion, they claim…Because the charter system is very much the illusion of choice, there are really only a handful of schools that are high-performing…a lottery system has created this college education atmosphere where

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parents don’t have an equitable opportunity to enroll their children in school.”

The critique centered on the ‘illusion of choice’ is one that Leslie Jacobs has talked about as well. She writes,

“There are still a number of selective schools. Those schools are with the Orleans Parish School Board. They are charter schools, but they just converted to charters post-Katrina, and they are hard to get into. There’s no doubt about it. They’re some of the highest-performing schools in the state. I always say about choice, ‘I wanted to go to Harvard.’ Just because you want to go doesn’t mean you’re going to get in.”

Because of the intentional goal to maintain white enclave carve outs, there is one type of student for which the schools choose to look. OPSB schools, unlike RSD schools participating within OneApp, are gaming the system and working to continuously exclude students from alternative backgrounds.

The Other Side

Individuals like Jacobs, who is white, see OneApp as providing opportunity. Parent advocates like Karran Harper Royal, who is black, argue the Recovery School District’s efforts represent sentiments of the new Jim Crow.

Adamant talks regarding the racialization of education came to light in the National Coalition’s 2014 Civil Rights Complaint, which claimed Louisiana’s State

Closure Policies discriminated against black children. While poorly performing white schools were being kept open, those with a student body populated mostly by black students were consistently shut down. Some of these schools had not only provided educational opportunities but also stood as community monuments – Tyread’s original leaders, for example, led the NAACP’s fight to integrate schools in New Orleans. Black students were already at a disadvantage in terms of school access, but now, they were facing even greater conflict given their late entrance into OneApp and inability to enroll in enclave schools. The complaint read, "In essence, the state has robbed these children of their neighborhood schools while keeping them trapped in failing, under-performing schools."  

The Lasting Effects of Segregation

It has become clear school-based segregation only further contributes to high concentrations of black poverty, noting it will lead to “an oppositional culture that devalues work, schooling, and marriage.” This societal segregation leaves families, depending on their economic circumstances, to live in particular catchment and racially exclusive areas of New Orleans. This was clear with the destruction of the Lower Ninth Ward following Hurricane Katrina and the economic inability of so many to move back to what was once the land of their homes. Those individuals are

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limited in their social mobility, and so when schools make geographic proximity a factor by which to evaluate applicants, which they will likely do come a dual match admissions process. It will not be a surprise lower income black students are left behind. Higher opportunities of education promise to become both inaccessible and likely unattainable, leaving students with few high quality options for opportunities of education.

School Evaluation and Measurement

Each school, depending on students’ test scores on entrance and state exams, transportation, mode of discipline, special education opportunities and funding, is awarded a grade A-F. There are fifty-four non-A schools in the city and only twenty-six that are A or B. No A graded schools operate under the Recovery School District. As reported by “The Wall Street Journal,” “of the nearly 12,300 slots available in the citywide lottery for this school year, 20% were in schools rated F in 2012, 29% in D schools, 11% in C schools, 14% in B schools and none in A schools.” Interestingly enough, also as reported in “The Wall Street Journal,” “Nearly 35% of the approximately 6,700 students applying to transfer or to enroll at a public school for the fall semester selected either D- or F-graded schools as their first pick, the Journal found.” The city itself is graded at a C/C.- As reported by Times-Picayune

writer Andre Perry, “School letter grades draw significantly from school test scores — numbers that often say more about how much money parents make than the quality of instruction students receive.”

In 1999, the Louisiana State Legislature institutionalized the school grading system. If schools are rewarded an F, they are shut down by the government or have their charters rescinded. The grade of the school determines the longevity of the physical charter itself. With the implementation of the Common Core curriculum, a set of academic standards designed by the federal government, and a new High School Equivalency exam, students are likely to now take on great challenge in helping their schools to attain high letter grades. Just twenty-three percent of Louisiana state students hit the benchmark for success in college in 2015, and these school grades provide a direct and easy way in which to understand. Elementary, middle and high schools are independently scored based upon a separate and different number of variables.

Elementary schools, typically educating students in grades kindergarten through sixth, are scored based upon the scores students receive on annual state wide assessments looking at math, science, social studies and language arts. Students demonstrating significant improvement can help add basis and points to a school’s potential grade as well.

Middle schools, serving students in the seventh and eighth grades, are also given grades depending on scores from their annual statewide exams. Students who

have significantly improved and all others contribute to the school’s individual grading regiment through the end of the ninth grade.

Lastly, high schools, teaching students sitting in the ninth through twelfth grades, are graded upon a vaster number of variables than their younger peers and counterparts. Some of the factors include ACT scores, half-year and end-of-year statewide examinations, Advanced Placement tests, International Baccalaureate tests, the class’ graduation rate and the rate at which students will graduate in four standard years. In 2015, graduation rates were at a high of 78% where as prior to Hurricane Katrina, they were at 35%. Again, student improvement is a way in which grades can boost their scores.\footnote{103}{Danielle Dreilinger, “School performance scores improve across Louisiana in 2012-13,” \textit{The New Orleans Times-Picayune}, October 24, 2013, \url{http://www.nola.com/education/index.ssf/2013/10/school_performance_improves_ac.html}.} \footnote{104}{Ibid.} \footnote{105}{“The State of Public Schools in Post-Katrina New Orleans: The Challenge of Creating Equal Opportunity,” \textit{Institute on Race and Poverty, at the University of Minnesota Law School}, May 15,}

As reported in the Minnesota Institute on Race and Poverty’s study entitled, “The State of Public Schools in Post-Katrina New Orleans: The Challenge of Creating Equal Opportunity,” the RSD’s tiered grading system has only “consigned the most disadvantaged black children to the worst schools.” It continues, "The increasingly chartered public school system has seriously undermined equality of opportunity among public school students, sorting white students and a small minority of students of color into better performing OPSB and BESE schools, while confining the majority of low-income students of color to the lower-performing RSN sector." As of 2010, ninety percent of students in New Orleans were in classrooms.\footnote{105}{“The State of Public Schools in Post-Katrina New Orleans: The Challenge of Creating Equal Opportunity,” \textit{Institute on Race and Poverty, at the University of Minnesota Law School}, May 15,} 80% were students in segregated classrooms.\footnote{105}{“The State of Public Schools in Post-Katrina New Orleans: The Challenge of Creating Equal Opportunity,” \textit{Institute on Race and Poverty, at the University of Minnesota Law School}, May 15,}
Today and the Future: How the OPSB and RSD will Merge

