

NEW ORLEANS AS A DIVERSE EDUCATION PROVIDER

Henry M. Levin, William H. Kilpatrick Professor of Economics and Education,
Teachers College, Columbia University

Joseph Daschbach, Chief Operating Officer, Lagniappe Academies of New Orleans

Andre Perry, Professor and Associate Dean, University of New Orleans

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Abstract:

In 2005 there were about 120 schools in New Orleans. Catering mostly to a poor and minority population, the schools were financially bankrupt as well as academically impoverished. In October 2005 Katrina hit New Orleans with such devastation that 80 percent of its population fled their homes, one third of the schools were destroyed, and most were damaged. The schools of New Orleans were charged with recovering quickly, not only rebuilding structures and staffing them to accommodate returning students, but also improving vastly their academic performance. This article documents the changes that took place through the state's Recovery School District, charter schools, and magnet schools. By 2010-11 more than 60 percent of the schools were charter schools with future plans to convert almost all of the schools to function as charter or magnet schools. This transformation has not been without challenges as the local community of educational professionals that had been discharged after Katrina has been replaced substantially by outsiders hired through national organizations funded through national philanthropic foundations. Many members of the local community also feel undermined by the lack of presence of a central school authority that is able to provide overall governance, coordination, policy, and community involvement. After almost six years, the New Orleans schools are still evolving into what is planned eventually as a "school choice district".

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Please contact the first author at hl361@columbia.edu.

INTRODUCTION

In August 2005, Hurricane Katrina descended upon New Orleans and the Gulf Coast, resulting in one of the largest natural disasters ever to hit the U.S. mainland. The devastation wrought by the levee breaks in New Orleans was catastrophic. More than half of the population suffered serious housing damage, and many others left because of the public dangers and loss of services (McCarthy, Peterson, Sastry, Pollard, 2006). Of the estimated 485,000 persons living in New Orleans before Katrina struck, only about 91,000 were living there four months after Katrina. Five years later, the effort to rebuild the City of New Orleans is still underway.

A major component in the rebirth of New Orleans has been the rebuilding of its public education system. Local and state education authorities have adopted a multiphase facilities plan to renovate and rebuild the school system that will cost nearly \$2 billion¹. But, school facilities were not the only aspect of the system that was in need of repair. Public schools in New Orleans were considered to be deeply troubled, even prior to Katrina.

In 2005, over half of all New Orleans students taking Louisiana's high stakes LEAP (Louisiana Educational Assessment Program) and GEE (Graduation Exit Examination) tests scored below the basic level in English, Mathematics, Science, and Social Studies (LDE, 2006). According to 2005 state education accountability standards, 68 of New Orleans' 120 public schools had been labeled as "academically unacceptable",

¹ *School Facilities Master Plan for Orleans Parish, Blueprint* (August 2008).

and over 100 were ranked below the state average. In July 2005, just before Katrina, financial consulting firm Alvarez & Marsal had been brought in by the Louisiana Department of Education (LDE) to help turn around the Orleans Parish School Board's (OPSB) dismal financial management, which included mismanagement of Title I funds and projected deficits of nearly \$30 million (LDE, 2006).

Against that backdrop, the Louisiana Legislature passed Act No. 35 in November of 2005, which enabled the State to takeover more than 100 low-performing schools and place them into the state-run Recovery School District or RSD (Cowen Institute, 2009c). The RSD was granted the decision-authority on land, buildings, facilities as well as the management of the schools. The decision to transfer those schools was consistent with the State's treatment of what the State considered a failing school. The consequent state takeover of the majority of the district's schools led to the unpredictable growth of a highly decentralized system of schools. New Orleans is now comprised of a combination of centrally managed schools and privately managed charter schools, all subject to market decentralization through parent choice. Governance of schools is also mixed, with both state and local agencies providing direct school oversight and monitoring of charter schools. This assortment of providers establishes New Orleans as perhaps the most complex system of management and variety of schools in the country.

The purpose of this chapter is to document the emergence and development of that approach. In the context of this volume, the public education system in New Orleans appears to be teetering between a managed portfolio of educational providers and an unmanaged diverse provider system in which market decentralization and choice rule the day.

Background

Katrina made landfall in August 2005 with 145 mile per hour winds accompanied by prodigious rainfall and storm surge. The flooding damage to New Orleans from the levee breaks was immense. One third of the schools were virtually destroyed, and the vast majority of the other school buildings sustained serious damage that would require considerable repair and reconstruction. The lack of students and usable buildings and the issue of public safety in the weeks following the storm led to the closure of all public schools and, later, the layoff of almost all New Orleans Public School employees.

The strategy for resurrecting the school system was to permit a combination of authorities to reopen and operate schools with the intention of accommodating the unpredictable return flow of students from Baton Rouge, Houston, and other destinations of refuge from Katrina. The New Orleans Public Schools, the central district governed by the Orleans Public School Board or OPSB, reopened four schools, all as selective admission magnet schools, as well as several charter schools. The State's Recovery School District (RSD) filled the remaining gap with both directly-operated and chartered schools. The RSD, governed by the Board of Elementary and Secondary Education (BESE²) and created prior to Katrina, is a state-run entity originally formed as a remedy for improving schools that were considered "academically unacceptable" for four or more

² BESE is the administrative policy-making body for elementary-secondary schools. Eight elected members from the eight BESE districts serve on the Board along with three members-at-large appointed by the Governor.

years under the state accountability system³. Such schools were considered “failing schools” and were eligible for placement in the RSD.

No one could predict the rate of returning New Orleans families, nor could anyone forecast the resources needed to open a new district. The RSD was constructed in 2003 as part of state takeover legislation, which encouraged chartering as an intervention. The University of New Orleans became the first organization to take over a failing school under that legislation by assuming control of Pierre A. Capdau Middle School. Members of the state BESE saw chartering as a convenient way to give access to providers with capacity to open up schools as families and students returned. This also opened a window of opportunity for a range of non-profit and for-profit providers to fill market needs.

This highly decentralized strategy served three goals: repairing and opening up schools quickly in order to accommodate the flow of families returning to New Orleans; maximizing families’ school choice by increasing the diversity in educational offerings; and providing a concerted attempt to raise overall educational quality of schools and student performance.

By 2009-2010, public school enrollments had risen to 38,000, from about 26,000 in 2006, and a bit more than half of what they had been prior to Katrina.⁴ Of the 88 schools, 51 were charter schools serving about 61 percent of the school population. In addition, there were several alternative schools and magnet schools with another 31

³ Schools with a Louisiana School Performance Score (SPS) below 60.0 are considered Academically Unsuccessful. SPS score are a composite of indicators on attendance, assessment, dropout data, and graduation rates, depending on grades served.

