

Charter School Reform Doublethink and the Assault on the Vulnerable

Morgan Anderson
Georgia State University

The landscape of American society is rapidly changing. The ongoing financial crises following the “Great Recession” of 2008 continue to destabilize faith in bedrock institutions as Americans grow increasingly disillusioned by growing wealth inequality, stagnant wages, unemployment, and “failing schools.” Discourse touting the “free market” as the panacea for public ills has seemingly won the day. As Michael Apple has argued, “[t]he attacks on the very idea that something ‘public’ might actually be valuable have intensified.”¹ Additionally, Michael Fabricant and Michelle Fine have shown, “[w]e are witnessing a strategic redefinition of democracy in which the free marketplace of goods and services is not merely a necessary prerequisite, but represented as the highest form of democracy.”² Because, as William Watkins aptly illustrated, “[p]ublic education exists within, not outside, this context,”³ public schools are one of the many institutions being questioned by our shifting social order.

The growing intensity of the charter school movement in the United States is reflective of this ideological shift in the American ethos. Supported by a national discourse that public schools are “failing” and “in crisis,”⁴ advocates of charter school reform are able to capitalize on common conceptions of public schools by advancing charters as the best viable solution. Referred to openly by charter reformers as “creative destruction” or “churn,” “the goal of the corporate school movement is not to improve public education; rather, is to replace public education with a privatized national system of schools competing for scarce dollars,

regularly going out of business and allowing profit-seekers to try their had at making a dollar.”⁵

Despite its beginnings as a democratically minded campaign, where charter schools would *support* traditional public schools by creating and sharing “innovative” educational practices⁶ the charter school movement has since been co-opted to serve the neoliberal agenda of consumer logic and “school choice.” Emphatically embraced by both sides of the political aisle—as demonstrated by the policies of both the Bush and Obama administrations—the dominant logic of the charter school movement relies on the theory that introducing competition into the educational “marketplace” will increase the value of the “product.” Recasting parents and students as consumers, so the logic goes, will force charter and traditional public schools alike to compete for customers in their attempts at producing the best possible product (i.e. test scores).

At the outset, however, it is important to address a prevailing tension in the broader critique of charter schools—namely, the problematic dichotomy that is assumed when we divide the landscape into two discrete sectors where “public” is assumed to be necessarily superior to the semi-private sphere that charter schools often exist in.⁷ This blurring between the “public” and “private” sectors further complicates the landscape of educational reform. Democratically elected officials, for example, are often involved in the diversion of schools out of public control and into the hands of charter groups or other semi-private organizations. The proposed Opportunity School District in Georgia, which will be put to a vote in the upcoming November 2016 election, is a key example of the ways in which the “public/private” dichotomy—on which so many critiques of charter schools rely—covers over more than it reveals. The Opportunity School District (OSD) if passed, will create an amendment to the state constitution of Georgia that would allow a statewide takeover of up to 120 public schools deemed to be failing. Interestingly, Governor Nathan Deal has spearheaded the project which if passed would allow him to appoint a statewide superintendent, who would report solely to the Governor’s office.⁸ The traditional public/private distinction often assumes that democratically elected officials necessarily create greater transparency and public accountability. The proposal for the OSD, however, would involve agents of the state working to decrease public oversight of school operations statewide. Furthermore, the proposed amendment will appear on the ballot in November to voters as: “*Shall the Constitution of Georgia be amended to allow the state to intervene in chronically failing public schools in order to improve student performance?*”⁹ While critics have claimed that the wording is intentionally misleading, it also serves to blur the lines be-

tween the “public” and “private.” The proposal clearly suggests a state intervention to address a public problem—a solution that would at face value be supported by those advocating on behalf of public goods and public accountability. In fact, the “state” takeover would shift school control away from local communities and democratically elected officials, decreasing the transparency and accountability that is often associated with public control. Whether or not the blurring of the public and private is in this case is merely a rhetorical strategy, it serves to underscore the challenges facing the traditional public/private distinction as it relates to the ongoing critique of charter takeovers.

