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Introduction to Symposium on Reconstructing Education in New Orleans Post-Katrina

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by

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Hurricane Katrina virtually razed the already broken education system in New Orleans. State and local leaders took advantage of the blank slate to create an entirely new education system based on the reforms sweeping the nation: school choice, accountability, state takeover of failing schools and charter schools. The reforms took root and today Orleans Parish School District is the only school district in the United States with a majority of charter schools and with a majority of students attending charter schools. It is also one of the few school districts where the state has taken control of a vast majority of the schools under state accountability laws. The city is now ground zero for education reform and is the Petri dish for educational experimentation in the United States. But is the experiment working?

The answer to this question is critical to New Orleans and the rest of the nation which is rapidly moving toward the reforms entrenched in the city since Hurricane Katrina. The mistakes made and lessons learned in New Orleans over the last five years can act as a roadmap for states and districts moving toward choice plans, charter schools and increased state involvement in education. Because of this, the education reform in New Orleans receives significant attention in the national media and legal scholarship. But the attention is focused primarily on what the educational landscape looks like after Katrina and what laws had to be changed to achieve the new educational structure. Significantly less attention has been paid to the questions of which reforms have worked and which have failed, which students are negatively or positively impacted by the reforms, and whether governance structures significantly impact the quality of education provided.

This symposium aims to answer these difficult questions. The seven included articles all pursue the same underlying questions: are the education reforms in New Orleans working and, if not, what should be done? The articles examine these questions from various perspectives because the efficacy of an education system can be only measured using a variety of standards and judged from numerous points of view.

In the first article, *Is Education Reform in New Orleans Working?: A Few Facts Swimming in a Sea of Unknowns*, Michael Schwamm-Baird and Laura Mogg identify which of the numerous education reforms implemented post-Katrina contribute to the improved student achievement in the city’s public schools. It is notoriously difficult to know with certainty whether particular educational reforms lead to improved school performance in the best of situations and these authors explain how the condition in New Orleans complicates this greatly because of the large number of reforms that have been implemented concurrently, the speed of their implementation after Katrina, and the difficulty of getting accurate information and data. Schwamm-Baird and Mogg identify what is knowable about the effects of post-Katrina education reforms, given the available data, and what is not, and what further data would assist policymakers in deciding which reform efforts to pursue with more vigor.

The next three articles focus on the effects of Katrina, and the resulting education reforms, on subordinated groups: Latinos, disabled students, and African Americans. In *Post Katrina Children: The Education of Immigrant Children in New Orleans*, Augustina Reyes explains why Latino children are faring worse in post-Katrina schools even though the student population as a whole has improved performance. The article explains how problematic pre- and post-Katrina data collection practices create a silent shadow population of Latino students that are not accounted for and are therefore not properly served and educated. Reyes also documents how the Latino Katrina survivors became the victims of both the hurricane and the anti-immigrant movement in the U.S. as their status left them ostracized from relief efforts.

In *Special Education from the (Damp) Ground Up: Children with Disabilities in a Charter School-Dependent Educational System*, Mark Weber identifies the unique hurdles disabled students face in receiving an appropriate education in a free choice school district composed of mostly charter schools. The article identifies numerous problems experienced by disabled students in New Orleans post-Katrina and identifies the principles that should, and could, govern the re-creation of the optimal school system for special education students. Using lessons learned in New Orleans and an array of federal statutes, Weber explains how school choice and high quality education for disabled students, often thought of as mutually exclusive, can and must coexist to the benefit of all students.

Nghana Lewis describes in *After Katrina: Poverty, Politics, and Performance in New Orleans Public Schools* how African-American parents’ needs and interests are ignored in the newly restructured school system. Based on survey data Lewis shows that black parents’ voices are marginalized. New Orleans reform efforts will inevitably fail until the indispensable roles that parents play in their children’s academic success is appreciated and incorporated into educational governance. This cannot happen, Lewis argues, until the myths surrounding African-Americans - such as parental disinterest and that predominately black schools are inherently inferior - are dispelled and the attitudes of schools towards African Americans is more supportive than hostile. Concrete steps schools can take towards these goals are identified in the article.

The final three articles focus on the governance structure and laws involving the most important reform in New Orleans - charter schools. In *The Unique System of Charter Schools in New Orleans After Hurricane Katrina: Distinctive Structure, Familiar Challenges*, Paul O’Neil and Renita Thukral explain the unique aspects of the
Louisiana charter enabling laws and how they affect the charter schools of New Orleans. The authors explain the numerous governance and funding discrepancies between the five types of legislatively permissible charter schools and within the categories of charter schools and the problems those discrepancies create. O’Neil and Thukral explain the tensions, pitfalls and traps experienced in New Orleans due to state legislation that other states moving toward charter schools should heed. The article suggests legislative reforms in Louisiana’s charter enabling statutes that other states should also consider based on lessons from the New Orleans charter school experience.

In *Brokering Education: A Study of Charter Receipt, Renewal, and Revocation in Louisiana’s Charter Schools*, Amy Moore explores the life cycle of charter schools from receipt, to renewal to revocation. The article explains the important role of the chartering authority in each of these steps and the legislative mandates governing each of the authority’s critical decisions. How these steps are executed is critical to the efficacy of the entire charter school reform. Moore urges increased transparency at each decision point to make Louisiana’s charter system accountable and effective.

The articles conclude with Sonja Ralston Elder’s critique, in *Adding Autonomous Schools to New Orleans’ Menu of School Choice*, of charter schools in New Orleans and nationwide. Her article explores the growth of the charter movement and the recent studies casting doubt on whether charter schools are all they are cracked up to be. Elder suggests that autonomous schools – schools with the flexibility of charter schools but the administrative support of a school district – are a superior alternative to charter schools both in New Orleans and nationally. She suggests legislative mechanisms to create and sustain autonomous schools which retain the advantages of charter schools while shedding the disadvantages.

The educational experiment in New Orleans is in a constant state of flux. The same is true nationally, with ever-changing federal initiatives and alterations to educational governance structures occurring rapidly. The symposium was presented at Loyola University New Orleans College of Law in October of 2009 in the midst of this change. As the nation’s schools quickly march toward increased choice, charter schools and state takeover, special attention should be paid to New Orleans because it is far ahead of the curve on these reforms and has already experienced many of the unintended and unforeseen consequences. Hopefully this symposium provides insight into the current choice, charter and state takeover reforms and will inform educational policy as it advances in New Orleans and nationwide.

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4 The Obama administration recently created the Race to the Top Fund to pursue one of its primary goals in education reform: expanding charter schools. American Recovery and Reinvestment Act of 2009, Section 14005-6, Title XIV, (Public Law 111-5). See also Sam Dillon, *States Skeptical About “Race to Top” School Aid Contest*, NEW YORK TIMES, April 4, 2010, available at http://www.nytimes.com/2010/04/05/education/05top.html?scp=5&sq=%22race%20to%20the%20top%22&st=cse.