⁴ A good overall summary of development since Katrina is Cowen Institute (2010).

schools still run directly by the RSD, but subject to choice. Only 4 schools were operated directly by the OPSB.⁵

Looking forward, both the Superintendent of the Recovery School District, Paul Vallas, and State Superintendent Paul Pastorek have referred frequently to converting most of the remaining non-charter schools to charter school status through the RSD takeover process. They have also suggested minimizing the size of the central authority of the district (e.g. see Simon 2008), a perspective supported by other groups contemplating the future of New Orleans schools (Newmark & De Rugg 2006). These comments suggest that New Orleans will continue to rely on a variety of educational providers for both direct operation of schools and for educational support services previously provided by a central district office.

EMERGENCE OF A DIVERSE MANAGEMENT APPROACH

Reliance upon charter schools as alternative service providers emerged in New Orleans long before Hurricane Katrina. In 1995, the Louisiana legislature passed the “Charter School Demonstration Programs Law,” a pilot program to allow up to eight school districts to voluntarily participate in the creation of charter schools. Under the law, local school districts in the program could either grant charters to eligible groups or could apply directly to the State Board of Elementary and Secondary Education (BESE) to operate a charter school themselves. The law was revised in 1997 to allow all school districts in the state to participate, but the total number of charter schools allowed was

⁵ New Orleans Parents’ Guide for Public Schools (October 2009).

capped at forty-two. The 1997 amendment also allowed for the creation of four types of charter schools:

- Type I charters are new schools operated under a charter between the nonprofit created to operate the school and the local school board.
- Type 2 charters are new or preexisting public schools that are converted and operated under a charter between the nonprofit created to operate the school and BESE. Type 2 charters are “appeal-type” schools, and must first attempt a charter agreement with a local school board.
- Type 3 charters are preexisting public schools converted and operated under a charter between a nonprofit corporation and the local school board. Type 3 charters require the approval of the existing faculty and staff and of the parents of existing students.
- Type 4 charters are new or preexisting public schools that are converted and operated under a charter directly between a local school board and BESE. If the school is a conversion from a preexisting school, the charter must be approved by the faculty and staff and by the parents of existing students (Louisiana R.S. 17:3973.2(b)).

Legislative acts passed in 1999 and 2001 made additional changes to Louisiana's charter school law, mostly through clarifying existing ambiguities in areas such as funding and facilities. In 2003, charter law was amended to create a fifth category of charter schools. Type 5 charters are preexisting public schools that have been transferred

to the Recovery School District (RSD) and are operated under a charter between a nonprofit corporation and BESE.

Prior to the 2005 school year, only a few charter schools existed in New Orleans: two Type 2 charter schools authorized directly by BESE; two Type 3 charter schools authorized by OPSB; and four Type 5 charter schools in the RSD. Few public options existed beyond the schools operated by OPSB. The system of public schools that emerged after Katrina looks dramatically different. The prototypical centralized local school district has been replaced by a system of schools that includes both local and state authorized charter schools as well as schools under the centralized management of the RSD. However, there does not exist a clear picture of the future configuration of New Orleans schools as market drivers mitigate school officials' efforts to manage the district as a portfolio-management model. With multiple authorizers and the lack of a central authority, the development has been more happenstance than guided by a plan.

Post-Katrina Expansion

The dramatic expansion of the RSD was primarily due to the passage of Louisiana Legislative Act 35 in November 2005 (Appendix A). Under Act 35, the Legislature expanded its previous definition of a "failed school". According to the new definition, any school operated by a local school district in "academic crisis" was eligible for takeover if its School Performance (SP) was below the state average (as opposed to below 60.0). A local school district was considered in academic crisis if it operated more than 30 academically unacceptable schools or had more than 50 percent of its students in academically unacceptable schools. At the time of Act 35's passage, New Orleans Public

Schools (NOPS) was the only school district in the state to be identified as a district in crisis. As a result, the majority of NOPS schools were placed under the jurisdiction of the RSD. Of the 16 schools remaining under NOPS control, 4 were reopened as district operated schools. The remaining 12 schools were granted Type 3 or Type 4 charters by OPSB. The passage of Act 35 sent a strong message that the Legislature did not have faith in OPSB's ability to successfully manage schools.

The City of New Orleans now finds itself as home to one of the most complex systems of public school governance in the nation. Schools in New Orleans can be categorized by two distinguishing characteristics: the level of government in charge of the schools and the organizational structure used to manage the schools. Figure 1 arranges the public schools in New Orleans along governmental and organizational lines. Table 1 compares the dramatic change in the distribution of school sponsorship from the period just before Katrina (2004-05) to the present (2009-10).

Figure 1. Public School Governance in New Orleans⁶			
		Organizational structure	
		Centralized	Decentralized
Political control	Local	OPSB operated by New Orleans Public Schools (4 schools)	OPSB charter schools (12 schools)
	State	Recovery School District (RSD) (33 schools)	BESE (Type 2 and Type 5) charter schools (39 schools)

Table 1. Distribution of School Sponsorship Before Katrina and in 2009-10

Public Schools in New Orleans Pre and Post-Katrina					
School Year	OPSB operated	OPSB charter	BESE charter	BESE RSD charter	RSD operated
2004-05	112	2	2	4	0
2009-10	4	12	2	37	33

Designing the System

The adoption of a market-oriented approach under a complex governing structure to rebuild public schools in New Orleans was endorsed by at least two organizations in early 2006. Mayor Ray Nagin’s Bring Back New Orleans Commission (BNOB) established an Education Committee comprised of local, state, and national experts . This committee supported the creation of an “Education Network Model”, under which “various entities can operate schools and the central office plays a strategic role – delegating much authority to the schools but retaining system wide consistency in key areas” (BNOB, 2006, p. 25). Details on how system wide consistency was to be established were not forthcoming.

Similarly, the Recovery School District Advisory Committee (RSDAC⁷) endorsed the creation of a “Charter School Network”, consisting of several networks of schools run by charter school management organizations or CMO’s. Both BNOB and RSDAC pointed to the diverse provider model as responsible for successful reforms in urban schools systems like Philadelphia, Oakland, and New York City. They also highlighted the need to allow external providers to compete with central offices for the provision of shared services such as food service, transportation, and professional development.

Figure 2, below, shows the organizational chart of the RSDAC’s proposed Charter School Network (RSDAC, 2006).