While the lines between the “public” and “private” are presently less clear as it pertains to the educational landscape, the terms are in fact grounded in a rich history of political theory that recognizes a meaningful distinction between the two realms. Parsing out the rich and varied literature exploring this distinction is beyond the scope of this paper. Instead, it is useful to operate under the prevailing distinction in the relevant literature that public institutions meet and serve democratic interests, while private institutions are concerned with market relations.¹⁰

Advocates of charter reform themselves position schools as institutions that serve the best interests of the public, touting school choice as the remedy to the social ills that public schools have since failed to address. These messages of social reform are often attractive to many liberals—often resulting in “strange bedfellows”¹¹ or the convergence of interest between neoliberals and neoconservatives¹²—further illustrating the limitations of framing the charter debate as a Liberal/Conservative issue. As Margaret Raymond notes, “the emphasis on improved equality of outcomes for historically disadvantaged students, strong education as an antidote to poverty, and providing adequate preparation for all students regardless of background”¹³ are not only attractive to many Liberals, but position charter schools as having the aim of serving the interests of the public.

However, despite ongoing lip service paid to the democratic ideal of equitable education for all students, policies such as Race to the Top, which encourage market-based reforms through the “incentivization” of charter schools, directly undercut an educational system focused on the collective public good. For example, according to the Common Core State Standards (CCSS) initiative website, “[t]he standards were created to ensure that all students graduate from high school with the skills and knowledge necessary to succeed in college, career, and life, *regardless of where they live.*”¹⁴ While we can and ought to trouble the assumption that the purpose of school is to prepare students to succeed

in college and career, the spirit of CCSS is generally predicated on a system of schooling that serves the public interest (where the public interest is not unproblematically conceived of as the preparation of future workers to compete in the global economy). However, the sister policy of CCSS, Race to the Top, encouraged market-based reforms through the expansion of charter schools serves an agenda of privatization. Here, I believe an example of Orwellian “doublethink” is revealed; we claim to want to serve the best interests of *all children* while simultaneously encouraging market-based reforms which are *necessarily* predicated on inequity. George Orwell coined the term “double think” in his novel 1984 and the term has since gained significant notoriety. According to Orwell, doublethink is “the holding of two contradictory beliefs in one’s mind simultaneously, and accepting both of them.”¹⁵ Milton Friedman himself noted that the threat of failure and unequal results are necessary elements of competition.¹⁶ Therefore, the purpose of this paper is threefold: (1) First, by highlighting tensions in our conception of the role of schools in society, I argue that we are currently in an era of “doublethink” with regard to the role education plays in society. We are in a moment of contradiction; (2) Secondly, I argue that our shifting understanding of education as a commodity undercuts many civil rights gains of the 20th century—while not unproblematically implemented—reflected a cultural understanding of education as a public good; (3) Lastly, I contend that such market-based reforms will hurt our most vulnerable populations of students, with specific attention paid to populations such as culturally and linguistically diverse students, and students in need of special education services.

Education as a Public Good: Key Rulings

In order to illustrate our shifting cultural order—from viewing education as a collective-based good to an individual-based commodity—it is important to establish that we do, in fact, have an established precedent of understanding education as a collective public good. For this, I think it is illustrative to examine several landmark Supreme Court cases of the past century. Supreme Court rulings can serve as a helpful “social barometer” for understanding societal norms and expectations at any given point in time. The cases that are most helpful for our purposes are *Brown v. Board of Education of Topeka* (1954), *Lau v. Nichols* (1974), and *Plyler v. Doe* (1982).

Brown v. Board of Education of Topeka (1954)

Brown v. Board of Education of Topeka (1954) is perhaps the most

noteworthy of all educational Supreme Court cases. Ruling that “separate educational facilities are inherently unequal,” the landmark case ended government-sanctioned racial segregation in U.S. schools. The legacy of the *Brown* decision is not a tidy one, and many have called attention to the ways it was ill-conceived and improperly executed.¹⁷ For example, the “formal equality” afforded by *Brown* was not enough to offset years of marginalization and “educational debt” that had accumulated over time in Black communities.¹⁸ For example, Sonya Horsford has illustrated that under *Brown* equality was conceptualized as “the absence of formal, legal barriers that separate the races rather than a fair and just distribution of resources.”¹⁹ Furthermore, Martha Minow has argued:

[R]acial “diversity” as a public policy goal can obscure the contrasts among eliminating exclusions, producing inclusive environments, and forging communities of mutual and generative commitment to the rights and freedoms of each member...Simply ending exclusions does not create mixed groups of people, and mixed groups of people do not necessarily embrace the vision and practices of communities forged through relationships among people mutually committed to the dignity and rights of each, relishing the freedom and creativity diverse groups of people can express together.²⁰

While we must take seriously the various critiques leveraged against *Brown*, it is also important to recognize its democratic value in ending an era of government-sanctioned racial segregation. The move to end unequal schooling on the basis of race reflects a commitment to an educational system that works best for all students. Furthermore, the court acknowledged that in addition to preparing citizens for further professional training education “is a principal instrument in awakening the child to cultural values...and in helping him to adjust normally to his environment.” Therefore, “education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society.”²¹ Despite its shortcomings, the *Brown* ruling reflected our political and cultural commitment to education as a collective-based public good.

