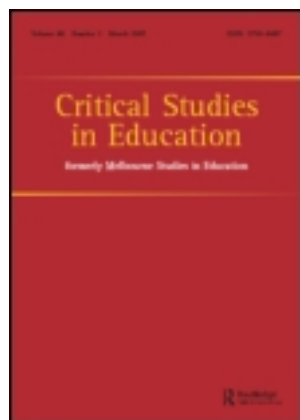


This article was downloaded by: [University of California, Berkeley]

On: 23 April 2013, At: 15:33

Publisher: Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Critical Studies in Education

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/rcse20>

A Rosa Parks moment? School choice and the marketization of civil rights

Janelle T. Scott ^a

^a Graduate School of Education, University of California, Berkeley, CA, USA

Version of record first published: 22 Nov 2012.

To cite this article: Janelle T. Scott (2013): A Rosa Parks moment? School choice and the marketization of civil rights, *Critical Studies in Education*, 54:1, 5-18

To link to this article: <http://dx.doi.org/10.1080/17508487.2013.739570>

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: <http://www.tandfonline.com/page/terms-and-conditions>

This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae, and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand, or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

A Rosa Parks moment? School choice and the marketization of civil rights

Janelle T. Scott*

Graduate School of Education, University of California, Berkeley, CA, USA

(Received 10 October 2012; final version received 10 October 2012)

In this critical analysis, I interrogate the efforts of elite education reformers to cast market-based school choice reforms as descendants of civil rights movement policies. Drawing from multidisciplinary research, including educational policy, history, and sociology, as well as the voices of contemporary educational reformers, I examine the ideological underpinnings and demographic profile of the market-based school reform movement. In turn, I juxtapose these elite stances and initiatives with grassroots organizing in traditionally marginalized communities and argue that it is the latter which yokes their efforts to issues of justice, equity, and voice and are far more deeply connected to the ongoing struggle for civil rights and social justice. I conclude that civil rights claims in support of market-based choice reforms are a seductive attempt to recast civil rights concerns primarily at the individual rather than at the community level and therefore fail to map onto broader social and educational justice concerns that animate alternative grassroots organizing.

Keywords: educational policy; inequality; neoconservatism/neoliberalism; philanthropy; privatization; race; school choice

The full-page advertisement in the *San Francisco Chronicle* was difficult to miss. Published on 23 August 2010, it depicted a teacher writing on a chalkboard with her back to the reader. Its headline pronounced that JP Morgan Chase & Co. was ‘Investing in our children’s future’ (p. A3). The ad announced a \$325 million initiative that would build and renovate buildings for high-performing charter schools around the country and it proclaimed, ‘Improving educational opportunities is just one of the many ways we are working to help America move forward’ (see JP Morgan Chase, 2011). Charter schools and other market-based choice reforms have been taken up controversially in many troubled urban districts and their further expansion portends to radically reshape the purpose, structure, and governance of public education – especially for urban, high-poverty communities of color.

The bank’s contribution joined an active policy advocacy network dedicated to expanding charter schools and related market-based reforms such as merit pay, vouchers, and private management of schools and districts. Notable members of this network include

*Email: jtscott@berkeley.edu

This article was originally published with errors. This version has been corrected. Please see Corrigendum (<http://dx.doi.org/10.1080/17508487.2012.754396>).

national education leaders such as Secretary of Education Arne Duncan, state governors, recently formed civil rights groups, conservative, libertarian, neoliberal and some progressive supporters, foundations, venture philanthropies, and an ideologically diverse array of state and federal think tanks, and advocacy groups (Scott, 2009).

Often invoking the expansion of educational equity and opportunity as a reason to expand market-based reforms, this network is increasingly in tension with those who voice concerns or opposition. For example, in 2011, New York City School's Chancellor Dennis Walcott accused the National Association for the Advancement of Colored People (NAACP) and the United Federation of Teachers (UFT), which filed suit to stop charter schools from taking space in existing schools, of playing the 'race card'. The litigants' concerns about overcrowding and inequitable resource distribution were dismissed as racial manipulation and other prominent African-American figures joined in the critique. Stanley Crouch wrote in the *New York Daily News* that the NAACP had entered into an 'unholy alliance' by partnering with the UFT in the suit, and Geoffrey Canada, founder of Harlem Children's Zone, argued that their efforts were 'misguided' (Crouch, 2011). Of course, there have been historical disagreements within communities of color about how to optimize educational equality and how to engage with white and multiracial allies in the public and private sectors, and so these fissures are not new developments in the intraracial politics of education.

We would misread history, however, and ignore an active policy advocacy network if we presumed that intraracial debates have been or are currently the primary dynamics shaping contemporary education reform. In fact, there is a history of elite control over public education – particularly the education of African-American students – that has important implications for these contemporary dynamics (Anderson, 1988; Watkins, 2001). Current politics of education are animated in particularly charged ways around issues of power, race, civil rights, and the place of market-based reforms in achieving better outcomes for students, schools, and communities. And in many ways, corporate and private sector supporters of market reforms have embraced the language and moral authority of civil rights to champion reforms that not only have a mixed empirical record, but have been opposed by segments of grassroots communities even as they have garnered parental support through organizing efforts funded by venture philanthropies (Scott, 2011). Increasingly, these foundations and corporate philanthropies are acting as *de facto* public policy makers. Much of the elite advocacy this support underwrites tends to be silent on the historical and structural impediments to equitable schooling and, as a result, is missing an opportunity to challenge the persistence and consequences of racial inequality in areas that deeply affect schools, including employment, housing, tax policies, environmental issues, and health care. Moreover, there is impatience with university-based research that highlights concerns about the network, prompting it to filter out sociological analysis, community testimony, and empirical studies that call into question the efficacy of the reforms about which market adherents are so enamored.