⁷ See Appendix C for members of the RSDAC.

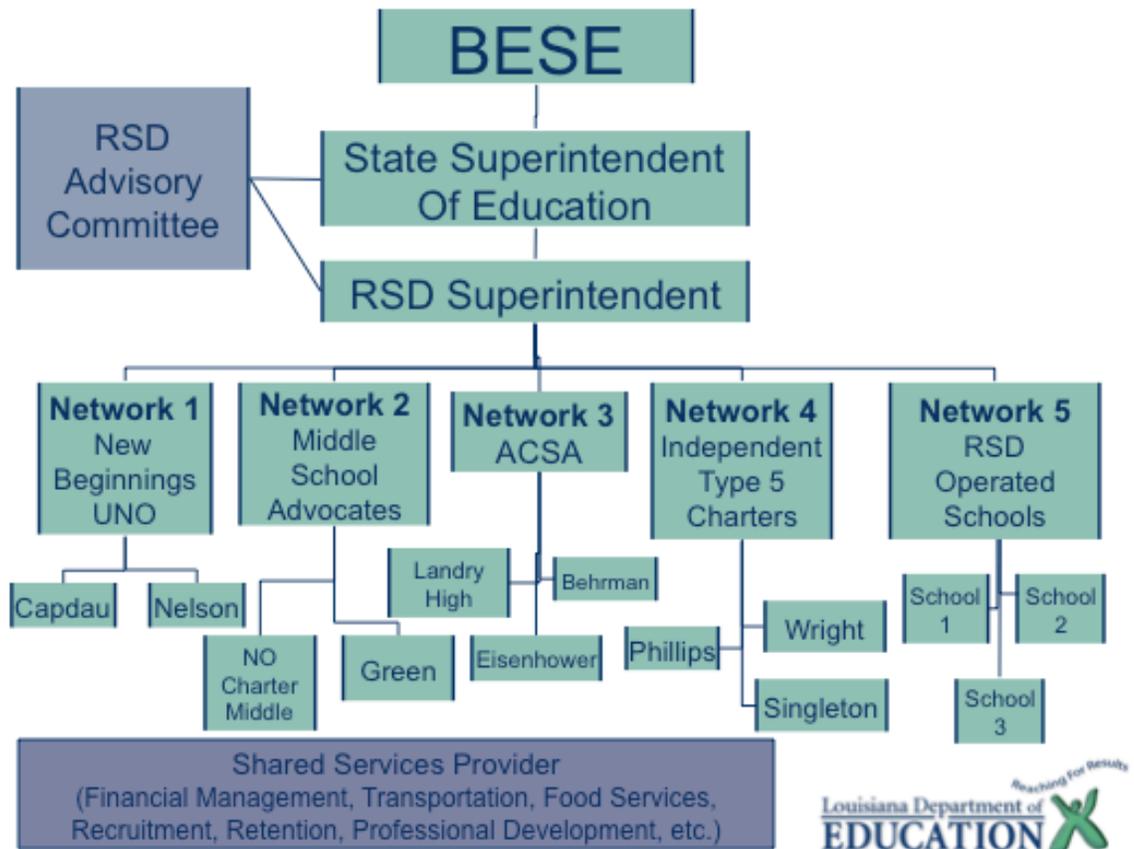


FIGURE 2

Under the Network Model, the RSD superintendent would supervise a number of smaller networks, including a network of schools run directly by the RSD. Separate managers would run each of the other networks. Three networks were identified by name in the proposal.⁸ The University of New Orleans and Middle School Advocates⁹ were both operating charter schools in New Orleans before Hurricane Katrina, and continue to do so in the current system of schools. The Algiers Charter School Association (ACSA), formed in the immediate aftermath of Katrina, was chartered to provide schools under two different governing structures, Type 4 schools with OPSB and Type 5 schools with

⁸ Since the release of this report, KIPP has been awarded several charters and would fit into the system as another network of charter schools.

⁹ Middle School Advocates now operates as FirstLine Schools.

the RSD. The independent Type 5 network shown in the model represents stand-alone charter school operators who, along with the RSD network, would independently operate any remaining schools.

A “Shared Services Provider” to accompany the model was proposed, but never adopted. It was supposed to support the individual networks and the RSD in obtaining high quality services and the benefits of economy of scale. This support was intended to include non-academic services such as management support, transportation, and food, as well as academic supports such as teacher recruiting, professional development, and leadership training (RSDAC, 2006). Although the shared-services operation was never implemented, there was some recognition by these early advisory groups that individual schools could not provide all of the services needed without assistance from a broader institutional base. To some degree, schools have reached out for provision of such assistance, as evidenced by the reliance by many schools on an independent source for evaluation of needs of students referred for special educational services, SUNS.¹⁰

Educational Vouchers

The final component of this complex portfolio model is the provision of educational vouchers by the State of Louisiana for students in New Orleans.¹¹ Even prior to his election in 2007, Republican Governor Bobby Jindal had expressed his support for educational vouchers. In June 2008, he was successful in getting the Legislature to approve a voucher bill that would provide 1,500 publicly-funded educational vouchers that could be used by New Orleans students in grades K-3 to attend private schools with a state appropriation of \$10 million. Vouchers were restricted to families with incomes no

¹⁰ SUNS is the acronym for the non-profit Serving the Unique Needs of Students.

¹¹ Details are found in the recent article by Devlin (2009).

higher than 250 percent of the poverty line (about \$53,000 for a family of four). The relative late date of the legislation in 2008 meant that only about 650 students found voucher places in private schools for 2008-09, mostly in Catholic schools. That number was expected to double for the 2009-10 academic year. It is unclear whether the state will expand educational vouchers from the relatively nominal number presently awarded to a larger number in the future.

CONTROL OF SCHOOL POLICY

Unlike New York, Chicago and other cities, the Mayor of New Orleans has not been granted powers to run the schools. It is rare that Mayor Nagin's name even entered in conversations about the present and the future of the schools. Mayor Nagin might have had a bully pulpit if he had been a stronger force in the reconstruction of New Orleans, but his approval ratings, already below 50% in 2006, had dropped to 31% in 2008¹². The election of Mitch Landrieu to replace Nagin in May 2010 may change the Mayor's role in school reform, but that is not clear at this point. The Orleans Parish School Board, the locally elected board in charge of NOPS, is also a very weak player with direct operation of four magnet schools and responsibility as an authorizer for a minority of the city's charter schools.