Richard Kahlenberg suggests the establishment of charter institutions and a supposedly more advanced education system in New Orleans has not centered on how to “create white and wealthy enclaves of privilege within the public school system but to ensure a racial and economic mix in those schools.”106 The results demonstrate otherwise, as is indicated by the division of schools overseen by the OPSB in comparison to those operating under the guidance and authority of the RSD. The relationship between the two becomes even more complicated when trying to comprehend how they must work together in order to help schools reach optimal success. In fact, when a school is deemed successful for a given period of time according to scores on state exams and effective implementation of Common Core standards, it is intended to return to the jurisdiction of the OPSB. Today, there are thirty-six schools eligible to do exactly this, but many of them have chosen not transition, arguing they are concerned about leadership, trust and loyalty. They have become increasingly fearful, given the opinions held by OPSB leaders regarding the RSD and the criminal charges many of them have recently endured.

In 2010, former OPSB President Ellenese Brooks-Simms was sentenced to three and a half years in prison for kickbacks and federal program fraud conspiracy with businessman Mose Jefferson, who secretly and illegally sold Brooks-Simms

education software for $900,000. She paid in OPSB funding and received $140,000 in return. While Brooks-Simms will spend just three years in federal prison, Jefferson will spend ten.

Just this past year, Ira Thomas, former Police Chief at Southern University of New Orleans and OPSB board member, was sentenced to a year in prison for his own participation in a $5,000 bribe for supporting a janitorial services contract. Thomas is to pay a $4,000 fine as well. He did receive help from another former OPSB employee, Armer Bright, who is to serve one year in federal prison for conspiracy and participation.

James Fahrenholtz, a Louisiana state lobbyist, is yet another former OPSB member who has been convicted. He was sentenced to a year in federal prison for stolen property, including a number of confidential government documents, from the school board before attempting to tamper and destroy the evidence. He also has a number of unpaid, disciplinary and legal education fines and requirements he owes the city.

In addition to difficulty with trust, many constituents of both the RSD and OPSB have developed concern regarding the allocation of funds when it comes to the enactment of new policy in addition to the distribution of school administrators’ salaries as well. As reported by Louisiana Weekly, Renew Schools CEO Gary Robichaux receives an annual salary of $156,387, with Chief of Staff Colleen Mackay earning $132,480, according to 2012 tax documents. Michael Dunn, CFO of KIPP New Orleans earns $148,351 annually, and Executive Director Rhonda Kalifey-
Aluise earns $135,000, according to 2012 tax documents. Collegiate Academies CEO Ben Marcovitz earns $131,172 annually, and Einstein principal and CEO Shawn Toranto earns $129,555 annually, according to 2013 tax documents. Friends of King CEO and principal Don Hickes receives an annual salary of $130,779, according to 2012 tax documents. Lusher Charter School CEO Kathy Reidlinger (a school which admits only selective students) consistently tops the list with an annual salary of $283,100, according to 2012 tax documents. Lusher’s CFO Lynden Swaze, receives an annual salary $151,116. Are these funds being distributed effectively and for the benefit of teachers as well as students in the community? Karran Harper Royal says, “Someone has to be held accountable, this is all our money.”

This same fear accompanied the application of Act 543 as well. The 2014 legislation was geared toward the repurposing of property tax dollars for facility maintenance. Administrators wanted to “levy a tax of 4.97 million beginning in 2015 and expiring in 2025,” further suggesting fifteen million dollars would be allocated to the school board’s school maintenance fund each year. Many argued the money would be better spent in paying out loans and repayments, especially since yet again, the funds would come directly from the wallets of taxpayers. This particular topic quickly became one discussed by each board individually when OPSB Board Members Cynthia Cade and Leslie Ellison reportedly asked, “Why are we asking public to vote to establish the RSD as landlord over OPSB facilities?” This only drew more attention to the hierarchy developed between members of the Orleans

107 Ibid.
109 Ibid.
Parish School Board, leaders of the Recovery School District and their individual patrons. RSD supporters become even more anxious upon realizing the criminal charges former OPSB leaders have endured.

Ultimately, much of this concern surrounding the presence of merging schools under the OPSB centers upon apprehension there will be a reverse in progress, leaving behind those schools that have become more highly regarded and ranked since Hurricane Katrina. MyNewOrleans reports, test scores, primarily those in RSD operated charter schools, have risen throughout the last decade. The report shows that the number of RSD students in grades three through eight who scored “basic” and above on standardized tests of core subjects increased 20 percent in the six years prior to 2014. The report also says the rate of RSD high school students scoring “good” or “excellent” on end of course exams has increased 34 percent. A greater number of students are graduating. “Prior to the storm,” the report says, “only 56 percent of students graduated within their four-year cohort group.” That is compared to today’s 73%. RSD schools say that in order to confidently return to the leadership of the OPSB, they must “polish their sales pitch, and explain what’s in it for us.”

Where do we go from Here?

In working to plan toward the future, some argue a development of alternative schooling opportunities could make a big difference. The Minnesota Institute on Race and Poverty’s study, “The State of Public Schools in Post-Katrina New Orleans: The

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Challenge of Creating Equal Opportunity” was one of these arguing bodies, suggesting magnet schools could provide successful education for those who are lower class in New Orleans. These institutions, originally driven by a mission for racial diversity, strive to give individuals of all backgrounds equal opportunity. They do so for minority students but have not been able to deliver integrated classrooms. In Christine Rossell’s dissertation entitled “The Desegregation Efficiency of Magnet Schools,” she writes, “One possible explanation for why magnet schools did not have a more salutary effect on interracial exposure in the voluntary desegregation plans is that they may produce some white flight of their own.” In their study, “The Civil Rights Project,” Kucsera and Orfield write, “we find substantial variation within magnets with close to 20% enrolling less than 1% of white students.” This only reiterates the point that magnet schools, similar to the reasons why charter schools have not been effective, would not necessarily be a solution that is beneficial.