These trends need not continue. Closer examination of advocacy politics in public education can reveal possibilities for a rearticulation of civil rights and schooling that more closely adheres to civil rights activists' desires for equality in citizenship and democratic life. In this essay, I describe the ways in which elite reformers' rhetorical advocacy appropriates civil rights language, yet distills the most individualistic aspects of civil rights aspirations while neglecting broader communitarian components (Duggan, 2003). Additionally, I consider existing and new grassroots movements that challenge these approaches. I conclude with a discussion of the implications of the marketization of civil rights for forming coalitions across advocacy groups.

Mapping the ‘education reformer’ network: the managers of choice

While racial diversity certainly exists in the entrepreneurial education reform network, one of its hallmarks is the elite backgrounds of its leaders, who tend to be white, have wealthy or middle-class backgrounds, and have themselves attended private K-12 schools (Winerip, 2011). This is the network that former New York City School’s Chancellor Joel Klein recently declared as comprising the ‘educational reformers’ (Klein, 2011). According to Klein, their energies are focused on increasing school choice and merit pay to ‘truly professionalize’ teachers:

What they have in common is recognition that the status quo in public education is broken and that incremental change won’t work. They are ready to challenge the heart of the educational establishment rather than tinker around its edges, which has been the hallmark of past, failed reform efforts.

In Klein’s estimation, not only are teachers unions the defenders of the status quo, so too are other groups who disagree with him and like-minded advocates, who lead several urban school districts and hold key state and federal education policy leadership positions.

I have elsewhere termed this school choice advocacy network, the ‘managers of choice’ (Scott, 2008). This reference harkens to historian David Tyack’s and political scientist Elizabeth Hansot’s *Managers of Virtue* (1982), a social history of public school leadership. Tyack and Hansot describe an elite group of school system leaders who shared a set of religious convictions that they believed conferred on them the right to act as moral guides of public schools. They also had a fixation on ‘scientific’ measurement, testing, and the need to centralize power over schools in the hands of those more educated and schooled in education ‘science’. The views of entrepreneurial education reformers at federal, state, and local levels resemble the administrative progressives of the early twentieth century written about by Tyack in *The One Best System* (1974). As public schools were transformed from small community-run institutions to large urban systems, administrative progressives – a loosely configured network of business leaders, political elites, and university faculty – called for and implemented reforms to centralize urban school governance in ways that mimicked corporate governance. They invented school and school district leadership as fields of study and as professional tracks and largely reserved such positions for white men. All the while, they largely excluded or limited the participation of women of all races, poor men, and men of color in leadership positions.

Today, the managers of choice exploit data confirming the existence of educational achievement inequality much like the administrative progressives used the then-new testing apparatuses to confirm biased notions about the relationship between human intelligence and race. In fact, grassroots organizations, educational researchers, legal advocacy groups, civil rights organizations, and even school district officials had been working to eradicate inequalities that contributed to achievement differentials long before the *Brown v. Board of Education* decision, and they continued long after. Yet, these advocates were not simply concerned about outcomes. They were also preoccupied with unequal opportunities to learn and how those inequalities compromised democratic citizenship. For example, in 1989, the Committee on Policy for Racial Justice, led by historian John Hope Franklin, concluded that economic shifts coupled with a narrow focus on educational ‘excellence’ (National Commission on Excellence in Education, 1983), without attention to broader and more inclusive social policy, would result in even greater inequality for African-American students.

Most recently, many scholars have argued that what we call the achievement gap is more accurately understood as an opportunity gap, or what Gloria Ladson Billings calls the education debt (Ladson-Billings, 2006). Yet, managers of choice place blame for the racial achievement gap almost exclusively on teachers, teachers unions, and public school districts. Rather than engaging with communities long active around these issues and even those within struggling school districts, in the spirit of entrepreneurialism and ‘social change’, they march in to save the day. There is both arrogance and missed opportunity at play here. Simple rendering of choice as the fulfillment of the otherwise unfinished business of the Civil Rights Movement does violence to the incredibly complex goals and inestimable sacrifices of those who put their lives on the line to fight for a just society. Their efforts were stymied by racism and political conservatism that sought to preserve the existing racial hierarchies.

The managers of choice are virtually silent on these persistent structural inequalities. Yet, with coordinated policy activity, including working with organizers and parents in local communities, the network has helped to generate common sense understandings about charter schools as superior to traditional public schools; in the words of JP Morgan Chase & Co., charter schools are ‘the way forward’. This common sense about charter schools runs counter to the myriad studies which have found decidedly mixed performance of charters nationwide and even within and across charter school franchises regarded as high quality (Lubienski & Lubienski, 2006; Reardon, 2009; United States Department of Education, 2004; Weitzel & Lubienski, 2010). The notion that charter schools are silver bullets has also created an environment in which the voices of educational researchers, teachers unions, community-based organizations, and civil rights groups have been marginalized and sometimes delegitimized. This has happened especially when such advocates question charter school reform and attempt to offer alternative policy options, as we have witnessed most recently in the Chicago Teachers Union strike of 2012.