Clearly, most of the present and future decision-making power and organization of the schools is vested in the Board of Elementary and Secondary Education (BESE), located in Baton Rouge. State Superintendent of Education, Paul Pastorek. Pastorek is a prominent New Orleans lawyer who previously chaired the RSD Advisory Committee, an unpaid position. He devoted almost two decades of work to education as a school

¹² 2008 Quality of Life Study, University of New Orleans Survey Research Center.

volunteer and headed a non-profit group that supported school improvement as well as serving as a member of the BESE. In March 2007, he was appointed State Superintendent and reappointed in January 2008. Although situated in Baton Rouge and accountable to the State of Louisiana, he is regarded as being highly committed to New Orleans and its schools.

In 2007, Pastorek hired Paul Vallas, then-CEO of the Philadelphia schools, to become Superintendent of the Recovery School District of Louisiana. As head of the RSD, which is headquartered in New Orleans, Vallas is directly responsible for the operation of 33 public schools.¹³ This gives the RSD considerable power in setting overall educational policy in New Orleans, and Vallas reports directly to Pastorek and to BESE, which ultimately has authority over most of the other schools¹⁴. Vallas is a former businessman and is best-known for his role as CEO of the Chicago Public Schools where he guided the Chicago reforms including the establishment of community schools and charter schools. He was then appointed CEO of the Philadelphia public schools where he helped implement a diverse provider model. Under the School Reform Commission jointly appointed by the governor of Pennsylvania and the mayor of Philadelphia to take over the financially bankrupt Philadelphia schools, he faced formidable challenges, both fiscally and educationally. Among his many actions, he helped to establish contracts with for-profit and not-for-profit organizations to operate a large number of Philadelphia Schools.

¹³ 2009-10 academic year

¹⁴ BESE has authorized 39 Type 5 Charter schools in New Orleans.

Finance and Performance

The Recovery School District is spending significantly more in operating costs than the pre-Katrina New Orleans Public Schools (Cowen 2010). However, what must be understood is that financial comparisons become difficult because funding comes from many sources, including hurricane recovery funds from the U.S. government. Moreover, there exist start-up costs for opening schools that will not be needed once schools are established and engaged in continuing operations.

Compounding the present situation are the uncertain magnitudes of the return flows and locations of returning families with school-age children. The RSD must maintain a reserve capacity to accommodate new enrollees that arrive within the school year. This means not only retaining an excess physical capacity for new students, such that some schools will be substantially under-enrolled and unable to operate with economies of scale, but also requiring employment of additional contracted teachers who must be hired at the beginning of the year to be assigned to specific school placements during the year as families enroll their returning children.

Estimates of per pupil expenditure for 2008-09 vary from about \$13,000 per student to as high as \$20,000¹⁵. When reconstruction costs are included the estimate is closer to \$32,000 per student. Precisely how these costs are estimated is not clear, so they should not be compared directly with Pre-Katrina expenditures or those of other school districts that did not experience the natural disaster. A recent analysis by the Cowen Institute for Public Education Initiatives (Schwam-Baird & Mogg, 2009)

¹⁵ The following cost figures are found in Stokes (2008), but the magnitudes of differences from different sources suggest that these should be used only as rough guides. We are not familiar with any well-defined expenditure studies with audited numbers. A more comprehensive and detailed analysis is found in Cowen Institute (2009 & 2010), but still lacks an overall picture on spending because of the complexity of multiple sources and purposes and the many different types of schools and school authorities.

estimated that the New Orleans schools were spending on operating costs about \$15,500 per student in 2007-08, more than 50 percent higher than the average for the State of Louisiana (Cowen 2009b)¹⁶. In contrast, the New Orleans schools spent about the state average prior to Katrina. Charter Schools in New Orleans had operating costs of about \$10,000 per student (Cowen 2010).¹⁷

Louisiana summarizes school performance by combining results on a number of different tests, attendance, drop-out data, and graduation rates in a single index, the School Performance Score (SPS). In 2007-08 the performance of all New Orleans schools on this index was 66.4, well below the state average of 86.3, but above the performance of 56.9 in 2004-05 (prior to Katrina). It should be noted that the performance rose in the pre-Katrina period of 2002-05 by about 10 points. In 2009, 41 percent of the schools were academically unacceptable with SPS below 60 relative to 64 percent of schools with that designation in 2005 prior to Katrina (Cowen 2010:27). Comparing the relative change in post-Katrina with pre-Katrina is not a straightforward exercise because the population was changing and not comparable with the earlier time period. Details on demographic change among students since Katrina is not precise enough to venture on the relative school-preparedness of enrollments. But one thing appears constant; overall, New Orleans still lags the State of Louisiana substantially in its most recent performance data (Cowen Institute 2009b) as the state SPS continues to rise over time.¹⁸

¹⁶ The first recommendation of a similar Cowen Institute Report is the call for greater transparency in financial matters

¹⁷ The most comprehensive comparison of costs is Cowen Institute (2010: 15-21).

¹⁸ In January 2010 the State of Louisiana announced that it would raise the academically unacceptable SPS from 60 to 75 between 2010 and 2012 so present schools below 75 will be challenged in the future. <http://www.doe.louisiana.gov/lde/comm/pressrelease.aspx?PR=1376>

VIEWS OF LOCAL CONSTITUENCIES

The chaotic development of the New Orleans rebuilding effort occurred without the participation of the usual stakeholders and consumers who participated in the previous system. As schools were being repaired and reopened, new charter schools also came on-line, and the Recovery School District (RSD) grew in staff, leadership, and stature. Community participation in this evolving entity was limited. Not all former residents could return, and the typical structures of traditional, consolidated school board meetings became defunct or powerless. The rapid decentralization of schools and emergence of new charter schools limited access of organized groups of parents, community groups, the teachers' union and other stakeholders. At present, no single governing body exists to respond to public concerns about the school system. Instead, the "system of schools" is comprised of a number of stand-alone entities with no collective responsibility to deal with the public apart from their own constituents.

The authors conducted a pilot study in the summer of 2009 to capture the communities' perceptions and expectations of the new charter district as well as their experiences within it. The pilot study examined the overall effectiveness of the new school configuration and RSD stewardship based on administration of an open-ended, interview protocol for focus groups to express their views. Non-profit groups that provided educational services to schools were recruited to participate via letter, email and phone yielding eleven participants from various non-profit organizations. Seven parents were recruited among school leaders from RSD and OPSB charters as well as RSD schools. Six parent liaisons from various school types also participated along with academic officers from charter management organizations or CMOs. A union

representative, 3 principals, and a city council person also participated in the interviews. In all, 32 people participated representing multiple organizations. Much of the following section is developed from this pilot study which is not meant to be representative of the overall constitutences from which participants were drawn.