Magnet schools were one suggested solution, but given their outcomes were exclusive to just one group of students, the city feels inclined to focus on developing a new set of goals. They are making a larger effort to include parents’ voices in this battle to at least try and create a form of education that is equitable, beginning first with an advisory board accompanied by regular meetings. Superintendent Patrick Dobard says,

“We are constantly looking for ways to improve our process, so we created a parent advisory committee this year. For years, parents in this city have sought a seat at the table; we had an honest conversation about what they needed and what would work for them. We’re proud of the end result, and we’ll continue to ask our parents to step up and engage with us on every level.”

He also said,

“The RSD's theory of action is clear: create a foundation of choice, autonomy and accountability. We have built a system of schools that gives educators autonomy to operate as they feel best for their students. We have ensured that parents have unprecedented options for making choices about their children's education, regardless of their ZIP code or tax bracket. And we are holding schools accountable for raising student achievement.”

The RSD is working to better appeal to the city through collaboration with the OPSB. Dobard recently even offered to give the OPSB the chance to direct OneApp in the hopes that one day the RSD really will not be necessary. Caroline Roemer Shirley, head of the Louisiana Association of Public Charter Schools, has suggested she would support this with the hope that there would be a “thoughtful transition of responsibility over the next several years.”

John White, Superintendent of Louisiana schools has said, “Government needs to be here for equity of resources, equity of access and equity of outcomes.”

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Regardless of tension of the past, Dobard wrote in a piece for entitled “RSD schools are headed in the right direction: Patrick Dobard,” “We are dedicated to continuing to improve school choice for our families” With the departure of the RSD, he hopes people will become loyal to the work of the OPSB.\textsuperscript{118} He continued, “Our partnership with OPSB is just one more exciting chapter in our ongoing efforts to ensure that all New Orleans students have meaningful access to a quality education. This is just the beginning.”\textsuperscript{119}

Efforts to create greater equality are encouraging; grander strides toward desegregation, or rather a larger focus on simple yet equitable opportunity and education has been made. In a city desperate for an escape from the past, limited obstacles toward equality are of great emphasis.


\textsuperscript{119}Ibid.
CHAPTER II: THE FIRING OF VETERAN TEACHERS

Segregation amongst Educators

School-based segregation continues to dominate education in New Orleans, especially when comparing those schools that have remained under the governance of the OPSB and those that continue to operate under the jurisdiction of the RSD. It has become clear eradicating the heavy racialization present amongst students in New Orleans is easier said than done, especially because it is not exclusive to children. Instead, it has become particularly prevalent within the city’s base of teachers as well.

In January 2006, while most were still displaced due to Hurricane Katrina, all 7,500 employees of the Orleans Parish school system were unceremoniously fired and given a reduced set of retirement benefits. Of the dismissed employees, 4,600 of them were teachers, sixty percent of which were African American women fired under the assumption they had failed their students. Veteran teachers argued “the local Orleans Parish school board and various state defendants ‘violated well-settled constitutional law regarding … due process rights of tenured public school employees’”\(^{120}\) The city quickly began to hire replacements for teachers in RSD schools. Those selected and hired were young white middle class graduates from out of state enrolling in fellowship style programs, two of the largest fillers being Teach for America and TeachNOLA, an affiliate of the New York based New Teacher Project.

Founded in 1989 at Princeton University by senior thesis writer Wendy Kopp, Teach for America was created in response to the limited change seen in academic outcomes amongst low-income students in the prior century. Kopp’s goal was to recruit passionate and recent college graduates looking to help close the achievement gap between students who were born with privilege and those who were not. Launched in 2007, TeachNOLA operates under the larger umbrella of The New Teacher Project, established in 1997 by teachers looking to end injustice in classrooms. Like Teach for America, they would focus on finding fervent and enthusiastic young leaders in college environments and employ them with the goal of changing the landscape of education nationwide. In the first school year post Hurricane Katrina, Teach for America brought one hundred fifteen corps members to the city, while TeachNOLA brought one hundred seventy-seven. With about thirty thousand of the original sixty-six thousand students returning to the city for the next school year, the Recovery School District was excited to begin. They promised to employ great and sophisticated change alongside the city’s expansion of charter schools.

Despite heavy initial enthusiasm, with young passionate teachers came great turnover – instructors who became burnt out after only two years or disinterested in remaining in the Crescent City. As reported by The Slate, “at the end of the 2008-2009 school year, almost a quarter of charter school teachers left their schools or the profession, compared to 15.5% in traditional public schools, according to a survey by
the National Center for Education Statistics.” Pictured below is a chart from Tulane University’s Cowen Institute. It depicts teacher and administrator retention in the various schools located in New Orleans.

![Chart showing teacher and administrator retention by year and school type](chart.png)


Pictured below is a chart by Blogger Peter Cook illustrating the race breakdown of leaders in RSD and OPSB schools. Retention and attrition have become outsized complications with regards to New Orleans charter schools do not often require intense certification in order for teachers to be hired.

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In the last ten years, the percentage of black teachers in New Orleans has shifted from 71-50%, which marks the most significant loss of black teaching since Brown v. Board of Ed. The percentage of teachers with five or fewer years of experience increased from thirty-three percent to fifty-four percent. The percentage of teachers with twenty or more years of experience has dropped by over 20 percentage points. The annual rate of exit has nearly doubled since the years of initial reform and locals have taken great issue with this foreign invasion of those maintaining a ‘white savior’ complex, which can be defined as white individuals maintaining a sense of and feeling the need to come and save the children, to provide them with something they are assumed not to have had before. People come to New Orleans hoping to change education, to alter the trajectory of someone’s life and more often than not, it is that which belongs to a low-income high need student of color.

Nancy J. Glickman, originally from Winchester, Virginia, is a perfect example of this. Following Hurricane Katrina, she left her legal career behind and relocated, telling friends she was moving to the traumatized region to teach. Some thought she was crazy and others found her decision honorable. As relayed in an Education Week
article entitled, “New Teachers are New Orleans Norm,” Erik W. Robelen says today, Glickman says she feels lucky. She was quoted as saying, “It was kind of the best of all my worlds. It was teaching, it was still being a do-gooder, and it was in a place I love.” When asked by her students why she made the move to post-Katrina Louisiana, she said, “I tell them, ‘It’s because I really care about you guys. They’ve asked me that question more than once,’ she said. “I think they like hearing the answer.”