Lau v. Nichols (1974)

For years, Chinese immigrants in the San Francisco Unified School District (SFUSD) struggled to gain access to an appropriate education. Prior to 1966, no formal language programs existed in primary or secondary schools to assist students with native language other than English. While a pilot English as a Second Language (ESL) program

was created in that year, it was compromised of little more than pulling students out of their general education classes for 40 minutes of specialized English instruction, with English-only speaking teachers. “The Education Equality/Quality Report No. 2” issued by SFUSD described the program as “woefully inadequate.”²² Despite parent activism and protest, the dismal quality of education for non-English speaking students remained stagnant. In March of 1970 Kinney Kinmon Lau and 12 other Chinese American students filed suit in a federal court against Alan Nichols, the sitting President of the San Francisco Board of Education on behalf of nearly 3,000 students. An appellate court ruled on behalf of the school district, and the students later petitioned the Supreme Court.

The court ruled against the San Francisco Unified School District, alleging that their failure to provide over 3,000 Chinese immigrants who did not speak English appropriate educational assistance “denies them a meaningful opportunity to participate in the public educational program and thus violated regulations and guidelines issued by the Secretary of Health, Education, and Welfare pursuant to Section 601 of the Civil Rights Act of 1964.”²³ The court maintained “[T]here is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.”²⁴

The ruling in *Lau v. Nichols* had extraordinary implications for students all over the nation. Later that year, Congress amended the bilingual education law, expanding federal involvement in bilingual education. Additionally, nine “Lau Centers” were established in order to support school districts in their transition to providing English Language Learners (ELLs) with bilingual and bicultural education. At the time of the ruling, five million school children were impacted by the decision.²⁵ Furthermore, the ruling influenced the New Voters Rights Act of 1975, extending the right to vote to non-English speaking citizens.²⁶ Arguably the most significant educational ruling since *Brown*, *Lau* drastically shaped the landscape of public education. The ruling that ELLs deserve access to a public education that meets their needs, regardless of native language or culture, sent a strong message about our commitments to democratic ideals. *Lau v. Nichols* reasserted that education is focused on advancing the needs of the collective, public good.

Plyler v. Doe (1982)

In the case of *Plyler v. Doe* (1982) the Supreme Court debated the constitutionality of a Texas law that sought to “deny undocumented school-aged children the free public education that the state provided

to children who were citizens of the United States or legally admitted aliens.”²⁷ The ruling additionally blocked the Tyler Independent School District from attempting to charge undocumented students a \$1,000 fee in order to offset the financial burden of enrolling such students. This case is of particular interest because the ruling extended the Equal Protection Clause under the Fourteenth Amendment to account for undocumented students in our K-12 schools.²⁸ The court ruled, “[w]hatever savings might be achieved by denying these children an education, they are wholly insubstantial in light of the costs involved to these children, the State, and the Nation.”²⁹ Furthermore, “denying enrollment in public schools to children not legally admitted to the country imposes a lifetime hardship on a discrete class of children not accountable for the disabling status.”³⁰ The court argued that such discrimination “can hardly be considered rational unless it furthers some *substantial goal of the State*.”³¹ Additionally Justice Brennan added, “[b]y denying these children a basic education, we deny them the ability to live within the structure of our civic institutions, and foreclose any realistic possibility that they will contribute in even the smallest way to the progress of our Nation.”³²

Ultimately, the rationale behind the *Plyler* ruling is less progressive than it may initially appear. The argument put forth by the majority was essentially an economic one; the cost of educating undocumented students is outweighed by the gain in that they go on to “contribute” to society. As Petronicolos and New have argued, the ruling in *Plyler* was largely motivated by the societal goals of “fiscal health and public order.”³³ However lamentable it may be that undocumented students’ right to a public education was defended on economic rather than ethical or moral grounds, the proceedings clearly illustrated the belief that education as an institution is tied to the collective public interest, and the interests of the State and other civic institutions. Echoing *Brown*, *Plyler* reaffirmed the important role education must play in advancing the public good in a democratic society.