Community groups and other stakeholders reacted differently to the school reforms. In particular, parents, teachers, politicians, the local teachers' union and various advocacy groups displayed distinct attitudes toward the reforms based upon their pre-Katrina roles. However, many new organizations have been established to address the post-Katrina phenomena, and they comprise a growing and more unified voice across the educational landscape. As a teacher who arrived in 2008 stated, "There are thousands of "newbies" across the city just like me... We don't get caught up in the battles. We just teach kids."

Teachers and other former employees of the New Orleans Public Schools (NOPS), including custodial and cafeteria workers, bus drivers and support staff, received only a single paycheck at the onset of the academic year in September 1, 2005. After the levee failures caused by Katrina, most NOPS employees were terminated, and hundreds of workers did not receive official notification of the district's decision to cancel employment and pay. The pay cancellations and lack of communication added insult to injury to an already displaced group of working- and middle-class employees. The teachers who did return and who later attended open meetings of the NOPS board directed their anger towards the Board. The firing of a largely black teacher base, one of the major sources of black professional and middle class employment in New Orleans, and the absence of a requirement for schools to hire the laid-off employees of the former

system enmeshed the reforms in complex currents of racial politics and cleavages between “carpet-baggers” and “true” residents, and created an entrenched and dedicated opposition among a well-networked set of local actors with long traditions of political involvement and influence.

The United Teachers of New Orleans (UTNO), the local teachers union, fought vigorously against the reforms that led to the termination of teachers. UTNO started a statewide campaign titled, “Refuse to Lose.” On June 30, 2006, the UTNO contract with NOPS expired, and the NOPS board did not vote to renew the contract in a city with extensive union membership. With a significant reduction in membership due to the transfer of schools to the RSD and no collective bargaining agreement, the union saw its influence evaporate.¹⁹

Although former teachers projected their anger towards the NOPS, local board members were not responsible for the governance changes established by the state, and they vocally opposed Act 35 and the consequent service delivery changes created by state legislation and the RSD. School Board President Torin Sanders and Superintendent Ora Watson were on the losing side of a 4-2 vote to create a charter network in Algiers, a neighborhood that was only minimally impacted by Katrina. The board president and superintendent sought to retain 4 of the 13 schools in Algiers that would eventually fall under the auspices of the RSD. Sensing a loss of local control, a group of mostly black business leaders, activists and religious leaders successfully filed an injunction to stop a plan to transfer control of the schools to the charter managing organization. The injunction eventually expired. Opposition to the decentralized model with charter

¹⁹ The detailed perspective of the Teachers’ Union is best presented in United Teachers of New Orleans (2006).

networks was staged as a fight for local control. The charter network was ultimately established as the Algiers Charter School Association.

The transition toward a choice-based, diverse provider arrangement created early resistance from parents, who saw the system of schools as fragmented and poorly prepared for serving the needs of students. For example, in January of 2007, BESE and the RSD placed over 300 children on waiting lists as the state-run schools rushed to open additional facilities and find more teachers. There was no system-wide policy to ensure seats, particularly among charters, for increased enrollment. On the one hand, charter schools were permitted to set their enrollment intakes at the time of annual registration—in the Spring prior to the next school year-- with closed registration when those limits were reached. On the other hand, the RSD was required to accept students no matter when they enrolled and regardless of how much excess capacity was available in RSD classrooms. As a result, the RSD did not have the enrollment capacity to accommodate the large and often unpredictable number of students seeking to enter schools when they returned to the city during the school year even though it was the responsibility of the RSD.

Also contributing to the lack of capacity to serve students was the dearth of certified teachers and quality staff. Scarce human resources in the two years following Katrina clearly limited the RSD's ability to enroll efficiently and in timely fashion the returning students. The presence of waiting lists exposed holes within the early hybrid model of relatively autonomous charter schools and traditional schools of the RSD, where many of the charters maintained selective admissions and low student/teacher ratios. As a result, returning parents and parent groups voiced opposition toward a

decentralized system as they saw their children falling through the cracks or being placed in “schools of last resort”, those left with enrollment openings.

In addition, the speed of the transition away from centralized control confused parents and families seeking to enroll their children in schools. Many parents did not know where to voice questions, as the traditional forum of the OPSB board meeting was not available. The terms “charter,” “RSD” and “Algiers Charter School Association” confused parents as to where and how they should send their children to school. It was not until 2007 that New Schools for New Orleans, a non-profit group, produced the *New Orleans Parents’ Guide to Public Schools* (Rasheed 2007), barely in time for the 2007-08 school year. While many parents saw hope in the reform efforts, a lack of clear information and the problems surrounding enrollment created persistent criticism of the new system. Increased choices did not necessarily improve access if the new options were distant. Parents who could not choose a school were more likely to express these concerns.

The lack of clear information about the new system of schools also gave rise to organizations like Save Our Schools New Orleans (SOSNOLA), which emerged with the explicit aim of giving information and access to parents in the public school system. The organization offers workshops and meetings to support “a community of informed parents, residents and partner organizations to leverage their collective knowledge and influence toward ensuring equitable, excellent public schools for every child in New Orleans” (<http://www.sosnola.org/sosnola-home/WhatWeDo.asp>). Similar organizations arose, like the Center for Action Research on School Reforms and the New Orleans Parent Organizing Network, to seek greater parent participation on charter school boards, financial transparency, and equity between school

types, as well as consistent discipline policy and overall instructional improvement and appropriate placements for special needs populations.

Other groups representing parents also voiced opposition or skepticism and concerns about the direction of this highly decentralized model. For instance, after BESE and RSD released information regarding waiting lists of approximately 300 students for admission to RSD-operated schools, the NAACP Legal Defense Fund filed a lawsuit against the RSD, Orleans Parish School Board and state education officials. The lawsuit aimed to ensure that students would not be denied access to public schools in the future.

Negative attitudes were also directed at the elected officials who shepherded legislative components of New Orleans' education reforms. Karen Carter (now Karen Carter-Peterson) and Ann Duplessis, who sponsored the original State House and Senate legislation that created the RSD, were attacked by political opponents who took aim at their support for decentralization, particularly Duplessis' support for Act 35. During their respective elections, their political rivals attempted to mobilize teachers who had lost jobs after the takeover. Carter-Peterson competed for incumbent William Jefferson's Congressional seat for the 2nd District. Incumbent State Senator Ann Duplessis fought challenger Jon Johnson, who was endorsed by United Teachers of New Orleans. Carter-Peterson lost her prospective bid and Duplessis retained her seat in a run-off. The results from the races suggest that a voting black middle class base opposed key supporters of the reforms.