Public and private resources, such as the Chase investment and millions from venture and corporate philanthropies, the federal government, and state governments, flow to charter school advocacy and management organizations, whose leaders for the most part do not reflect the diversity of the students and communities they purport to serve. Herein lies an important tension undergirding the racial dynamics of charter school advocacy and policy: the social networks advancing charter school policy tend to have tenuous connections to the communities most impacted by their work. While there are important exceptions to this dynamic, the preponderance of elite white advocacy for the radical transformation of urban schools raises important questions about repeated claims that charter schools and choice are the unfinished work of the Civil Rights Movement.

Popular renderings of charter schools and vouchers increasingly portray their support as primarily emanating from African-American and Latino parents in urban areas. The recent spate of education-themed documentaries, such as *Waiting for Superman*, evocatively foreground the struggles of poor parents to secure desirable schooling climates for their children, positioning their efforts against recalcitrant teachers unions and school districts more interested in protecting bureaucratic procedures than educating students (see Levine & Au in this special issue on a grassroots response to *Waiting for Superman*). These themes are reiterated in the 2012 feature film, ‘Won’t Back Down’, which presents a fictional rendering of parents and teachers coming together to enact so-called ‘trigger laws’ that enable schools to be converted to charter school status.

Certainly parents, especially those whose communities have not been served well by public schooling deserve better options. But in the same way that an inordinate focus on individual choice to explain persistent poverty obscures structural and racial inequality, a

disproportionate focus on specific parents participating in school choice hides from view the elite political and financial network that is largely shaping the options available to such parents and also the ways the choice reforms have enriched individuals and organizations.

We have seen this enrichment through the dramatic increase in no-bid contracts in New York City's Department of Education, the enormous financial investments in data management and analysis organizations from the private and public sectors, and relatively high executive pay in entrepreneurial organizations. No-bid contracts in New York City have skyrocketed. According to reports, there were a total of seven such contracts totaling \$693,000 in 2000. In 2008, there were 15 no-bid contracts for \$15 million and total contracts over \$1 billion. New York State's Department of Education awarded \$27 million to Wireless Generation, a subsidiary of Rupert Murdoch's News Corps that Joel Klein now helms (Scott & DiMartino, 2009). And *New York Daily News* reporter Juan Gonzalez (2010) has revealed that many investors in charter school facilities development are benefiting from the New Markets Tax Credit, which has allowed them to double their investments within seven years while also collecting interest on the loans made to charter schools. Meanwhile, many charter schools that have received development loans from banks have struggled to make their loan payments as their rents and interest rates increase, sometimes in dramatic fashion.

Historical struggles, contemporary organizing

While there is no doubt that communities and organizations of color have also offered support for market-based reforms, especially charter schools and vouchers, the significant financial investments in and commitments to entrepreneurial education ventures tend to ignore histories of community struggle for more responsive, culturally relevant, and democratic reforms. Long-standing efforts for smaller class sizes, community engagement in school decision-making, equitable school funding, school desegregation, ethnic studies curricula, equal access to advanced placement courses and high-quality teachers are far more radical approaches in that they seek to redistribute power and resources downward. These efforts have persisted in the current education policy context that increasingly emphasizes individual parental choice as the primary mechanism for school improvement. While school choice is often part of the much-discussed 'unfinished work of the Civil Rights Movement' for which market reformers claim to advocate, their efforts do little to expand access to deliberation, power, and resources for communities of color and their allies beyond the ability to choose schools (Scott, 2012).

At times these transformations have more closely resembled hostile corporate takeovers than acts of racial emancipation. This is not to say that urban school districts and individual public schools have not been deeply troubled as they struggle to realize their academic and democratic potentials, too often resulting in the undereducation of poor students and students of color. But charter school management organizations (CMOs) have moved into school districts without any significant public input about the extent to which those closest to the schools prefer such options.

The histories of myriad grassroots struggles for racial and educational equality have almost always included the leadership of people of color and the support of white allies. Yet, the demographic makeup of the current entrepreneurial leaders of educational reform presents a somewhat unique historical moment in which white leaders speak on behalf of and largely fund the choice advocacy of African-American and Latino communities – school choice advocacy groups such as the Black Alliance for Educational Options and the Hispanic Council for Educational Reform and Options are examples. This funding of

particular educational reforms has delimited the reform options available to redress decades of dissatisfaction with the status quo. It has also resulted in philanthropists becoming de facto public policy makers, though the populace has not had the opportunity to vote on the educational reforms that philanthropists triumph. The schools generated from this leadership tend to emphasize a highly regulated approach to instruction, with longer school days and years, and rigid norms around student behavior and discipline. The Fordham Institute has sanctioned these pedagogical models, releasing a report that celebrated schools it claimed had closed the racial achievement gap by embracing ‘the new paternalism’ (Whitman, 2008). It is difficult to imagine civil rights era protestors marching and subjecting themselves to violence for white leaders to develop such schools for African-American children.