Brown v. Board of Education of Topeka, *Lau v. Nichols*, and *Plyler v. Doe* all serve as touchstone examples of our conception of the role of education in a democratic society. Each ruling upheld the notion that education plays a valuable role as a public good (irrespective of how problematically the public good is sometimes conceived) by expanding access to and enhancing the quality and equality of public education.

While it is clear that there is a longstanding precedent for understanding education as a collective-based public good, recent debates surrounding charter school reform indicate that we are in the midst of shifting social tides. Corporate intrusion into public schools is shift-

ing our understanding of education as a collective-based public good to an individual-based commodity. As Black has argued, “The public’s concept of a good education is seemingly devolving toward education as a service or commodity, indistinct from any other service or commodity that the government or private industry might provide.”³⁴ Supported by a powerful discourse that claims schools are “failing” and “in crisis,” and backed to the tune of millions of dollars through the rise of venture philanthropy,³⁵ privatized solutions in the form of charter schools are gaining traction. As Watkins has noted, “[t]he triumph of techno-global neoliberalism finds corporations and corporate wealth interjecting themselves into the policymaking process as never before...corporate forces now possess extensive, near monopolistic powers in re-imagining, reforming, and restricting public education.”³⁶ In what follows, I argue that these contradictions are a modern example of doublethink as such corporate solutions continue to alter our conception of the role of education in society while claiming to serve the interests of the public.

Shifting Tides: Doublethink in Educational Policy

I believe that the doublethink which permeates contemporary educational reform is best captured by the conflicting—if not mutually incompatible—ideologies behind the Common Core State Standards and Race to the Top. The CCSS are the most recent iteration of a series of standards-based reforms, which scholars generally agree dates back to the release of *A Nation at Risk*.³⁷ Reform initiatives such as Goals 2000 and No Child Left Behind have been generally regarded as “piecemeal” and underwhelming in their “effectiveness” at raising results (i.e. test scores). A 1991 article in the *Yearbook of the Politics of Education Association* called instead for a “systems approach that aligned curricular materials, assessments, and professional development to a set of goals (later called standards) that spelled out the knowledge and skills that all students should learn.”³⁸ This shift in thinking, coupled with an ever-increasing concern that Americans consistently trail behind our global competitors, laid the groundwork for what would eventually become the Common Core State Standards.

The CCSS garnered increasing support as the public discourse regarding our “failing schools” and the ever-widening “achievement gap” between poor students of color and their more affluent, White peers gathered momentum.³⁹ Despite a history of conflicting views regarding government overreach in educational matters, by 2010, the majority of states had adopted the standards.⁴⁰ Many scholars attributed

the widespread embrace of the national standards to the significant amount of Race to the Top—a \$4.35 billion grant—funds that would be available through competitive bids if states agreed to work toward the implementation of the core standards. Race to the Top was designed as a competitive grant, rewarding and “incentivizing” states for successfully “supporting the transition toward implementing the standards.”⁴¹ Perhaps more importantly, states were rewarded more Race to the Top funds if they agreed to lift their caps on the number of charters that could operate in their state.⁴² However ill-conceived and motivated by corporate ideology (e.g. school success and failure can be measured by test scores; students are not succeeding due to a lack of standardized expectations instead of a lack of equitable resources; the function of school is to prepared students to compete in the global economy, etc.), the CCSS were designed in spirit to promote the collective public good. While I reject whole-heartedly the notion that schools should serve our national economic interests, I do not doubt the sincerity of the crafters and advocates of CCSS when they claim to have *all* students’ interests in mind.

What is of interest, however, is the linking of the implementation of CCSS to RTT, which greatly expands possibilities for charter schools and market-based reforms. Predicated on the notion that free-market competition between schools will enhance the quality of education through a system of parent choice, charter school reform embraces a privatized, consumer logic. In a system of free-market competition where schools are left to compete for consumers and enhance quality of their “product,” there *necessarily* will be “winners” and “losers.” As Black highlights “unequal choices are what allow individuals to identify quality education.”⁴³ In other words, a system of school choice only “works” because parents can (albeit through questionable metrics) identify which schools are “better” and “worse.” Differences *are built into* the concept of a school choice model, which directly undercuts the spirit of the Common Core, which purports to create a system of equitable schooling for all students. Here, I believe our doublethink is revealed: We desire a system of equity for all children, while endorsing school choice, which necessarily creates difference. We might also say that we’ve shifted from a *collective-based* understanding of the public good to an *individualistic*, consumeristic understanding of the public good. As Black illustrates, “[c]ollective-based education is motivated by the fact that educational successes and failures pose serious societal losses and gains, whereas an individual-based education treats those society effects as ancillary to the individual effects.”⁴⁴ Furthermore, “[a]n individual-based education system conceptualizes education and its role in society far differently. Under the individual concept, edu-