One New Orleans elected member of the Board of Elementary and Secondary Education also voiced opposition to the rise in charter schools post-Katrina. Board member Louella Givens spoke at a two-day summit titled, "Equity, Access and

Community Participation," and was quoted by the Times Picayune as saying, "I have voted against every charter, against anything that took away the right of the citizens of this parish to decide" (Filosa, 2006). She was also quoted in the same article as saying, "I don't want to experiment with children. We've been stigmatized in the Legislature as being thieves, as not caring about our children."

Despite the early negative reactions to decentralization, general public opinion may be turning. Parental backing for the charter schools seems to be growing as local leaders like Doris Hicks of MLK Charter School in the Lower Ninth Ward and Sharon Clark of Sophie B. Wright Charter School garner supportive parent voices to place political pressure on BESE members and other elected officials to support charter schools. In addition, with evidence of charter school performance outpacing RSD scores (Cowen 2010: 27), parental satisfaction in charters is gaining momentum, although it should be noted that charters may attract more selective enrollments than students assigned to RSD-operated schools²⁰. Other community organizations are also supporting reform efforts. The New Orleans Business Council, Baptist Community Ministries, and the League of Women Voters have financially and politically supported charter schools and general reform. In a 2009 public opinion poll conducted by the Cowen Institute, "66 percent of registered voters agreed with the state's decision to take over the majority of New Orleans public schools...However, 57 percent of African American voters agreed...compared to 80 percent of all other voters (Cowen, 2009c, p. 9). Support could be as much due to opposition to the NOPS board and structure as support for charters and decentralization, but it lends credibility to decentralized governance and the high

²⁰ Average 2008-09 SPS Scores for RSD-operated schools was 44.0. Charter schools in New Orleans averaged an SPS score of 79.5. OPSB-operated schools averaged an SPS score of 98.5, but these are mainly comprised of a few selective magnet schools. (LDE, 2009).

prevalence of school choice in New Orleans. With the obvious exception of those who lost influence, power, and employment as a result of reform, many in the larger community, and particularly families who send their children to charter, private and parochial schools, generally support the changes in public schools.

PRESENT CHALLENGES AND DILEMMAS

There are at least three challenges faced by the new regime of schools in New Orleans. The first is restoring the connection between local communities and their public schools – a connection that some see as undermined by the transformation from schools that were operated by the New Orleans Public Schools to those operated by relatively autonomous charter schools and the Recovery School District. The second is that decentralization has shifted school employment and operations from the local population to outside groups of organizations and consultants. This has not only placed the schools in the hands of “outsiders”, but also reduced significantly the educational employment of the more established New Orleans population. The third is that there is not yet a plan to provide a cohesive and efficient governance structure to coordinate the system of schools in terms of its finance and operations.

Loss of Political Linkages With Local Community

Although we might view schools as largely independent of other entities in the community, they are not. Schools are dependent upon the overall support and connections that they have with various community institutions and constituencies. They depend upon local taxpayers for financial support. They draw upon assistance from community volunteers and community institutions such as churches, youth organizations,

and other government agencies such as those committed to health, social welfare, and housing. To a large degree, the traditional relationship between the schools and local community structures and organizations has been hampered by the portfolio approach to schools. Since the schools are largely independent of each other, many overall relationships between New Orleans public schools and the network of supportive organizations must now be established on a school-by-school basis. This requires a special effort and shifts the focus from overall support for the New Orleans schools to selective support for individual schools. It raises the question of how to address equity among schools in both inputs and results when large differences emerge, particularly from substantial differences among schools in philanthropic support. Individual school support was always an option in the past, but there was also symbolic and concrete support for New Orleans school children more generally and the schools that they attended. That relationship has become far more abstract.

Perhaps even more controversial than the seeming disorganization of the decentralization itself is the loss of employment for long-time New Orleans residents. Traditionally, the bulk of teachers and school personnel in New Orleans were drawn from the local population. After Katrina the lack of suitable school buildings and the dramatic loss of enrollments led to massive layoffs by the New Orleans Public Schools. With the rebuilding of the school system largely into a loose portfolio of charter schools and RSD schools, the “new” schools were able to choose their own personnel and sought teachers and administrators nationwide rather than recruiting in New Orleans.

One might argue that expanding the pool of human capital for teachers and leaders has had a positive impact on schools, and that it was a calculated step towards

improving school performance. The reputation of the local teachers union and the established teaching force were stigmatized by previous school failures throughout the pre-Katrina public school system. Thus, it has become common for schools to spread the recruitment net by vigorously seeking national and regional prospects rather than recruiting locally. Teach for America and New Leaders for New Schools have energetically recruited teachers and school leaders nationally to serve the emerging school expansion in the city. Whatever the justification, the result of these changes has been a serious erosion of one of the most important, traditional, and stable sources of employment for educated New Orleans residents (and especially the black middle class). It has also provided an image of local schools being taken over by carpet baggers and opportunists who will not make long-term commitments to New Orleans. Most important, it does not seem to reflect a strategy of building long-term employment for native residents through training, promoting, sustaining, and upgrading a local corps of professional educators and appears to undermine the building of local capacity.

Building Local Capacity

Four years after the tragedy of Katrina, the recovery of New Orleans is still a part of the national awareness. Large amounts of government and philanthropic funds have been committed to the overall resuscitation of the economy, institutions, and infrastructure of the City. New institutions have been implanted in New Orleans to assist with recovery. All of these efforts have certainly contributed to a rebound that is more substantial than would have happened in their absence. However, there is also a cost to this phenomenon if such endeavors are temporary and displace the local institutions and potential actors from the region that are needed to build a more permanent capacity.

The efforts made to rebuild the educational system of New Orleans have been responsive to the emergency that was created, and they have been well meaning and sincere. Both the federal government and the state government in Baton Rouge have been attentive to the need to rebuild and re-establish schools in New Orleans and have made considerable investments in doing so. Many non-governmental organizations have arisen or expanded to meet the educational crisis. And philanthropists from far away have provided massive contributions to buttress the support provided by these organizations.