By way of comparison, it is useful to summon the community of activists and set of policy developments that supported Rosa Parks’ choice to remain unmoved that December day in 1955. Parks’ training at the Highlander Institute factored into her ability to become an effective activist. She also had predecessors and allies who were a part of her grassroots activist network. These include Professor Jo Ann Robinson, an early architect of the boycott’s strategies, and Claudette Colvin and Mary Louise Smith, Montgomery teenagers who were arrested for the same act several months before Parks. Also important were E.D. Nixon, a labor leader, head of the local NAACP, and leader in the Montgomery Improvement Association, an African-American-led political action group, and a young preacher named Martin Luther King, Jr., who had recently been appointed to lead the Dexter Avenue Baptist Church. After nearly a year of boycotts in which participants whose names we do not remember effectively shut down the system, the 1956 US Supreme Court ruling *Browder v. Gayle* overturned the legality of segregation in transportation. What has been misinterpreted as an individual ‘Rosa Parks moment’ was, in truth, a long-term, hard-fought movement orchestrated by many of those closest to the injustice; it was their efforts that prompted federal policy shifts. Moreover, these activists joined their frustration with segregated transportation to the related issues of voting rights and school desegregation. Ultimately, they shared a desire to improve life for an entire community.

In contrast to these broad-based, grassroots historical movements, current reforms rely on top-down, corporatist impulses. Charter schools and related school reforms (private management of public schools, high-stakes testing, alternative leadership and teacher preparation, incentive pay for teachers and students) prioritize the leadership and expertise of entrepreneurs who typically have management backgrounds, but shallow educational experience and seemingly thin understanding of the histories of the students they aim to serve. There are often waiting lists for the schools generated by this network, which advocates interpret to be evidence of their responsiveness to community needs. It is not difficult to understand why such schools hold such appeal to parents and communities of color who have not been well served by public schools and school districts.

Some charter schools expend significant resources on glossy marketing materials to attract particular parents. For example, *New York Times* reporter Jennifer Medina reported in 2010 that the Harlem Success Academy (featured in the aforementioned documentary *Waiting for Superman*) spent \$325,000 on recruitment materials to generate mass applicants for limited space. At issue here is the extent to which said communities are able to participate in the process of creating the schools, and, once parents choose schools (or schools choose them), whether they are able to inform the content and structure of the schools as democratic members of a school community. Notably, there has been long-standing resistance to school choice and privatization in New York City, beginning in 2000 under former Mayor Giuliani (Scott & Fruchter, 2009). More recently, Buras et al. (2010) have

done similar work on opposition to charter schools and privatization in New Orleans (see also Buras in this special issue). Many communities have opposed the expansion of charter schools in the very urban centers that they are being seeded – Los Angeles, Chicago, and Philadelphia are recent examples – and yet these opposition movements often fail to get significant traction within a policy network that largely supports and funds market-based initiatives.

Voice, choice, and charter schools

The ability of progressive advocates and parents to exert voice and power in service of an alternative policy agenda is increasingly constrained, despite claims that school choice is a vehicle for empowerment. Former New York City Schools Chancellor Joel Klein and Mayor Michael Bloomberg championed charter schools as the hallmark of their leadership. Because many charter schools in New York City are located in existing school facilities, there has been a reduction in space for those schools. Many teachers, principals, and parents have complained about charter school encroachment. Yet, under New York City's corporate-style management (complete with an appointed board, the Panel for Educational Policy, extensive use of high-paid consultants, and public relations professionals), opportunities for public debate and discussion were greatly restricted. When questioned about those who criticized him for the exclusion of communities from school decision-making, Klein responded that it was not possible to run the schools by plebiscite (Sparks, 2010). All the while, the network of reformers with which Klein affiliated saw their vision for public education implemented (see Picower in this special issue). Throughout the history of American public schooling, questions of control have figured prominently. And the racial/ethnic politics of education have been particularly charged around issues of control and leadership, with elites often able to realize their visions for schooling over the desires of less powerful communities.

The debates about who was most fit to lead the Obama Administration's Department of Education reflected this historical tension and also revealed new fissures. With the appointment of Education Secretary Arne Duncan, who had championed charter schools in Chicago, the Obama Administration seemingly drew a line between those who desire reform and those who do not, and those who do support charter schools – particularly charter schools that engage market mechanisms. This line demarcated not partisan positions, but rather divides within the Democratic Party about ideology and school reform, with 'real reformers' being those with affinities to charter schools and related market-based reforms. Thus far, all of the major federal education initiatives, including the multibillion dollar *Race to the Top* program, the *Investing in Innovation Fund* (I3), and the recently proposed \$900 million school turnaround program, require the expansion of charter schools and/or private management organizations. The initial cycle of the I3 program also required awardees to show that their initiative would generate philanthropic support – something much more difficult for grassroots organizations to do, especially if they oppose charter schools and question the capacity of market-based reforms to close the racial achievement gap.

In search of the 'Rosa Parks moment': race, organizing, and elite networks

There is no question that race and socioeconomic status remain distressingly predictive of educational inequality. Marginalized populations have organized around these inequities, advocating for more equal resources, better teachers, safe facilities, culturally responsive

curriculum, participation in school governance, and the creation of racially diverse schools. Among the major issues in the racial history of public schooling has been the fight for equal representation in decision-making. Different iterations of charter school reform have had support from some teachers unions, community-based organizations, and advocates of ethnocentric education, even as more conservative and neoliberal adherents also backed the adoption of charter school legislation (Wells, Lopez, Scott, & Jellison-Holme, 1999). Consequently, where some liberal/progressive supporters saw charter schools' potential to liberate students from inferior or uninspiring schools, other advocates hoped that charter schools would pave the way for more radical market-based choice like school vouchers.