People like Glickman are amongst those who upset local parent advocates, none other than Karran Harper Royal who argues the school system within New Orleans could be classified as that of a human rights violation. In speaking about who was hired in schools post-Katrina, Royal said,

“They chose principals for the RSD schools I never would have chosen. That’s when I first thought; maybe they don’t really intend to fix these schools. Maybe it’s their goal to run them into the ground until they can justify chartering them. Because they had their pick of the best people from the school system. Why didn’t they choose the best? This was a cruel hoax perpetrated on the poorest children in this city, our most academically needy children.”

Arguing students were put at a lesser level of prioritization than other individuals and resources associated with education, Royal continued, suggested the selection of a new superintendent was the greatest opportunity of all time and the OPSB had squandered it.

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Who deserves to teach?

Even with this educational transformation having occurred, many veteran educators still harbor and maintain great resentment, still waiting for some form of compensation or just a simply apology.

In 2012, they filed a Class Action Suit with the Louisiana Federation of Teachers, suing the state for the implementation of Act I of 2012, which enacted new legislation regarding, “salary schedules, promotions, reductions-in-force, contracts of local superintendents, authority of superintendents and principals and tenure” for teachers. The teacher’s union also filed suit against Act II, which focused on the RSD’s failing schools, “requiring local superintendents to report on the implementation of a total system of choice, bus transportation, a huge number of changes to the Charter School Law, the creation and funding of the “Course Choice Program” and the “Student Scholarships for Educational Excellence Program.” Many veteran teachers disagreed with the legislative development. In review, a Baton Rouge trial court agreed with the teachers and suggested the two policies, upsetting veteran and union associated teachers, were unconstitutional. But the Louisiana State Supreme Court overturned the decision and said the Acts of 2012 would be maintained. The United States Supreme Court agreed.124

In fall 2014, nearly 7,000 teachers finally returned to New Orleans and attempted to sue the state over previous wrongful and unfair termination but were not granted severance or rights. The Louisiana State Supreme Court dismissed their case, but the US Supreme Court is considering taking the case on its docket.

The question remains, are white educators the best option in a city dominated by an African-American population? Adrienne Dixson, Professor of Education Policy, Organization and Leadership at University of Illinois and former teacher in New Orleans, has been quoted saying, “the mass firings of black teachers decimated the black teaching force, helping to set the stage for decades of poor performance by black students.” Without role models of their own background, students lack the ability to identify with their teachers, seen as just another set of strangers. At the time of Katrina, teaching comprised 4% of the black New Orleanian workforce. However, while she has been somewhat sympathetic, Former Orleans Parish School Board member Lourdes Moran has said, “We lost some very good teachers, but no one was guaranteed anything.” “Seventy percent [of teachers] were black before Katrina; today it’s 50 percent,” Leslie Jacobs said,

“The black population is down as well, and 50 percent would still put us in the top districts in the country [in percentage of black teachers]. Fifty percent of our school leaders are black. Fifty percent of our school leaders were in New Orleans before the levees broke. More than half of our charter board members are black.”

Andrea Gabor writes in her New York Times article entitled “The Myth of the New Orleans School Makeover,” “black charter advocates charge the local charter

‘club’” leaves little room for African-American leadership. Howard L. Fuller, a former Milwaukee superintendent, said the charter movement won’t have “any type of long-term sustainability” without meaningful participation from the black community.” So now, it is not simply about who has access to varied classrooms but it also now focuses upon adults in the community and how they view recent developments within the charter school system.

Corey Mitchell of Education Week writes in his piece entitled “Death of my Career; What happened to New Orleans’ veteran black teachers?”,

“The decision to lay off educators was a financial blow and a deep insult to one of the pillars of the city’s black middle class. The mass firings—dealt in large measure to African-American women—continue to infuse the debate over the future of public education in New Orleans with a particular bitterness.”

Conversely, in regard to socioeconomic movement and accessibility, Andrea Gabor argues the charter system has helped upper and middle class students. At the same time, it has detrimentally affected those low-income disadvantaged students, giving them less than they once had and now, less than they deserve.

The Return of Union Power

Traditionally, because of this high turnover and autonomy, charter school leaders have not traditionally encouraged the joining or creating of unions. A union is an association of workers who maintain similar, if not the same, interests. Together,

128 Ibid.
they strive to attain a certain number and or collection of rights. In New Orleans charter schools, membership has been discouraged, as each school sets out to make its own guidelines and mandates, ignoring historical practices such as tenure. Those with tenure are those who were believed to become ill motivated – getting away with teaching that is less than perfect. Most of those 4,600 teachers, deemed ill fit to continue educating, who were fired, were members of teacher unions. As of 2012, just seven percent of United States charters were unionized.

In speaking about the progress unions have made, Larry Carter Jr., President of the United Teachers of New Orleans said, “The [charter] model used in New Orleans was to decentralized public education as well as to get rid of the union and get rid of its influence in education and politics.” However, its intentions have somewhat failed.

Without a union agreement, New Orleans schools have seen rising test scores and a narrowing achievement gap, signs of positive and desirable change. They have been able to maintain high turnover with a mostly white workforce remaining in New Orleans for a short period of time coming through programs like teachNOLA and TFA. Prior to Hurricane Katrina and the firing of teachers, there were 5,800 individuals affiliated with the United Teachers of New Orleans, a local base for the American Federation of Teachers. Membership promised the provisions of insurance, legal representation and professional development for those schools without collective bargaining. Today, there are just five hundred thirty members of the

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130 Ibid.
UNTO. Noted education historian and policy expert Diane Ravitch described the Crescent City’s current formula: “eliminate public schools, replace with privately managed charters, fire the teachers, replace with Teach for America recruits, eliminate the union.”\(^\text{132}\)

**Unions Return**

Despite its small membership, the stresses that have plagued educators with regard to the development of charter schools have led a greater number of politicians and citizens to consider the reimplemention of unions, advocacy networks serving to support the people. In April 2015, the United Teachers of New Orleans, under the American Federation of Teachers, created its first collective bargaining agreement with OPSB run Benjamin Franklin High School, located in Gentilly. This agreement is the first to be made since the RSD took control of schools in the aftermath of Hurricane Katrina. “We tried our very best to see how, in this new landscape that’s in front of us, how teachers’ voice could be amplified and part of the dialogue,”\(^\text{133}\)

The first collective bargaining deal in the city in over ten years, stresses job security, transparency and the need for teacher voice. In order to improve a student’s education, the teachers at Benjamin Franklin argued they needed a strong sense of unity and commitment. English teacher Greg Swanson says,

“It gives teachers a say in what’s happening in the school and at the same time it gives them the security to be able to have a say without


fear. It allows teachers to advocate for their students. It brings a level of fairness to everything that happens at the school.”