cation is a commodity—albeit an extremely valuable one—to be consumed by individuals.”⁴⁵

The Cost of Cost-Cutting: Vulnerable Populations in the Charter Model

It does not take much imagination to consider the potentially hazardous consequences of treating other public services as consumer goods. We would likely scoff at the thought of having to shop for the best firefighters to rescue us from danger, or at the idea that sanitation workers offer communities the “product” of public cleanliness. One might easily anticipate the grizzly effects of a society where firefighters attempted to cut costs and vie for customers. However, despite mounting evidence that charter schools are no more successful than traditional public schools,⁴⁶ scholars have observed that Americans increasingly support corporate logic in public schools. According to a 2010 Gallup Poll:

Americans increasingly embrace public charter schools. Sixty-eight percent of Americans have a favorable opinion of charter schools, and almost two out of three Americans would support a new public charter school in their communities. Sixty percent of Americans say they would support a large increase in the number of public charter schools operating in the United States.⁴⁷

Unfortunately, one doesn’t need an imagination to observe the devastating consequences that massive charter takeovers in the name of serving the public good have had on public schools and communities. For example, Kristen Buras has extensively documented the ways in which the “Recovery” School District (RSD) in Louisiana has wreaked havoc on schools and communities, having particularly devastating consequences for African Americans.⁴⁸ This is especially alarming as the proposed Opportunity School District in Georgia is explicitly aimed at modeling the “success” of the RSD in Louisiana.⁴⁹ Note that what little “success” the RSD has been able to boast has been the result of outright manipulation of both test scores and cutoffs for which schools count as “failing” in order to justify chartering them—which should raise grave suspicion regarding the intentions of similar takeovers.⁵⁰

This ideological shift from understanding education as a collective-based public good toward an individual-based educational system that treats education as a commodity, rather than a public service, has had an array of consequences. While the prevailing logic of market-based schools reforms is to improve the quality of the “product,” mounting evidence suggests quite the contrary. As the paradigm of education shifts

to a business model, quality is forsaken as the goal becomes to cut costs and attract consumers. As Saltman has argued:

Such cost-cutting has historically included displacing and underpaying local experienced teachers; hiring inexperienced teachers and burning them out while their salaries are low; using inexpensive, inexperienced, Teach for America teachers and uncertified teachers, and relying on alternative certification; union-busting; manipulating test scores; importing cheap teachers from overseas; counseling or pushing out special-needs students and English Language Learners to raise test scores; and contracting the running of schools to for-profit management companies.⁵¹

While the goal of a public institution is to utilize public monies to advance the interests of the public good, the goal of a business is to maximize profit. When schools are conceived of as businesses, what were once institutions aimed at promoting the lives of individuals in a democratic society—ideals reflected in some of the most monumental Supreme Court rulings of the past century—become a means for generating revenue for an elite few. Populations of students who have been historically viewed as more “difficult” to educate, are viewed as more “costly” in the charter model. Cultural and linguistic minorities, special education students, and low-income students are all a threat to profit when the aim of education is to attract more “consumers” by bolstering a valuable “product.” Research has confirmed that the effects of school choice have negatively impacted these groups. Additionally, these results actively contradict many of the precedents set by cases such as *Brown v. Board*, *Lau v. Nichols*, and *Plyler v. Doe*.