This tension within the charter school sector is more pronounced than media depictions might suggest. Charter schools founded by progressives (political and pedagogical) struggle to maintain their philosophical approach – especially with regard to serving diverse students – when achievement mandates can result in school closures. An African-American charter school leader with whom I recently met chafed at the idea that he was a part of a 'charter school movement'. As a civil rights veteran, he noted that many in the charter school advocacy community did not share traditional civil rights commitments for social justice and redistribution of opportunity. Given that philanthropic and federal funding streams are now attached to charter school franchises, grassroots charters are especially disadvantaged. A 2010 analysis by Gotham Schools reporters Ken Hirsh and Kim Gittleston revealed that in New York City, CMO-operated charter schools received \$740 more per pupil than did non-CMO-run schools (Gittleston, 2010).

Charter school advocates often argue that Rosa Parks herself helped to start a charter school and that many African-Americans with roots in the Civil Rights Movement have been similarly involved in charters. There is no doubt that progressives and civil rights advocates have been attracted to charter school reform. Many engaged in charter school reform reject much of the neoliberal framing of education championed by the charter school network. Their voices are muted, however, in national and even state-level advocacy activities. And increasingly, especially in urban school districts where philanthropic and federal funds have facilitated the expansion of particular CMOs, smaller, independent charter schools are becoming rare. Their efforts to remain nonselective and to serve the most needy of students make their survival a challenge when their test scores do not reflect their efforts to serve such students.

In 2010, Secretary of Education Arne Duncan proclaimed that the release of the controversial documentary *Waiting for Superman*, which positions charter schools as superhero-like institutions, was a 'Rosa Parks moment' (Allen, 2010). As federal, state, and local policies increasingly support the growth of charter schools – particularly charter schools operated by for-profit and nonprofit management organizations – it has become clear that few of these management entities are under the leadership of Rosa Parks-like actors, and instead, they are frequently headed by white men who come not from civil rights organizing, but from the private sector. As community-based charter schools have struggled to survive over the last two decades, in fact, a new generation of privatized charter schools has emerged, largely advocated by a network of elite, white, and male philanthropists, entrepreneurs, and policy makers. In this curious educational reform climate, the new reformers in many ways obviate the historical struggles, voices, and participation of traditional civil rights and grassroots organizations, as well as the expertise and insights of education professors, teachers, and principals of color while embracing language that communicates aspirations for social justice.

An example of this market-based appropriation of civil rights language is Pennsylvania's 2000 Empowerment Act. Despite its name, it did not provide for community

control of schools. Instead, the Act allowed the state to take over low-performing school districts and to restructure the school districts' management, curriculum, and personnel policies. In 2001, the state moved to takeover the Philadelphia School District. Then-Governor Tom Ridge contracted with Edison Schools, Inc. to perform an evaluation of the school district, providing the educational management organization with \$2.7 million though the company had no evaluation experience and a mixed record of managing schools. Not surprisingly, Edison's 31 October 2001 evaluation report recommended that the school district's schools and operations be outsourced to private companies. Following another recommendation, Governor Schweiker (appointed after Ridge left) replaced the elected Board of Education with an appointed body, the School Reform Commission.

The political networks of the appointees were such that most were connected to state and national Republican networks (Bishop, 2002). Edison's 2001 evaluation report proposed that 100 of the lowest performing schools be placed under private management. The School Reform Commission, which oversees the district, opted for a diverse provider model in which nearly half of the schools were turned over to private providers. Privatization efforts in Philadelphia have persisted, and protests and student walkouts have been ongoing since takeovers were announced in early 2011. More recently, in 2012, the School Reform Commission voted to disband the school district amidst protest from parents and community groups.

Choice as a civil right?

The managers of choice are intent on scaling up a set of policies that are not only politically charged, but that also have contested empirical evidence regarding their effectiveness and have very little leadership at the executive level by people of color. The managers of choice frequently share similar demographic profiles: they tend to be white, male, come from relatively elite family and educational backgrounds, and share connections with each other across reform, philanthropic, and policy/advocacy organizations. They argue that the expansion of school choice – and related reforms – is the new Civil Rights Movement. Their efforts increasingly draw not only the ire of teachers unions, but also communities of color. This dynamic was witnessed in the 2010 Washington, DC, mayoral election in which African-American voters largely supported Vincent Gray over Adrian Fenty in the Democratic primary. African-American voters were especially dissatisfied with what they perceived to be Fenty's elitism and arrogance, but also with the decisions made by Schools Chancellor Michelle Rhee regarding teacher termination and her alignment with the cadre of philanthropies largely supporting her efforts.

In early 2011, two moments in which race and school choice figured prominently exemplify the problem with charter schools as a means to achieve high-achieving schools and parental empowerment. In January 2011, a newly elected school board majority aligned with the Tea Party in Raleigh, North Carolina, voted to end a long-standing socioeconomic integration plan. The plan had been in place for a decade and, in part, utilized school choice to create a school system in which no more than 40% of any school's student population was comprised of high poverty students. While many committed to diversity and high-quality schooling were outraged, such as the local NAACP, there was little national conversation about the civil rights of the affected children in Wake County and little attention given to the multiracial protests against the plan's demise. Organizing led to an overturn of the board in the next election cycle, and newly elected board members reinstated the plan.