However, the inescapable consequence of all of this external support is the loss of local influence in which the expertise and capacity of the schools is heavily dependent on outsiders and potentially non-permanent personnel. In particular, the national organizations of Teach for America, The New Teacher Project, and New Leaders for New Schools and their New Orleans branches and the offshoots of the national charter management organizations such as Kipps represent the main forces for recruitment, selection, and training of teachers and principals. All are dedicated to good schools, good teaching, and good leadership, commodities that were considered by many to be in short supply in the pre-Katrina, New Orleans Public Schools. All seek national recruits for the New Orleans schools and new sources of talent.

But, there is a concern that the tenure of these personnel will be short-lived in New Orleans, as new staff, after obtaining their first experiences there, will leave for other destinations after a few years. While the records of New Leaders for New Schools and the New Teacher Project are too brief to provide a pattern of longevity of placements, Teach for America (TFA) has a much longer record in urban entities such as Houston.

Two studies of Teach for America in Houston found that the tenure of TFA teachers was very short. Depending upon the school, between 50 and 90 percent of TFA teachers had left after only the second year of teaching, and between 72 and 100 percent had left after the third year (Darling-Hammond et al. 2005). A different study of TFA in that city found similar results (Raymond, Fletcher, & Luque 2001). There is a serious challenge of how one builds a permanent and stable educational capacity with commitment to New Orleans students, institutions, and culture with this kind of turnover, despite the very good intentions of TFA and the young professionals who are inspired by TFA to teach in New Orleans.

The same is true with regard to the external nature of governance and funding of the New Orleans schools. Only four schools are under the direct authority of the locally elected OPSB, although this entity serves as authorizer for an additional 12 charter schools. The remaining schools are under the authority of the State Board of Elementary and Secondary Education in Baton Rouge, operating as charter schools or as schools directly managed by the RSD. Local boards of directors do govern the charter schools, but the policies that govern those boards are developed by the State. The RSD schools are directed by CEO Paul Vallas, who arrived in New Orleans as a turnaround specialist and who has hinted that he has his eye on elective office or other positions in the longer run (most likely back in his home state of Illinois) (Baquet 2008). And, Vallas is answerable to the BESE in Baton Rouge, not any local governance body.

Further, as one might expect, the public funding for rebuilding and operating the schools is mainly derived from the federal and state governments, and much of this financial flow is not permanent since it is based upon the emergency response of both

levels of government. Philanthropic funding also comes from afar and is based upon the funding programs and philosophies of the foundations. In December 2007, the Broad Foundation of Los Angeles, Fisher Foundation of San Francisco, and Gates Foundation of Seattle gave \$17.5 million to New Schools for New Orleans, New Leaders for New Schools, and Teach for America to continue and expand their roles in New Orleans. The Walton Family Foundation has also provided large flows of support for charter schools and the Recovery School District. While all of this funding from external sources is welcomed, it is accompanied by two cautions. First, foundations have an external influence on operations and policy by providing funding only for the programs and approaches that they support, distorting decision-making in the direction of available funding. Second, because foundations' priorities shift, they are not likely to maintain similar levels of investment over the long run. As well-meaning as the intentions of these foundations and paradoxical as it may seem, their efforts may actually delay the building of long-term, effective capacity at the local level to staff and operate the schools in a more stable environment. Again, strong market forces and concurrent political winds limit the efficacy of long range planning.

A major challenge, then, is to begin to build long-term capacity, attracting educational talent that will stay in the New Orleans public schools and coordination with local authority and operations that is more focused on overall decision-making in New Orleans and links to New Orleans institutions. Perhaps this will happen over time, but the instruments of transition do not yet seem to be in place.

Cohesive System of Governance

The advantages of a portfolio district premised upon student choice are many. Schools can specialize in filling the educational needs of particular types of students and interests. Competition among schools for students may improve productivity²¹. And, if a school is not appropriate for a particular student, that student need not be held “captive” because the family can move her to a more preferred school. Teachers also have the benefits of a teacher market where they can stay in the district, but seek out the best positions in terms of salary, benefits, and teaching conditions. Thus, in theory, the system can provide the incentives for good teaching performance and discourage poor teaching performance in a competitive labor market.

However, to benefit from such possibilities, semi-autonomous schools must operate within an overall system of governance in which there are a clear set of rules and procedures that make funding and operations efficient and equitable. In much of the rhetoric surrounding portfolio or choice districts, this concern has been forgotten. Act 35 has a provision for returning RSD schools to the “local system.” For schools taken over by the RSD in 2005, consideration would begin in 2010. However, Superintendent Pastorek has indicated that such a transfer of authority from the state may be postponed for several years (Thevenot 2009). The need for a more cohesive system of governance of the New Orleans schools with greater local control is a pressing one.

When each school is given maximum autonomy, the differences that arise can have just the opposite consequences for the system as those that were intended. How can students switch schools if curriculum and school practices vary so immensely from one

²¹ Belfield & Levin (2002) found that competition among schools was associated with a modest improvement in student achievement across a large number of studies, although the costs of increasing competition were not accounted for.

school to another that there is little or no articulation or possibility of student transition for many students? How can schools compete for teachers who must relinquish valued accumulation of pension and other benefits when switching to a school with different arrangements? Good choices require good information. How will the overall system collect accurate information on school options and disseminate it to students, parents, and teachers? Access to choice requires transportation. But, school vehicles criss-crossing the entire city are redundant, environmentally damaging, and costly, leaving fewer resources to be spent on instruction. Dependence on private transportation as an alternative also has challenges, favoring the more affluent and promoting increased problems of safety, traffic congestion, and parental costs. Students with special needs may require specialized resources that are unavailable in small schools, and they are not accommodated in schools that may lack capacity or interest in serving them. How will provisions be made so that they are accommodated in the overall system?

These questions weigh heavily on how the overall system will perform. Lack of access to transportation and useful information will reduce educational equity. Extreme uniqueness of school curriculum and instructional approaches and lack of portability in teacher benefits will reduce the putative gains of competition for students and staff. At the present time, there is only piecemeal attention to these concerns at an official level.²² In some cases non-governmental agencies have undertaken responsibilities such as the Parents' Guide produced by the New Orleans Parent Organizing Network (Rasheed 2007). The Scott Cowen Institute at Tulane University has accepted responsibility for development of data analysis for "system" functioning. But, both of these organizations

²² See the chapter in this volume by H. Levin on economic considerations in designing a central governance unit.

are dependent upon philanthropic funding and unofficial or advisory authority, neither of which can be counted on in the long run. For this reason, it is necessary to consider the establishment of an overall system of governance of the New Orleans Schools, quite unlike the traditional institution of the New Orleans Public Schools and School Board of the past. There has been little evidence of response to this long-term need at the present time.