While some charters exist to capitalize off of resource-starved communities in the urban cores, and others serve as havens of “White flight,” studies have shown that school choice has resulted in increased racial segregation. Frankenberg and Lee have found that:

70% of all black charter school students attend intensely segregated minority schools compared with 34% of black public school students. In almost every state studied, the average black charter school student attends school with a higher percentage of black students and a lower percentage of white students.⁵²

Furthermore:

Because of the disproportionately high enrollment of minority students in charter schools, white charter school students go to school, on average, with more nonwhite students than whites in non-charter public schools. However, there are pockets of white segregation where white charter school students are as isolated as black charter school students.⁵³

In Kristen Buras' study of the impacts of charter schools in New Orleans she concluded that, "[r]ather than universally respecting students' right to learn, charter schools focus on cost containment in special education and may fail to adequately serve or exclude students based on such concerns."⁵⁴ The *Guide* published by the Recovery School District (RSD) encourages other cities that wish to adopt the RSD model to consider some of the following when implementing special education programs:

- (1) Allow charters to develop specialized programs for certain disabilities so that parents have choices that include programs tailored to their children's needs, and so that economies of scale can be captured in program delivery; and
- (2) Create risk pools that individual schools can participate in to cover the potential costs of serving students with high needs.⁵⁵

As Buras aptly points out, "terminology such as 'economies of scale' and 'risk pools' does not sit well with special education advocates, those who respect federal law, or those who are concerned that inclusion will be supplanted in favor of some form of segregation of children with disabilities."⁵⁶ Additionally, the language above indicates that students with disabilities are being viewed opportunistically as *markets*. By encouraging charter schools to tailor specialized programs that can reach economies of scale, we run the risk of students being marketed to based on their disabilities, and consequently, violating the mandate for the least restrictive environment.

Lastly, there is ample evidence that suggests English Language Learners are being negatively influenced by school choice. As Buckley and Bajaj have found in their study of New York City schools, ELL students are less likely to attend charter schools. Their research reveals that even in the areas of the city most densely populated by ELL students—Harlem and the South Bronx—these students are far less likely to be represented in charter schools when compared to local public schools.⁵⁷ This is unsurprising when we consider the barriers that recently-arrived students and their families must face if they hope to navigate a complex system of school choice. The barriers created by the challenge of navigating school choice in English contributes to undermining advances made via the *Lau v. Nichols* ruling—which legislated that students for whom English is a second language receive a fair and appropriate public education—is characteristic of the charter school movement. Navigating a system of school choice necessarily creates a barrier for ELL students and their families. Furthermore, it is likely that charter schools will elect to selectively advertise as to avoid at-

tracting populations such as ELLs. As Monica de Sousa has pointed out, Texas is the only state with a statute that demands that charter schools advertise to the public at all.⁵⁸ This lends itself to enrollment patterns that are highly self-selected as charter information is passed along through word of mouth, potentially through elite parent networks. As research has reflected, treating schools like businesses not only undermines the public school as an institution dedicated to advancing the interests of the public good, but systematically oppresses our most vulnerable children.

Buyer Beware

The charter school model continues to destabilize one of our most sacred public institutions. Battles that have long since been fought and won are now resurfacing in our era of doublethink. Cast as the next social justice frontier, charter schools have undermined many of the actual gains in equality and civil rights over the last century. Despite outcry from some parents and scholars, charter schools continue to appear all over the country. Atlanta's plans for the Opportunity School District, which will go to the ballot in November of 2016, modeled off the RSD in New Orleans, despite damning evidence of its failure.⁵⁹

The stakes are high and the outlook is bleak. Despite lip-service paid to democratic ideals of equity and societal advancement, the charter school movement is contributing to heightened rates of racial re-segregation, and casting ELLs and special education students aside in attempts to maximize profit and cut costs. All of our children are under siege as for-profit charters seek to capitalize on the educational "market." We must turn the mirror back on ourselves and reexamine our public values if we are to create a society truly committed to an education system that advances the interests of all of its citizens. If not, I'm afraid we will get the schools we deserve.

Notes

¹ Michael W. Apple, *Educating the "Right" Way: Markets, Standards, God, and Inequality* (New York: Routledge, 2006), xiv.

² Michael Fabricant and Michelle Fine, *Charter Schools and the Corporate Makeover of Public Education: What's at Stake?* (New York: Teachers College Press, 2012), ix.

³ William H. Watkins Ed., *The Assault on Public Education: Confronting the Politics of Corporate School Reform* (New York: Teachers College Press, 2004), 2.

⁴ This rhetoric has especially gained momentum since the publication of *A Nation at Risk*. See *A Nation at Risk: The Imperative for Educational Reform*,

National Commission on Excellence in Education (April 1983).

⁵ Kenneth J. Saltman, *The Failure of Corporate School Reform* (Boulder, CO: Paradigm Publishers, 2012), 10.