Comparatively, later that month in Akron, Ohio, an African-American mother named Kelley Williams-Bolar was jailed for falsifying her personal records so that her daughter

could attend a nearby suburban school. There was significant outcry and media coverage. Many choice advocates compared Williams-Bolar to a modern-day Rosa Parks. Pundits lamented her situation and argued that justice required the creation of more charter schools and the eradication of teachers unions, although Akron had nearly 20 charter schools from which Williams-Bolar could have selected. Virtually no one from the so-called ‘reform’ community argued that suburban schools should be mandated to accept children from cities, or that school desegregation and property tax-based school finance policies might be revisited. For those aligned with the common sense understandings of charter schools, this mother’s civil rights had been violated and we had arrived, again, at another Rosa Parks’ moment.

Lost in this elite rendering of civil rights is the fact that Rosa Parks and Martin Luther King, Jr., typically the signifiers of the Civil Rights Movement in popular understandings, were nested in robust social networks calling for a radical redistribution of opportunity in education, yes, but also in terms of broader social policy. They worked alongside and belonged to communities that had a long history of social struggle and were able to articulate through their rhetoric, activism, and leadership, the collective frustration and dissatisfaction with the social order. Far from being entrepreneurial, market aficionados, each was engaged in collective action aimed at helping the United States live up to its democratic promises by equalizing opportunity and remedying generations of structural inequality. In fact, when he was tragically assassinated in Memphis, King was helping to support a labor strike. African-American teachers, principals, university professors, and their labor unions were essential to the civil rights organizing of the 1960s and 1970s (Siddle Walker, 2005). With problematic implementation of desegregation – what Siddle Walker (2009) has called ‘second-class integration’ – such networks were disrupted.

Currently, educational researchers and teachers unions are often disconnected from concerns and struggles in marginalized communities. Pedroni (2007) argued that progressive advocates interested in preserving the public sector can learn from African-Americans who use school vouchers and form coalitions with them, joining with them in their discontent over the status quo. He suggests that reconnecting with the disenfranchised could ‘help defenders of a progressive vision of public education envision strategies for reincorporating the legitimate educational concerns of voucher families into more effective educational reform in the public sector’ (p. 41).

In the absence of a coordinated, well-financed, progressive effort to engage and organize parents, charter school operators and other school choice advocates have stepped into the vacuum. There are some within the charter school network, such as the CMO Green Dot Public Schools, who have established connections with the communities they serve and worked to help organize them through parental advocacy organizations; this has been funded by Green Dot donors such as the market-oriented Broad Foundation. Led by a lawyer and former Green Dot consultant, Ben Austin, *Parent Revolution* helped to organize the charter conversion of several Los Angeles schools, most recently using the controversial 2010 ‘Parent Trigger Law’ in Compton, California, that enabled parents to vote to convert McKinley Elementary School into a charter school. Similar groups have also been formed in Los Angeles and other cities, such as *Families that Can*. These organizing efforts have been quite controversial. In the McKinley case, there are allegations that *Parent Revolution*’s aggressive parent lobbying did not communicate clearly to parents what their vote meant, and some parents asked to withdraw their votes once the results were announced. Some opponents of parent trigger laws allege that parents have been intimidated for their votes, and undocumented parents especially have been threatened with deportation by the school district.

These controversies aside, new parent advocacy organizations are being funded by philanthropies and CMOs interested in charter school expansion. Not only do the relationships require closer scrutiny in terms of conflicts of interest, they also show that the charter school network is actively cultivating the advocacy of parents of color in ways that parents find compelling. Yet, there also exist parental and community-based advocacy groups opposed to charter schools expansion that clearly do not enjoy the charter advocacy network's support.

Despite this lack of support, a multiracial grassroots advocacy community is organizing against the charter school and related testing movements. The progressive advocacy community has never been dormant, but with the release of *Waiting for Superman* and other documentaries, it has become much more focused on articulating an alternative to the charter school and market-based reform agenda taken up by the managers of choice. These visions articulate a desire for public schools that are nested in communities, have excellent teachers and school leaders, are well resourced, diverse, and operated democratically. Although they are at a disadvantage in terms of funding, it is within these organizations that the best hope for democratic, high-quality, and representative public education lies given their closer connection to parents, teachers, students, and communities most affected by educational and social inequality.

Conclusion

In raising questions about the lack of commitment to eradicating structural inequalities by the managers of choice, I do not denigrate the individual choices parents of color are making for their children within the policy framework largely dictated by an elite invested in privatizing public education. There is no doubt that many parents have found charter schools and other market reforms to be an important option for their children and that many of those working in the school choice movement are committed to making schooling more equitable. Nor does this essay find fault with individuals, regardless of race, gender, and socioeconomic status, who are active in the charter school policy and advocacy network. Finally, this essay in no way defends the status quo, in which far too many children of color attend public schools that are woefully inadequate. What is important is to illuminate the elite networks that are funding and paving the way for educational policy to be radically altered along business models. These networks are determining the context under which parents can make choices – which options are available on the policy menu, such as charter schools and high-stakes testing and teacher evaluation, and which are excluded, such as fiscal equity, desegregation, and culturally relevant, high-quality pedagogy.