Math and computer sciences teacher Michael Materson says,

“The top priority of teachers was to have planning time for collaborating with each other on lessons. [Collective bargaining] allows us to create lessons of superior quality and of superior academic rigor. Our students deserve these extra types of experiences.”

The school suggested,

“Our purpose for the agreement was “to promote a harmonious relationship between faculty and administration while seeking excellence for our students by establishing methods, policies, procedures, and organizational structures that allow the parties to work collaboratively for the benefit of our students and the long-term health of Benjamin Franklin High School.”

We recognize the values of fairness, transparency, and employment security as essential for attracting and retaining quality faculty in service of the Franklin mission:

“to prepare students of high academic achievement to be successful in life.” All those employed by the school, including but not limited to the Principal, Assistant Principal of Academics, Assistant Principal of Operations, Assistant Principal of Advanced Placement, Director of Advancement, Chief Financial Officer, Director of Admissions, Security Officers, Human Resources, Maintenance Employees, Study hall proctors and Administrative Staff were considered and encompassed in the legal documents as well.¹³⁵

Since the contract was approved on March 19, 2015, instructors at the school have suggested they are happier than ever before. English teacher Swanson says, “Teachers can see that they have more rights, more voice, transparency and job security at Franklin than at any other school in New Orleans.” Matherson says, “Teachers found a shared camaraderie and hopefulness in working with each other in an association that has not been felt for decades…We all have an optimistic and collaborative outlook when speaking with our administration which has replaced the resignation and feeling of being at loggerheads with them.”

He argues there is no other school providing the opportunities Franklin High School does in all of New Orleans.136

Instructors at Morris Jeff Community High School, located in Mid-City, have also discussed interest in a deal of collective bargaining. It too operates under the leadership of the Orleans Parish School Board, which with the help of the state run Recovery School District dismantled the previous union organization system. Teachers at Morris Jeff are affiliated with the Louisiana Association of Educators and have held off on moving forward with collective bargaining as the school’s administrators have instead recently instructors with a “formal role in determining changes in school policy.”137 At the end of the day, teachers are simply looking for the opportunity to have a voice in the communities in which they work. To be denied that privilege has carried difficulty through the still recovering city.138

136 Ibid.
138 Ibid.
Charter networks and supporters of school choice fear unions will return. They will come after the white middle class enclave schools that have survived the last ten years with less hardship than their RSD peers. Long-term instructors argue they are finally being given the chance to have a voice – one they feel is deserved and horribly overdue.\textsuperscript{139} However, others argue the education system is about to take a wrong turn.

The apprehension associated with returning to the stereotypically white born, bred and led OPSB speaks largely to the conflicts attached to charter-based education. There is limited agency in the overseeing of students and teachers, especially those that are veterans and likely black, do not feel protected by unions. Many argue the efforts that have been taking in the educational reform movement of New Orleans appeals to all individuals, regardless of race. That is not the case. Young white leaders are organizing the movement found to ultimately be inaccessible to both students and teachers within the black community.\textsuperscript{140}

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CHAPTER III: THE POWER OF DISCIPLINE

Officials of both the Recovery School District and New Orleans Parish School Board acknowledge the societal divisions separating so many in this greater community, those that keep white students separate from black students along with the continued racialization teachers are forced to face. It is clear there has been progress, but it is ultimately not catered toward every race, rarely inclusive of those that are not white. It is ultimately further perpetuated by the existence and growth of practices of discipline.

Discipline, defined as training individuals to follow a number of laws, mandates or set requirements, is one aspect of charter schools that has been particularly emphasized in relation to school-based desegregation. “Scholars, I need your hands tight, your eyes forward, your lips closed and your feet together. Lisa, hands tight. Sam, eyes forward. Kate, I need your eyes forward. Kate, clip change.” That is just one way in which discipline is used and employed at a no-excuses K-2 charter school located in New Orleans. But it is certainly not just practiced there. Simple acts like sitting in scholar position, having one’s back straight and tracking the speaker are as essential to a student’s performance in city-wide classrooms and to his or her daily academic success.

*What is a No-Excuse Charter School?*

No-Excuse charter schools are those institutions that pride themselves upon enforcing a strict set of mandates and laws for each and every student. The intention

141 Author Interview with a New Orleans Charter School Administrator, January 28, 2016.
behind their construction was to provide students and teachers with safety, create an environment for learning, teach skills for a successful professional life and reduce potential for future misbehavior.\textsuperscript{142} No-excuse charter schools began in 1995 with the creation of the KIPP charter network, better known, as the Knowledge is Power Program. Many refer to these schools instead as ‘Kids in Prison Program,’ reflecting the harsh criticism often associated with the behavioral requirements of strict instruction in charters.\textsuperscript{143,144} No-Excuse charter schools require “high behavioral and academic expectations for all students, a strict behavioral and disciplinary code that leaves little room for ambiguity and inconsistency, more time spent on academics, college preparatory curriculum, a strong focus on building and teaching school culture and community values as well as policies to hire and motivate great teachers.”\textsuperscript{145} But it is proven through a working paper from research organization Mathematica, students were not leaving or finding themselves expelled from KIPP schools at a higher or more startling rate than regular neighborhood public schools.\textsuperscript{146} In fact, the study showed “KIPP schools achieve significantly greater gains in student achievement than do traditional public schools teaching similar students.”\textsuperscript{147}

\textit{Why No-Excuses?}

\textsuperscript{142} Hawf, Morgan and Rausch 2015.
\textsuperscript{146} Ibid.
Administrators argue no-excuse charter schools create the greatest number of success stories as they are focused on students learning for the purpose of attaining opportunities of higher education through near perfect scores on state and subject specific standardized exams. There is a focus on maintaining a professional environment, one that will encourage all students to leave their personal problems and interests at the door. Supporters actually stress the language used to discipline students is more encouraging than it is harsh, usually turned into an upbeat tone with positive reinforcement: “I like how you stopped working as soon as I asked you,” or “I appreciate you raising your hand to ask a question.” At many schools, this disciplinary action is calculated for each student. A clip change indicates how a student is ranked on his or her own and, thereafter, relative to peers. That is the position in which each student will begin the next day. KIPP is not the only network employing efforts of no-excuse disciplinary systems. In fact, most charter school networks have begun to use similar methods.