⁶ See, for example, the discussion regarding Albert Shanker and the AFT in Janelle T. Scott and Catherine C. DiMartino, “Hybridized, Franchised, Duplicated, and Replicated: Charter Schools and Management Organizations,” in Christopher A. Lubienksi and Peter C. Weitzel Eds., *The Charter School Experiment: Expectations, Evidence, and Implications* (Cambridge, MA: Harvard University Press, 2010), 175.

⁷ I too must continually reflect on the ways that my critique of charter takeovers relies on a false dichotomy between “public” and “private.” I do, however, believe that these terms are still useful for painting a broader picture of the trends in educational reform, but it is important to continue to underscore the ways that this distinction can be misleading.

⁸ See “Georgia’s Proposed Opportunity School District—Overview,” The Office of the Governor https://gov.georgia.gov/sites/gov.georgia.gov/files/related_files/site_page/GA%20OSD%20Overview%20051816.pdf

⁹ Ty Tagami, “Georgia PTA Slams State Over New Wording for Constitutional Amendment” Atlanta Journal Constitution, August 26, 2016 <http://www.myajc.com/news/news/local-education/georgia-pta-slams-state-over-new-wording-for-const/nsMj6/>.

¹⁰ Jurgen Habermas took this distinction even further, for example, by claiming that “the public,” as a site of political discourse over the conception of the public good as conceptually distinct from “the state,” both of which are distinct from market relations. See Jurgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger and Frederick Lawrence (Cambridge, MIT Press, 1989). Nancy Fraser reminds us that “the public sphere” has been a contested concept among feminist philosophers as some have understood “the public” as anything that takes place outside the home or familial sphere. See Nancy Fraser, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy” in *Justice Interruptus: Critical Reflections on the ‘Postsocialist’ Condition* (New York: Routledge, 1997), 69-98.

¹¹ Thomas Pedroni uses this phrase to explain alliances between working-class African Americans and elite policy networks in support of voucher programs. See Thomas Pedroni, *Market Movements: African American Involvement in School Voucher Reform* (New York: Routledge, 2007).

¹² See Michael Apple, *Educating the Right Way: Markets, Standards, God, and Inequality*, 2nd. Ed. (New York: Routledge, 2006), 29-49.

¹³ See Margaret E. Raymond, “To No Avail: A Critical Look at the Charter School Debate,” *The Phi Delta Kappan*, vol. 95, no. 5 (February 2014), 9.

¹⁴ “Common Core State Standards Initiative: Preparing America’s Students for College and Career.” The Council of Chief State School Officers. 2014. <http://www.corestandards.org/about-the-standards/> accessed 6/14/15, my emphasis added.

¹⁵ George Orwell, *1984* (London, UK: Martin Secker & Warburg Ltd, 1949),

32.

¹⁶ Milton Friedman, *Capitalism and Freedom* (Chicago, IL: University of Chicago Press, 1962), 89-91.

¹⁷ See, for example, Sonya Douglass Horsford, *Learning in a Burning House: Educational Inequality, Ideology, and (Dis)Integration* (New York: Teachers College Press, 2011). Horsford carefully illustrates the ways in which Brown was harmful to the Black communities and the Black working class.

¹⁸ See Gloria Ladson-Billings, "From the Achievement Gap to the Education Debt: Understanding Achievement in U.S. Schools," *Educational Researcher*, vol. 35, no. 7 (October 2006): 3-12 for her treatment of the "educational debt" as opposed to the "achievement gap."

¹⁹ Horsford, 23.

²⁰ Martha Minow, "After Brown: What Would Martin Luther King Say?" *Lewis & Clark Law Review*, vol. 12, no. 1 (2008), 604.

²¹ Derek W. Black, "Charter Schools, Vouchers, and the Public Good," *Wake Forest Law Review*, vol. 48, no. 1 (April 2013), 456.

²² L. Ling-Chi Wang, "Lau v. Nichols: History of Struggle for Equal and Quality Education," *Asian American Bilingual Newsletter*, vol. 1, no. 1 (October 1975), 3.

²³ *Ibid.*, 2.

²⁴ *Ibid.*

²⁵ *Ibid.*, 6.

²⁶ *Ibid.*, 7.

²⁷ Loucas Petronicolos and William S. New, "Anti-Immigration Legislation, Social Justice, and the Right to Equal Educational Opportunity," *American Educational Research Journal*, vol. 36, no. 3 (Autumn 1999), 379.