The managers of choice largely construct the civil rights of parents in terms of consumerism. That is, their social and educational empowerment comes as a result of being eligible to choose from a pool of privately managed, hybridly financed schools created by the choice managers themselves. The network has taken dissatisfaction with the status quo, and rather than engaging with communities about its causes and preferred solutions, it has translated these complaints into a relatively consistent and radical agenda. Parental and community frustration with poor school resources, teachers, and facilities has been transmogrified into a reform schema that embraces the disassembling of teachers unions, expansion of high-stakes testing for children as young as third graders, and teacher evaluations and terminations based on test scores, along with the private management of public schools.

This essay began with a discussion of JP Morgan & Chase, which in 2010 allocated \$325 million to support charter schools, with the assertion that it was supporting educational opportunity. Yet, Chase and other corporations have had a complicated relationship

with social opportunities, especially in disadvantaged communities. For example, African-Americans have been disproportionately affected by the financial crisis of 2008, suffering from home foreclosures and predatory lending at much greater rates than other racial groups. This disruption of home ownership has implications not simply for the stability and well-being of communities, but also for the public schools in said communities. JP Morgan & Chase, however, is one of several banks found culpable in the lending practices that erased two generations of wealth building through home ownership. In 2012, the US Department of Justice announced a settlement with the five largest mortgage lenders. Finding these lenders guilty of, among other things, deceptive loan modification practices and for failing to offer alternatives to foreclosure, the Department and the Attorneys General of 49 states settled with the banks for \$25 billion. JP Morgan & Chase's share is nearly \$5.3 billion. Despite the damage the bank did to disadvantaged communities, it presents itself as one of the leaders of educational opportunity through the expansion of charter schools while utilizing the New Markets Tax Credit program to profit from its altruism and advertising of its efforts to promote an image of corporate responsibility.

Yet, it is clear from the very active community-based organizing underway in urban communities that these are not the primary reforms many parents and community members wish to see implemented. There can be little doubt that there is unprecedented energy and effort directed at public education. While much of this essay has raised questions about the orientations to equality of some of the most vocal, powerful, and well-funded advocates, it ends on a note of possibility. In advancing the notion of 'managers of choice', I have created an amalgam of market-based reformers. In reality, it is clear that their network has ideological diversity that holds some promise for connecting the more progressive individuals and organizations with grassroots organizers. What might a retooled approach to advocacy and public education look like for those with such enviable resources and an inclination toward working with organizations that have experience and knowledge about community needs and preferences? Could this interrupt practices leading to educational inequality? How can we marshal the incredible energy and interest directed toward public education to reinforcing the democratic purposes of public education and to revitalizing a commitment to eradicating social inequality – the authentic unfinished business of the Civil Rights Movement? A vision of socially just public schooling would require that those within the networks be willing to work as equal partners with those whose past, present, and future are most impacted by the public institutions critical to their full citizenship *and* social mobility.

Such collaboration would have to start with an understanding that communities of color do not need paternalism, but rather the ability to meaningfully participate in decisions related to their schools. This is a particularly pivotal time in public education, when democratic purposes are being narrowed by an overemphasis on business models and testing mechanisms that have incredibly high stakes for students, teachers, principals, and schools. For those frustrated with the real problems in public education, this dynamic raises a quandary, for as sociologist Pierre Bourdieu (2003) observed, advocates fighting against marketization must defend a system for which they have substantial critiques, a system of schooling they want to see radically changed. Democratic, equitable, and socially just educational reform will need the participation of multiple stakeholders: researchers, policy makers, civil rights organizations, teachers unions, parents, philanthropies, and corporations, but there continue to be fundamental racial and social class inequalities in terms of whose voices most loudly lead and shape school reform. The best hope for redressing such inequities lies in the robust organizing and networks of people closest to schools and multiracial allies willing to work with them as equal partners in educational and social transformation. Elite advocates have an important role to play, provided they are willing

to work in coalition on more equal terms than currently exist with groups and individuals most disadvantaged by the educational status quo.

Notes on contributor

Janelle Scott is associate professor at the Graduate School of Education and African American Studies Department in the University of California, Berkeley. Her research focuses on the racial politics of K-12 education, including the politics of school choice, privatization, and advocacy. She is the editor of *School choice and diversity: What the evidence says*.