There are many families who believe this model of discipline is essential to a student’s potential success and ability to attain vaster opportunity. In her book entitled “Hope Against Hope: Three Schools, One City, and the Struggle to Educate America’s Children,” journalist Sarah Carr suggests parents and educators believe discipline is directly correlated with college readiness. Others worry about the detriments it can cause to a child’s self-esteem and desire to be in school. Those families classified as low-income are also those who have statistically shown to be

148 Ibid.
most supportive of serious and heavy school-based discipline. Given how directly linked socioeconomic class and race are, these families are also most often of African American descent.

At a KIPP Renaissance informational meeting in 2010, just before its opening, Principal Brian Dassler called an informational meeting with parents to explain his new school’s disciplinary system. When introducing various methods of overseeing and guidance, one parent shouted, “Get even stricter, Mr. Dassler! Do it!” And another said, “You have to be hard and strict. You know who these kids are.” This implied parents of this background were aware that without intense discipline, their children could easily wind up on the streets.\textsuperscript{150} This particular school is now one of the RSD’s most successful schools and will transition into governing with the OPSB come next year. Jaclyn Zubrzycki, Sean Cavanagh and Michele McNeil write in a piece for Ed Week entitled “Charter Schools’ Discipline Policies Face Scrutiny,” “any parents, particularly those in communities beset by violence and socioeconomic upheaval, choose charters because they offer safe havens that nearby regular public schools may not.”\textsuperscript{151}

In her book entitled “Unequal Childhoods,” Annette Lareau emphasizes this point. In speaking about relationships between administrator and parent relationships and the influence of socioeconomic class, Lareau writes,

\begin{quote}
“Middle-class mothers were often very interventionist, assertively intervening in situations…in the process, they directly taught their children how to ‘not take no for an answer’ and to put pressure on
\end{quote}


persons in positions of power in institutions to accommodate their needs. By contrast, working-class and poor parents tended to expect educators and other professionals to take a leadership role."\(^{152}\)

Greg Richmond, CEO of the National Association of Charter School Authorizers which oversees larger charter school networks says,

"If a school can provide a safe and supportive, nurturing environment, students are more likely to stay, and they'll develop the skills they need...You want schools to build character and discipline. You can't do that if it's a free-for-all in your school."\(^{153}\)

Say No to No-Excuse Charter Schools

Those who oppose no-excuse charter school disciplinary systems argue “zero tolerance policies make students feel unwelcome in their own schools.”\(^{154}\) Students are made to feel as though they cannot speak up if they have a problem or turn to a peer in times of need.

The American Academy of Pediatrics, American Psychological Association and School Discipline Consensus Project of the Council of State Governments argue no-excuse discipline is both detrimental and harmful to a child’s health and well-being.\(^{155}\) As Sarah Carr writes in her Hechinger Report article entitled “The Painful Backlash vs ‘No-Excuses’ School Discipline, there are some who believe “the harsh discipline is a civil-right abomination, destined to push too many kids out of school


and into trouble with the law.” Cambridge College Professor and blogger Jim Horn was quoted saying KIPP is a “New Age eugenics movement at best.” He also referred to it as a center for cultural destruction – a “concentration camp.” Reverend Willie Calhoun argues, “I think some of these acts are criminal and some of these acts need to be litigated.”

Direct Examples

Two cousins, Russell Robinson Jr. and Jherell Johnson, were pulled out of their strict discipline high schools last year. Their parents were opposed to the way in which they were forced to behave. In Andrew Vanacore’s piece entitled, “Charter Schools’ Discipline Under Fire,” one of the boys is quoted saying, “You don’t raise your hand straight, that’s a deduction. If you’re not sitting up straight, that’s a deduction.” Each detail is meticulously examined and if done to imperfection, a student is penalized.

Kenyata Collins, a student at Lake Area New Tech, wrote an Op-Ed for the Hechinger Report in 2014 focusing exclusively on her feelings toward the strict disciplinary requirements at Lake Area New Tech. This school is well known for it was started in 2004 and now runs under the leadership of the University of New Orleans’ College of Education and Human Development. It was the first organization to takeover a failing New Orleans public school. It is a 9-12 school located in Mid-

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159 Ibid.
City with a B-rating, serving 666 students. Collins argues as a student, she was consistently made to feel like a prisoner, her feelings disregarded for no real benefit. Collins argues her education was put at less importance than her dress code when she forgot to wear the correct socks one day. She was forced to sit in the Principal’s Office until her mother arrived thereafter. She concludes her piece with a question: “Are we being trained for the “professional” world or for the white world? Or does being a professional mean being part of the white world?” This only further points to another major issue associated with discipline and its intersection with race. White teachers, most of who come from out of state and are affiliated with Teach for America or another fellowship program, are those providing and enforcing discipline in classrooms made up of low-income students. And yet, most of the time, they come from varied backgrounds culturally, racially and socioeconomically, creating yet another social hierarchy that should no longer permeate the halls or exist at these individual schools.

This is reiterated in Jason Russell’s Washington Examiner piece entitled “School Choice Sometimes Means Leaving an Ill-Suited Charter School.” He quotes Ramon Griffin, an education activist and reformer. Griffin gives another example of what it is like to be a student in a No-Excuse Charter School. Griffin says,

“He sees one of his buddies and attempts to say 'hello' but is quickly told that there is no talking in the line. He waves instead but is quickly told to keep his hands to his side at all times, because this is what scholars are to do if they are going to go to college. … If they happen to step off the line, even while reading a book, they are asked to step out of line and repeat the circle. 'It has to be perfect, or we will do it again,' says one overly invested teacher. … From the time that the

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class starts to the time that the class ends, everybody's movements, including the teachers' most of time, are scripted for them. There are no excuses.”