Overcoming the Challenges

The evolving arrangement of schools and the uncertainty of central governance makes it difficult to place New Orleans in a category of PPM with other cities. New Orleans has its own unique history and rationale for having moved in this direction. The decentralized system in New Orleans was an emergency response to disaster rather than a carefully planned and executed managerial change. But, the district and/or “system” is far from finished. It is only coming into being in terms of its magnitude and form. Probably there will be considerable trial and error before it reaches longer-term stability. The true test will come when existing and future crises in other domains (e.g. the poor national economy, global warming, persistent warfare, natural disasters, terrorism) have drawn attention away from the 2005 disaster as funding and sympathy are undermined by competing challenges. At that point, it is hoped that New Orleans will have grown sufficient local capacity to meet the needs of its students and to obtain the exemplary educational results that it seeks.

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APPENDIX—Louisiana Act 35, Effective November 30,2005

.7. School and district accountability; schools in districts in academic crisis; transfer to Recovery School District

A.(1) Each elementary or secondary school that participates in a Spring cycle of student testing and has a baseline school performance score below the state average and each alternative school, established pursuant to R.S. 17:100.5, that provides educational services to students a majority of whose test scores are reported back to such an elementary or secondary school under a uniform statewide program of school accountability established pursuant to rules adopted under authority of law by the State Board of Elementary and Secondary Education, referred to in this Section as "the state board", that is a school in or granted a charter by a city, parish, or other local public school system that has been declared to be academically in crisis pursuant to R.S. 17:10.6, and that has at least one school eligible to transfer to the Recovery School District pursuant to R.S. 17:10.5, shall be designated a failing school and shall be transferred to the jurisdiction of the Recovery School District established in R.S. 17:1990. The Recovery School District, referred to in this Section as "the recovery district", shall provide all educational services required of any city, parish, or other local public school system in order to meet the educational needs of all students residing in the jurisdiction of the transferring local school system who were attending a transferred school or who would have been eligible to attend such transferred school because of the residential location of the student or as the result of any other option or program available to the student.

(2) On and after November 15, 2009, no additional schools shall be transferred to the jurisdiction of the recovery district pursuant to this Section.

B.(1) Any school transferred to the recovery district pursuant to this Section shall be reorganized as necessary and operated by the recovery district, pursuant to its authority, in whatever manner is determined by the administering agency of the recovery district to be most likely to improve the academic performance of each student in the school.

(2)(a)(i) The recovery district, as directed by its administering agency, shall manage the schools so transferred in a fashion that provides the best educational opportunity to all students who attended or were eligible to attend such schools without regard to the attendance zones related to such schools prior to the transfer. The authority provided in this Paragraph includes the authority to determine and act on which schools should be operated, which schools should be closed, which schools should be relocated or rebuilt, and what range of grades should be operated in each school.

(ii) However, the recovery district shall provide for and ensure that schools of appropriate grade that have open enrollment policies are operating and available for the enrollment of students in reasonable proximity to the neighborhoods where concentrations of students reside. The recovery district shall use the best information available to make the determinations of the location of such neighborhoods. The requirements of this Item shall be reflected in all planning, presenting, reviewing, and approving required by Subparagraph (b) of this Paragraph.

(b)(i) Within six months after the transfer of a school to the recovery district pursuant to this Section, the recovery district shall develop and present to the state board,

for its approval, a plan for the operation of all schools transferred. The plan shall be annually updated and reviewed by the state board.

(ii) The plan required in this Subparagraph shall address each of the following:

(aa) The educational needs of all students.

(bb) The number and location of schools to be operated to provide appropriate educational services to all students. This plan element shall include provision for changes in the student population being served.

(cc) A method for maintaining clear communication among interested parties, including the recovery district, the Louisiana Recovery Authority, the chief executive officer of the governing authority of the relevant municipality or parish, the parents and guardians of children for whom the recovery district is required to provide educational services, and the city, parish, or other local public school board from which schools were transferred.

(iii) The requirements of this Subparagraph shall not preclude the operation of a limited number of schools prior to completion and approval of the required plan provided that such schools are operated in direct response to the present needs of students and provided that the operation of such schools is approved by the state board after a review by the board of the data presented by the recovery district supporting the operation of the schools and review and consideration by the board of the efforts made by the recovery district to seek and consider input from the community and its leaders and the input gained from those efforts.

(3) The recovery district shall make an annual report to the House and Senate committees on education concerning the status, management, and operation of any school transferred to the recovery district pursuant to the provisions of this Section.

C.(1) The recovery district shall retain jurisdiction over any school transferred to it for a period of not less than five school years not including the school year in which the transfer occurred if the transfer occurred during a school year. At the end of the initial transfer period, the school may be returned to the system from which it was transferred unless the school is continued in the recovery district in accordance with the provisions of Paragraph (3) of this Subsection.

(2)(a) No later than nine months prior to the expiration of the initial or subsequent transfer period, the recovery district shall make a report to the state board.

(b) The report shall include at a minimum each of the following elements:

(i) The status of each school transferred, the nature of its faculty and administration, the demographics and size of its student body, its organizational and management structure, whether there has been improvement in student academic performance and, if so, how much and, if not, why not.

(ii) A recommendation as to whether the school should be:

(aa) Continued in the recovery district pursuant to its reported operational status.

(bb) Continued in the recovery district with a change in its operational status and the nature of the recommended change.

(cc) Closed and the reasons therefor.

(dd) Returned to the administration and management of the transferring system with proposed stipulations and conditions for the return.

(3) No later than six months prior to the expiration of the initial or subsequent transfer period, the state board shall take action on the recommendations of the recovery

district. Additionally, no later than six months prior to the expiration of the initial or subsequent transfer period, the state board shall conduct a public hearing within the jurisdiction of the city, parish, or other local public school board from which the school was transferred relative to whether the school should be continued in the recovery district or returned to the system. The state board by a majority vote of its membership may continue any school in the recovery district for additional periods of five years.

D. At the time of the transfer of a school to the recovery district, the parent or guardian with responsibility for decisions regarding the education of any student attending a transferred school or any student who would be assigned to attend a transferred school shall be able to continue to have their child enrolled in and attend a school under the jurisdiction of the recovery district or may exercise an option, if one is made available by the city, parish, or other local public school board from which the school is being transferred to have the child enroll in or attend another school operated by the school board.

Acts 2005, 1st Ex. Sess., No. 35, §1, eff. Nov. 30, 2005; Acts 2008, No. 737, §1, eff. July 6, 2008.