

# Michigan attorney general asserts right to close dozens of Detroit schools

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The calculated end-game of the Detroit Public Schools reorganization, effected July 1, has quickly become apparent: mass closure of public schools and their replacement by charter schools.

On Wednesday, the Michigan attorney general ruled that dozens of “underperforming” schools in the new Detroit Public Schools Community District (DPSCD) can be shut down at the end of the school year.

“The law is clear: Michigan parents and their children do not have to be stuck indefinitely in a failing school,” said Attorney General Bill Schuette, a Republican who is expected to run for governor in 2018. Going further, he added, “The SRO [State Reform Office] is *required* to close schools in accordance with state law...”

Of the 124 “worst-performing” schools in the state, 47 are in DPSCD, according to the SRO. This is about half of the schools in the newly created district.

The day after Schuette’s announcement, the other side of the equation was noted, but buried in the business press. The Bonds News section of Reuters celebrated the payment in full to DPS tax-limited General Obligation debt holders. “That credit cliff is gone,” said Standard & Poors analyst Jane Ridley, explaining that \$226.4 million in new bonds were issued, leaving the original Wall Street investors holding junk-rated debt financially unscathed.

“Anytime you talk about [school] closure[s], that’s going to upset people,” admitted Dan LaDue, assistant director for accountability for the SRO, “but we’re not here to make everybody happy. We’re here to hold adults responsible for the performance of students.” Of course, if he were a bit more honest, he would have said, “We’re here to make the bondholders and charter school interests happy at the expense of student performance.”

LaDue told the education blog *Chalkbeat* that his

office will give notice this fall to every Michigan school that ranked in the bottom 5 percent on state exams between 2014 and 2016. The schools will have to close their doors in June, with limited exceptions granted only for “unreasonable hardship.”

Democrats and Republicans are jointly responsible for this privatization conspiracy, with both political parties insisting that DPS debt—largely incurred while the district was under state emergency management—was sacrosanct and required a reorganization of education. When teachers threatened to disrupt these plans with their independently organized district-wide sickouts throughout last winter, Detroit municipal bankruptcy hatchet man Judge Stephen Rhodes was tapped by the governor to push the deal through.

The Detroit Federation of Teachers (DFT) and its parent union, the American Federation of Teachers (AFT), gave their full support to the plan of Rhodes and Snyder to dissolve the 174-year old Detroit Public Schools.

The well-heeled union bureaucrats—servants of Wall Street—did everything in their power to quash the determined struggle of teachers. DFT officials, together with AFT President Randi Weingarten, colluded with the courts, the Obama administration and myriad state and local officials—all of which lined up with education privatizers. In fact, the unions mounted a six-month long campaign in support of the legislation, rallying at the state capitol, organizing local canvassing and letter-writing efforts. All the local Democratic officials, including Detroit Mayor Duggan, supported the deal.

The unions sought to portray the Snyder-Rhodes plan as the “lesser of two evils,” counterposing it to similar plans proposed by Michigan House Republicans. But, in truth, their only concern was maintaining their right

to collect dues and maintain their “seat at the table.” Working hand-in-glove with Democratic Party officials, including Education Secretary John B. King, the DFT/AFT sought to hide their duplicitous and self-seeking orientation by asserting that the reorganization would provide “local control” and a “fresh start” to reinvigorate Detroit schools.

In the end, the union’s treacherous role not only secured the bondholders and dissolved the district, it enabled virtually all of the House Republican education plans to move forward. Initially, it was stated that the DPSCD schools could not be closed for three years. On August 2 Miller Canfield issued a legal opinion which stated as much, concurring with the statements of Snyder and Rhodes.

Incensed by the Miller Canfield opinion, the House Republican legislators called upon the state attorney general to rule on the matter. They pointed out that they had authored the reorganization law and intended for immediate mass school closures in Detroit. The legal arguments, of course, did not acknowledge the millions of dollars that had already changed hands, particularly from the DeVos family and other privatization interests, in the lead-up to the June vote. Therefore State House Speaker Kevin Cotter and Senate Majority Leader Arlan Meekhof urged Schuette, who has legal jurisdiction on the interpretation of the legislation, to provide a “clarification” of the status of the DPSCD.

In tandem with these attacks, Michigan House Republicans have also introduced several new reactionary bills to further criminalize teacher protests and undermine the quality of public education. HB 5858 expands the definition of a “strike” to include any “willful absence” from work, regardless of reason or duration. HB 5868 would permit any person with an associate’s degree, or 60 college credits, to be employed as a substitute teacher.

The *World Socialist Web Site* has warned that the attack on Detroit Public Schools was a bipartisan affair, driven by the financial elite to set a national precedent for the destruction of public education. At the same time we opposed the attempt to portray these attacks in racial terms with the claim that they represented “systemic racism.” We exposed this characterization as a smokescreen to cover up the role of the Democratic Party in supporting school privatization and cuts to education nationally.

In fact, no sooner had Schuette’s decision been announced with regard to the Detroit schools, than the rest of the state was included. *Chalkbeat* reported the comments of SRO Chief LaDue, who declared, “And if the School Reform Office has to close schools in Detroit...it sees no reason to stop at the city’s borders. We want to be fair to all districts and all kids.”

In other words, the state is claiming it has the right to implement a sweeping closure of public schools, as many as 100, throughout Michigan. It was precisely for this purpose that Snyder moved the SRO out of the jurisdiction of the Michigan Education Department and placed it directly under his control last year.

The list of “failing schools” for 2016 will be issued about November 1. There were 27 DPS schools on the bottom-five list in both 2014 and 2015. Ten schools in the “state recovery district” the Education Achievement Authority were likewise on the list for the same two years (including Mumford and Pershing High Schools), however these schools are state-run and are not part of the DPSCD, and therefore may be exempt. DPSCD schools on the list for two years include King High School, King Academic and Performing Arts Academy, Western International High School, Osborn Academy of Mathematics and Osborn College Preparatory Academy.

There were five charter schools on the bottom-five list for 2014 and 2015. But different rules apply—the law requires that they be opened four or more years before being closed. Many charter operations in the state have closed as a result of various scandals, gotten a new authorizer, and reopened with a slightly different name.

Finally, it should be noted that the retrograde notion of “failing schools” was developed by the Obama administration in conjunction with No Child Left Behind waivers. It mandated aggressive state intervention including staff firings, denial of Title I federal funding or closures of “low-achieving” schools. This policy was continued under Obama’s Race To The Top and the Every Student Succeeds Act.



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