

Louisiana law institutionalizes charter schools

Matthew Taylor
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On May 12, Louisiana Democratic Governor John Bel Edwards signed Act 91 into law, making privately-owned charter schools a permanent feature of public education in the state.

New Orleans has been in the national spotlight for the privatization of education since 2005, when the hurricane-devastated city initiated the first all-charter district in the United States. The mechanism utilized to destroy the public schools was the state-run Recovery School District (RSD) formed in 2003 by Democratic Governor Kathleen Blanco.

In the wake of Hurricane Katrina, Blanco folded the public school system into the state-controlled RSD. This playbook was developed nationally by the Broad Foundation and was largely implemented in Louisiana by Paul Pastorek, now a co-executive director of the Foundation's education work. Pastorek is presently working with Michigan Republican Governor Rick Snyder in similar efforts to charterize the Detroit Public Schools.

In the media, both local and nationally, Act 91 is being trumpeted as a successful return of RSD schools to "local control." In the sense of local democratic control or public education, it is nothing of the sort. Across the US, "local control" of schools has become a code word for bringing unions and local businessmen on board the national privatization program and providing them a lucrative niche in the billion-dollar education industry.

The new law means that 54 New Orleans charter schools will gradually move back to the Orleans Parish School Board (OPSB), with similar provisions affecting 9 charters in Baton Rouge and 1 in Caddo Parish. Not only will they remain as charter schools, their operators have been handed control over almost every aspect of education indefinitely by state law. This control includes "school programing, curriculum, instruction, materials and texts, yearly school calendars and daily

schedules, hiring and firing of personnel, employee performance management and evaluation, terms and conditions of employment, teacher or administrator certification, salaries and benefits, retirement, collective bargaining, budgeting, purchasing, procurement, and contracting for services other than capital repairs and facilities construction."

School boards will retain the right to determine when new schools will be opened or closed. However, the new law stipulates that charters will be given the right to petition to become a local education agency (LEA) should they want to assume these rights as well.

In charge of this "transition" is a 13-member board, eight members of which are CEOs of charter school companies. The board also includes the superintendents of both the RSD and the OPSB. The function of the board is to assure that the ability of the charters to profit off of public education is not impeded in the transition.

The OPSB, itself fully committed to the charterization of public schools in New Orleans, praised the bill. Speaking for those cashing-in with charter operations and other edubusinesses, OPSB superintendent Henderson Lewis Jr. (a founder of an Algiers district charter school) told the media, "The legislation that has passed is an incredible opportunity for all of us in New Orleans to build an excellent school system. The legislation puts all responsibility for our schools into the hands of the local community, while preserving the accountability and autonomy that have led to such great success over the past several years,"

John White, the state superintendent of schools and longtime charter advocate, told the *New York Times* "The mission was to recover the schools, not to maintain a group of white bureaucrats not from New Orleans", using identity politics as a cover for his support for the institutionalization of charter schools and the profiteering of local businessmen. White is

another significant national figure in the efforts to open public education to the for-profit business sector; he entered public education through Teach for America, and led charter school expansion in New York City under the notorious privatizer Joel Klein.

From the beginning of this assault on public education, the unions, led by the United Teachers of New Orleans (UTNO), have blocked the resistance of teachers. After Katrina, OPSB fired 7,500 teachers and pushed out another 1,200. The UTNO confined itself to filing a lawsuit which took a decade to pass through the courts before finally being rejected. Subsequently it has sought, with some limited success, to unionize the charters, effectively endorsing the privatization of education in exchange for the expansion of its dues paying membership.

While the RSD is the only completely chartered school district in the country, the Orleans Parish School District is not far behind. Fourteen of the twenty schools it operates are privatized, making it the nation's second most chartered district.

Overall there are only 82 schools left in New Orleans, down 35 percent since Hurricane Katrina. Originally schools were to be automatically returned to local control after no longer being deemed to be "failing." The law was changed in 2010 to allow schools to choose for themselves if they wanted to remain in the recovery district or not. This created a situation where every year the notoriously dysfunctional OPSB competed with the RSD for the right to administer the charters.

Louisiana has played a major role in pioneering the system which has been utilized around the country to privatize education. While figures like Pastorek of Broad played a significant role, the systematic assault has been implemented in a bipartisan way by both Democrats and Republicans.

The political playbook is now clear. There are national cuts to Title I and other school funding sources (by George W. Bush and now under Barack Obama). Then, business and financial interests in the state legislatures de-fund the schools. High stakes testing is used to categorize a segment of schools as "failing" which are hived off into state-run districts. Schools are given letter grades. A OneApp is used to market charter schools on an equal basis with traditional public schools to parents. Unions are brought on board. This

process has been blessed not only by the Broad Foundation and the right-wing American Legislative Exchange Council, but by the Obama administration's Race to the Top.

This is precisely what happened to New Orleans and is developing around the US. Democrats and Republican political operatives, on behalf of business interests, are deliberately impoverishing public school systems.

In 2014 RSD trimmed its staff by 85 percent, from 562 to 94. Its budget was also steadily reduced, to \$20 million by 2014. This essentially left the operations of the schools entirely in the hands of the charter industry. Of the total OPSB budget for the 2014-2015 school year, \$345 million, \$138 million went directly to the RSD schools, \$92 million went to the districts own charters and an additional \$30 million went to paying debt service.

The passage of Act 91 is part of an overall austerity drive in Louisiana and comes amidst the largest budget crisis in state history. Public services across the board have been cut or face cuts in the near future. In March the state legislature met in an emergency session to attempt to address the budget crisis. The lawmakers were scarcely able to arrive at a temporary agreement, which included a sales tax hike. When they reconvene later this year, public universities, hospitals, and even the state public defender's office face steep cuts. The states' coffers have been depleted in recent years by a combination of declining oil revenues and a series of tax cuts and corporate tax breaks passed by the previous administration of Republican Governor Bobby Jindal.



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