Griffin continues his rant by narrowing his focus on students who were African-American at his own school, commenting they receive more attention for their behavior than do their white peers. He says, "Black students were told that they were not allowed to wear uncombed Afro styles. If they wore their hair natural, or it looked unkempt to certain people, they would be given detention.”

Parent advocates are becoming terribly angry too, and Ashana Bigard is just one of them. In her op-ed written on political historian and journalist Robert Mann’s blog, she writes of several students who have been disciplined not because of their actual behavior but because they are living in poverty. Most students attending charter schools nationwide are coming from minority homes and qualifying for free or reduced-price lunch. Some are unable to afford additional school costs, one of which is the school uniform. Students are suspended at many no-excuse charters if they are not in full uniform, and Bigard speaks of one homeless student she knew who is now out of school due to his mother’s inability to purchase him clothes his size. He tried to sell candy to classmates to do so, and he was only punished more. Bigard argues, “schools have rigid disciplinary codes that punish poor kids for being poor and are neither nurturing nor developmentally appropriate.”

162 Ibid.
She continues by arguing, “at some point, there is going to be a class-action suit because our children’s rights are being violated.” She finishes her piece writing,

“If New Orleans is being held up as a model for the schools in your community, I have some advice for you. Fight harder than you’ve ever fought to make sure that this doesn’t happen to you. Because once you’re in it, it’s so hard to get out of. Fight tooth and nail. If people come to your community and try to sell you bull crap, come down here and talk to us first. Read anything you can get your hands on. They’ll tell you that your input matters, that your schools are going to be run according to a community model. Don’t believe it. At the end of the day, they could care less about what kind of schools you want. In fact, I’m pretty sure that we said that we wanted arts and music in our schools—that those were really important to us in a city like New Orleans that’s built on arts and music and culture. Instead, we got prisons.”

She is just one voice in a community of thousands disagreeing on what kind, how much and at what age discipline should be best and most enforced in schools. Her words reflect the ideas, voices and complaints of so many in the New Orleans education community.163

Finding a Solution

In recent years, due to concerns like Ashana Bigard’s, more and more people find themselves debating various charter schools’ decision to continuously suspend students for violating classroom policies, especially when those facing consequences typically come from lower income minority backgrounds who could be at greater risk for poor behavior outside the classroom. The question has become, are students at a

greater disadvantage of falling into bad cycles and groups if they are constantly kicked out of school? Should there be fewer forms of pushed exit?

In answering these questions, government figures began to write legislation that could and would apply to all students at every school, regardless of which charter network and governance board the institution in question fell under.

**Developing Universal Policy**

A Louisiana State Senate Bill, SB67, written in the 1990s and revised in 2011, speaks to these recent efforts to create one centralized discipline model according to which all schools throughout the city must carefully follow. With the formation of this universal policy, there is a clear effort to hand out fewer suspensions and expulsions. While every institution has the right to discuss the likelihood of expulsion in their offices, the duration of that said expulsion is to be decided by the RSD’s Student Hearing Office. This policy is intended to help all schools to operate in the same way, to set standards for all students of New Orleans, regardless of class or race.\(^{164}\) With this bill, offenses are now classified in different tiers, deemed expellable for a mandated period of time according to a preset manual.

Tier one offenses include possessing or selling drugs, carrying or using a firearm or weapon, sexual assault, intentional assault using a weapon and participating in a physical altercation. Each of these offenses makes for a student to be deemed eligible for a two-semester long expulsion. Punishments include attendance at an alternative school, a virtual school, an outside mental health program

or at the current school under probation. Another consequence is that of a disciplinary hearing at the RSD’s Student Hearing Office. A disciplinary hearing involves a student and his or her school’s administrators, working to understand why the offense was committed and what the most suitable punishment might be.

Tier two offenses, which include possessing illegal substances, robbery or engagement in consensual sexual activity on school property, are eligible for one-semester expulsions. Additional punishments again include transfer to an alternative school, the option to remain at current school under probation, virtual school, outside help and or a disciplinary conference.

Tier three offenses, which include acts that appear to threaten others, theft, sharing sexually explicit material or being under the influence on school property, are not eligible for expulsion upon first offense. Consequences until the offense reoccurs are counseling and a disciplinary hearing. Families have the option to seek assistance in the expulsion process with varied advocacy groups, some of which include the Advocacy Center, Stand Up for Each Other and Louisiana Center for Children’s Rights.

Basic disciplinary action has been standardized for students in classrooms every day as well. The citywide disciplinary policy has two sections – one speaking to the behavior of students, ages K-5, and the other geared toward older students, grades 6-12. There are a number of general guidelines all schools, regardless of age, must follow. The first is the simple definition of an expellable offense, legally classified as “incidents that occur on school property or grounds, on school vehicles,
or at school activities, which severely interfere with safety and learning, are of a threatening or harmful nature, and/or are legal violations.”  

Regardless of student age, there are three universal mandates as well: suspension cannot be given for uniform infractions for elementary school aged students, expulsions must be given out within ten days of an expulsion recommendation and disciplinary techniques must be posted on a school’s website. These procedures include in-school suspension, detention, out-of-school suspension, expulsion hearings, loss of privileges, peer mediation, a meeting with a school counselor and or social worker, interventions, an alternative school, additional homework and or restorative justice practices. Methods of punishment are the same for high school aged students except there will be no return to the classroom. Instead, a greater focus on in-school suspension and detention due to a refusal to act with obedience will be stressed. 

These universal policies are intended to protect students’ rights. Laura Hawkins, chief of staff for the office of portfolio schools in the RSD spoke of this expulsion system. She said, “We didn't really feel that there was an equitable, fair, and uniform process across schools… Kids were subject to very different consequences and outcomes for different behaviors.” There is great optimism fewer students will become involved with gangs, drugs and alcohol use; hopefully, a greater number of students will stay in school.

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165 Ibid.  
Statistical and Legal Information

Statistically, it has been proven the school disciplinary system and school to prison pipeline is disproportionately associated with African American students, suspended and expelled three times as often as their white peers.\textsuperscript{168,169} Those students expelled for a discretionary violation like a bad attitude are three times as likely to enter a juvenile detention center. After all, prior to Katrina, only five percent of the entire African American population in the city graduated from college.