²⁸ *Ibid.*

²⁹ *Ibid.*, 380.

³⁰ *Ibid.*

³¹ *Ibid.*, 381, emphasis added.

³² *Ibid.*

³³ *Ibid.*

³⁴ Black, 446.

³⁵ See, for example, Kenneth Saltman, "The Rise of Venture Philanthropy and the Ongoing Neoliberal Assault on Public Education: The Eli and Edythe Broad Foundation," in William H. Watkins Ed., *The Assault on Public Education: Confronting the Politics of Corporate School Reform* (New York: Teachers College Press, 2004): 55-78.

³⁶ William H. Watkins, "The New Social Order: An Educator Looks at Economics, Politics, and Race" in William H. Watkins Ed., *The Assault on Public Education: Confronting the Politics of Corporate School Reform* (New York: Teachers College Press, 2004), 25.

³⁷ For more historical context on the standards movement and other policies which are regarded as part of standards project (Goals 2000, No Child Left Behind) see Mark Lavenia, Lora Cohen-Vogel, and Laura B. Lang, "The Common Core State Standards Initiative: An Event History Analysis of State Adoption,"

American Journal of Education, vol. 121, no. 2 (February 2015): 145-182.

³⁸ Ibid., 146.

³⁹ See Gloria Ladson-Billings, "From the Achievement Gap to the Education Debt: Understanding Achievement in U.S. Schools," *Educational Researcher*, vol. 35, no. 7 (October 2006): 3-12 for her notion of the "educational debt" as opposed to the "achievement gap."

⁴⁰ Ibid., 149.

⁴¹ Ibid., 150.

⁴² Fabricant and Fine, 10.

⁴³ Black, 462.

⁴⁴ Derek W. Black, "Charter Schools, Vouchers, and the Public Good," *Wake Forest Law Review*, vol. 48, no. 1 (April 2013), 452.

⁴⁵ Ibid.

⁴⁶ Kenneth Saltman, *The Failure of Corporate School Reform*, 8.

⁴⁷ Fine and Fabricant, 3.

⁴⁸ See Kristen L. Buras, *Charter Schools, Race, and Urban Space: Where the Market Meets Grassroots Resistance* (New York: Routledge, 2015).

⁴⁹ See "Georgia's Proposed Opportunity School District – Overview," The Office of the Governor https://gov.georgia.gov/sites/gov.georgia.gov/files/related_files/site_page/GA%20OSD%20Overview%20051816.pdf

⁵⁰ See Buras' discussion of Act 35, passed in the Louisiana General Assembly in November 2005 in Kristen Buras, "It's All About the Dollars: Charter Schools, Educational Policy, and the Racial Market in New Orleans" in William H. Watkins Ed., *The Assault on Public Education: Confronting the Politics of Corporate School Reform* (New York: Teachers College Press, 2004), 160-188.

⁵¹ Kenneth Saltman, *The Failure of Corporate School Reform*, 7.

⁵² Erica Frankenberg and Chungmei Lee, "Charter Schools and Race: A Lost Opportunity for Integrated Education," *Education Policy Analysis Archives*, vol. 11, no. 32 (July 2003), 7.

⁵³ Ibid.

⁵⁴ Kristen L. Buras, *Charter Schools, Race, and Urban Space: Where the Market Meets Grassroots Resistance* (New York: Routledge, 2015), 175.

⁵⁵ Ibid., 179.

⁵⁶ Ibid., 180.

⁵⁷ Jack Buckley and Carolyn Sattin-Bajaj, "Are ELL Students Underrepresented in Charter Schools? Demographic Trends in New York City, 2006-2008," *Journal of School Choice*, vol. 5 (January 2011): 40-65.

⁵⁸ Monica Teixeira de Sousa, "Compelling Honesty: Amending Charter School Enrollment Laws to Aid Society's Most Vulnerable," *American Bar Association, Fall Council Meeting and Educational Law Symposium* (October 2012), 8.

⁵⁹ See, for example, Kristen L. Buras, *Charter Schools, Race, and Urban Space: Where the Market Meets Grassroots Resistance* (New York: Routledge, 2015). Additionally, a recent article in the *Atlanta Journal Constitution* entitled "Ga. Challenge: Make Charter Schools Work" listed 18 failing charter schools. Despite such mass failure, Georgia policymakers remain confident that they can make the charter model successful.