References

- Allen, N. (2010, September 30). Arne Duncan: Educational documentary is a 'Rosa Parks moment.' *The Atlantic*. Retrieved from <http://www.theatlantic.com/politics/archive/2010/09/arne-duncan-education-documentary-is-a-rosa-parks-moment/63867/>
- Anderson, J.D. (1988). *The education of blacks in the south, 1860–1935*. Chapel Hill, NC: The University of North Carolina Press.
- Bishop, T. (2002). *Members named to commission to manage Philadelphia schools takeover*. Retrieved from http://www.wsws.org/articles/2002/jan2002/phil-j24_prn.shtml
- Buras, K.L., Randels, J., Salaam, K.Y., & Students at the Center. (2010). *Pedagogy, policy, and the privatized city: Stories of dispossession and defiance from New Orleans*. New York, NY: Teachers College Press.
- Committee on Policy for Racial Justice. (1989). *Visions of a better way: A Black appraisal of public schooling*. Washington, DC: Joint Center for Political Studies.
- Crouch, S. (2011, June 6). The NAACP enters an unholy alliance: It's fighting charter schools rather than supporting them. *The New York Daily News*. Retrieved from http://articles.nydailynews.com/2011-06-06/news/29645206_1_charter-schools-uft-district-public-schools
- Duggan, L. (2003). *The twilight of equality? Neoliberalism, cultural politics, and the attack on democracy*. Boston, MA: Beacon Press.
- Gittleson, K. (2010). Charter school expenses 2009. *Gotham Schools*. Retrieved from <http://gothamschools.org/2010/01/14/charter-school-expenses-2009/>
- Gonzalez, J. (2010, May 7). Albany cash cow: Big banks making a bundle on new construction as schools bear the cost. *The New York Daily News*. Retrieved from http://articles.nydailynews.com/2010-05-07/local/29438011_1_charter-law-albany-charter-state-aid
- JP Morgan Chase and Company. (2011). *Investing in our children's future*. Retrieved from http://www.jpmorganchase.com/corporate/About-JPMC/document/CharterSchools_9334-B_r2.pdf
- Klein, J. (2011, June 10). School reform's new generation. *The Washington Post*. Retrieved from http://www.washingtonpost.com/opinions/school-reforms-new-generation/2011/06/10/AGTBeLPH_story.html
- Ladson-Billings, G. (2006). From the achievement gap to the education debt: Understanding achievement in U.S. schools. *Educational Researcher*, 35, 3–12.
- Lubienski, C., & Lubienski, S.T. (2006). *Charter, private, public schools and academic achievement: New evidence from NAEP mathematics data*. Retrieved from <http://www.ncspe.org>
- National Commission on Excellence in Education. (1983). *A nation at risk: The imperative for educational reform*. Washington, DC: National Institute of Education.
- Pedroni, T.C. (2007). *Market movements: African American involvement in school voucher reform*. New York, NY: Routledge.
- Reardon, S. (2009). *Review of "How New York City's Charter Schools Affect Achievement"*. Boulder, CO and Tempe, AZ: Education and the Public Interest Center & Education Policy Research Unit.
- Scott, J. (2008). Managers of choice: Race, gender, and the political ideology of the "new" urban school leadership. In W. Feinberg & C. Lubienski (Eds.), *School choice policies and outcomes: Philosophical and empirical perspectives on limits to choice in liberal democracies* (pp. 149–176). Albany, NY: SUNY Press.
- Scott, J. (2009). The politics of venture philanthropy in charter school policy and advocacy. *Educational Policy*, 23, 106–136.

- Scott, J. (2011). School choice as a civil right: The political construction of a claim and implications for school desegregation. In E. Frankenberg & E. DeBray-Pelot (Eds.), *Integrating schools in a changing society: New policies and legal options for a multiracial generation* (pp. 32–51). Chapel Hill, NC: University of North Carolina Press.
- Scott, J. (2012, Winter). Moments or movements? Rosa parks, civil rights, and the managers of choice. *Dissent Magazine*, pp. 72–75.
- Scott, J., & DiMartino, C.C. (2009). Public education under new management: A typology of educational privatization applied to New York City's restructuring. *Peabody Journal of Education*, 84, 432–452.
- Scott, J., & Fruchter, N. (2009). Community resistance to school privatization: The case of New York City. In R. Fisher (Ed.), *The people shall rule: ACORN, community organizing, and the struggle for economic justice* (pp. 180–205). Nashville, TN: Vanderbilt University Press.
- Siddle Walker, V. (2005). Organized resistance and Black educators' quest for school equality. *Teachers College Record*, 107, 355–388.
- Siddle Walker, V. (2009). Second-class integration: A historical perspective for a contemporary agenda. *Harvard Educational Review*, 79, 269–284.
- Sparks, S. (2010, November 17). Klein-Era initiatives assessed by scholars. *Education Week*, 30, 17.
- Tyack, D. (1974). *The one best system: A history of American urban education*. Cambridge, MA: Harvard University Press.
- Tyack, D., & Hansot, E. (1982). *Managers of virtue: Public school leadership in America, 1820–1980*. Boston, MA: Basic Books.
- United States Department of Education. (2004). *America's charter schools: Results from the NAEP pilot study* (No. NCES 2005–456). Washington, DC: Institute of Education Sciences.
- Watkins, W.H. (2001). *The White architects of Black education*. New York, NY: Teachers College Press.
- Weitzel, P., & Lubienski, C. (2010). Grading charter schools: Access, innovation, and competition. In C. Lubienski & P. Weitzel (Eds.), *The charter school experiment: Expectations, evidence, and limitations* (pp. 15–31). Cambridge, MA: Harvard Education Press.
- Wells, A.S., Lopez, A., Scott, J., & Jellison-Holme, J. (1999). Charter schools as postmodern paradox: Rethinking stratification in an age of deregulated school choice. *Harvard Educational Review*, 69, 172–204.
- Whitman, D. (2008). *Sweating the small stuff: Inner-city schools and the new paternalism*. Washington, DC: Thomas B. Fordham Institute Press.
- Winerip, M. (2011, April 17). In public school efforts, a common background: Private education. *The New York Times*. Retrieved from <http://www.nytimes.com/2011/04/18/education/18winerip.html>