No-Excuse charter schools were initially created so as to put an end to chaotic classrooms working in low-income areas. Sarah Carr speaks to one theory known as that of the Broken Window Theory, which suggests a broken classroom window means a broken path to college.\textsuperscript{170} Additionally, there is faith in a more encompassing disciplinary system as it is expected a greater number of students will be able to reach some form of higher education. In her piece for “The Advocate” entitled, “How Strict is too Strict?,” Sarah Carr, writes of one student who poses as an example of what the old system created and what the new system hopes to avoid. Brice was a child born in Holligrove, a predominantly black working class neighborhood of Mid-City, close to Jefferson Parish. He himself was a student at KIPP Renaissance but after several punishments and a harsh forty-five day suspension, he found himself in jail instead of

\textsuperscript{168} Ibid.
in high school. He had hoped to stay away from trouble. In speaking to Carr, Brice said, “You got to be really big and really on top of your game to make me do what you want.” He was already finding interest in the drug scene in his neighborhood, but continuous suspension only helped him to become further involved.\footnote{Sarah Carr, “How Strict is too Strict?” \textit{The Atlantic}, December 2014, \url{http://www.theatlantic.com/magazine/archive/2014/12/how-strict-is-too-strict/382228/}.} 

In 2014, the Louisiana Center for Children’s Rights came to the Recovery School District, arguing statistical data suggested students who were excluded from classroom activity were more likely to receive jail time, especially as young people. With hard evidence and the realization that the OPSB expelled 62\% more students in 2014 than it had in 2013, the RSD agreed to work toward encouraging opportunities for more frequent probation and less suspension, along with holding a greater number of informal conferences between students and administrators. It is clear disciplinary action had previously been used to push students who are not meeting their test requirements out of the classroom.

A ‘pushout’ often results from a school’s administrator determining a student is not performing up to state testing standards or behavioral requirements. Currently, the existing disciplinary policies remove students from school when they do not abide by standards. Their education is simply put second instead of schools working to actively support their continuing growth. In 2010 alone, the Recovery School District’s expulsion rate was ten times what the national rate was with one out of four students suspended in one year. According to the National Economic and Social Rights Initiative, there have been too many expulsions and suspensions in the past.
There exists a greater need to encourage supportive strategy and positive behavior in schools.

These suspensions and expulsions have historically been in violation of Title IV and Title VI of the 1964 Civil Rights Act. Broadly speaking, the 1964 Civil Rights Act ended racial segregation in schools as well as in business and voting environments, arguing there was to be no discrimination based on race, color, religion, sex or national origin. Title IV is that which specifically refers to the prohibition of discrimination based on sex, and Title VI prohibits discrimination based on race or national origin. This problem is not only in New Orleans – it is both consistent and strong nationwide.

With a renewed focus placed upon the encouraged use of the universal disciplinary system, the RSD, OPSB and BESE have worked to provide better teacher training and skills for classroom management to teachers citywide throughout the last five years. If students are more engaged and passionate about learning, they are more likely to behave according to their school’s standards. The Center on Reinventing Public Education, based at the University of Washington, argues this historically race-based discipline does not only have an effect on a student’s academic success but also on his or her perception of himself as an individual.

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Classroom and school wide discipline has only enhanced with the expansion of charter education in New Orleans. Like selection admissions and the hiring of a teacher force, it is directly correlated with both race and socioeconomic class. With push-outs, varied methods of control and tiered punishment, discipline really has just become yet another mechanism by which to separate students in classroom environments based on their backgrounds. However, even with hope that the standardization and universalization of discipline policy will create a better and more integrated future where all students are treated equally regardless of background, there is concern. We are forced to wonder and question whether like they did with Brice, students’ temptations, cultural lures, friends, family circumstances and interests outside of school, formed by experience, will remain relevant and run deep.
CONCLUSION

On August 23, 2005, Hurricane Katrina began its terror against the city of New Orleans. Following the storm, local and state forces, including the Louisiana State Legislature, Governor Kathleen Blanco and successor Bobby Jindal, the RSD and the OPSB, began to take control of one particularly large government program – education. They shut down schools deemed academically unsuccessful and erected a system of school choice. Together, the various actors made an active choice to prioritize youth in New Orleans; they vowed to make change.

However, despite great work to provide educational opportunity through greater school access and centralized enrollment, the hiring of a new teacher force and the standardization of discipline, these efforts have only served to further perpetuate school-based segregation in the Crescent City. We are now forced to consider whether or not the future holds any promise for desegregated classrooms or whether it is a goal to be left behind. Perhaps it is instead equitable education, regardless of where, how or with whom a student is taught, that should be given focus. In considering this possibility, we are left to ask a number of additional questions looking into government work for educational advancement and how it intersects with ongoing efforts to break down racial barriers in schools citywide.

Will the RSD really ever disappear or will it return to completely control the school system in New Orleans? Will enclave charter schools respect the 2021 OneApp deadline, or will they act similarly to Audubon, finding loopholes by which to escape citywide efforts for integration? Will a greater number of parent advocates
finally find their way toward elections to the OPSB? Will universal policy
development actually create standardized discipline across the city? Will fewer
students face expulsion? Will veteran teachers find their way back into the classroom,
and will unions make a comeback?

The answers to these questions are unclear, and for some time, they are likely
to remain that way; each of them does impact the degree to which both equitable and
desegregated education can be provided in New Orleans. State and local leaders,
including representatives from the RSD, OPSB, BESE and local charter schools and
their individual leaders, have worked together to propose several solutions.
Unfortunately, much of it relies on the dynamic present between citizens themselves.
And because there are many are also simultaneously working to maintain
environments that already exist, the road ahead is indistinct and jagged.

Through this thesis, I have worked to illustrate how three variables, selective
admissions, the firing of veteran teachers and the eradication of a heavy discipline
system, have not broken down barriers to equitable education but have instead helped
to perpetuate racial and class based discrimination in schools throughout New
Orleans. Ultimately, even in a city with a population that is sixty percent African
American, this has allowed many in the white minority to disregard their social
responsibility in a greater mission to preserve their powerful and longstanding
privilege.
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