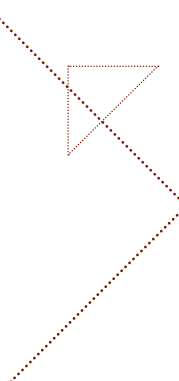


Whose Choice? Student Experiences and Outcomes in the New Orleans School Marketplace

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I. The New Orleans Charter Experiment

Charter schools have become a common element in many American public school districts. Particularly in cities, charters are regular providers of education to thousands of American children. The early charters of the 1990s began as individual sites of innovation, launched by teachers, parents, and community organizations as places to enact new or distinctive educational approaches. Later, charter networks and charter management organizations began to form, expanding the reach of a governance reform that authorizes private managers to operate publicly funded schools. The renewable contract or charter that defines the school's goals and approaches, against which its operations and outcomes can be evaluated, is intended to operate as a means of quality control.

The charter movement has been inspired by several rationales, among them the idea that better educational outcomes will result if

- families can choose schools with different philosophies and programs that fit their preferences and needs;
- school providers are given opportunities to innovate unconstrained by bureaucratic requirements regarding their design, staffing, and operations; and
- schools are motivated to improve through competition for customers (who bring with them enrollment dollars) and through the requirement that they will be evaluated and reapproved for operation every few years.

As charters and other public and private schools of choice have created a new landscape in many urban areas across the country, some districts have adopted the idea of creating “portfolios” of options.¹ Central to the philosophy of a portfolio district is the idea that “schools are not assumed to be permanent but contingent: schools in which students do not learn enough...are transformed or replaced. A portfolio district is built for continuous improvement via expansion and imitation of highest-performing schools, closure and replacement of the lowest-performing.”²

New Orleans, Louisiana is distinctive in that it has not only adopted the portfolio district approach but has moved to a system that is comprised nearly entirely of charter schools. This drastic change occurred on the heels of Hurricane Katrina, which ravaged the city in 2005, costing lives, destroying property, and displacing large numbers of people, most of them low-income people of color. Citywide, this creates an educational environment like no other, featuring multiple superintendents, boards of education, approaches to school admissions and operations, curriculum, instruction, and student discipline.

Furthermore, Louisiana's charter school policy is unique from that of other states in that the law explicitly allows some schools to engage in selective enrollment practices that resemble those of private schools. Public charter schools can require minimum grade point averages and standardized test scores, and they can require applicants to have interviews, provide portfolios of work, or submit letters of recommendation to be admitted.

This report examines the results of the New Orleans experiment in terms of the experiences of students and families managing their way through a portfolio of charter schools in this unusual context. It draws on a review of documents and administrative data regarding the reforms and the operations of the current system; extensive interviews with 81 students, parents, and educators in the New Orleans system; and analysis of quantitative data regarding the distribution of students to schools of different types.³ (See Appendix A for a discussion of the methodology and data collection.)

In what follows, we describe the New Orleans system of schooling and its current operation. In section II, we describe how students are distributed across the different tiers of schools that have emerged in the portfolio or marketplace of schools. In section III, we examine how students' academic and disciplinary experiences appear to vary across schools within these tiers. We summarize school outcomes data in section IV and present a discussion and conclusions in section V.

The New Orleans “System”

Schooling in New Orleans is governed by two different “districts”: (1) Orleans Parish School Board (OPSB), a local school district which oversees thirteen charter schools and five “direct-run” traditional schools. OPSB contains all of the selective and priority enrollment charters along with the only remaining traditional or “direct-run” public schools in New Orleans; and (2) the Recovery School District (RSD), an offshoot of the Board of Elementary and Secondary Education (BESE) and the Louisiana Department of Education (LDOE) which, in the 2014–15 school year, oversaw 57 charter schools. The RSD—which was created in 2003 to take over failing schools and remove them from local school district control—is run by the state of Louisiana and not geographically limited to New Orleans schools.

In 2005, the RSD assumed control of the vast majority of OPSB schools that met the state's definition of a failing school, which was designed, as described below, to flag most New Orleans schools for takeover. Since then, the RSD's primary strategy for school turnaround has been through chartering schools. All RSD charters were either created as new schools or turnaround schools that were reconstituted in terms of their staffing and then re-established. Between the years of 2005 and 2014, the RSD managed a small number of “direct-run” traditional schools. However, those have been phased out and/or taken over by charter management organizations (CMOs). As a result, RSD's school management presence in the city was greatly reduced at the end of the 2013–14 school year. RSD's primary functions now include managing the citywide OneApp enrollment process for its 57 charter schools, a handful of OPSB schools (both charter and direct-run), and a handful of private schools that accept public funding through vouchers.

Although OPSB and the RSD operate within the same city, they have vastly different roles, and the schools within them have varying levels of autonomy and uniformity depending on their type of charter and, subsequently, the types of students they serve.⁴ Table 1 below offers an overview of the schools, districts, and governing bodies. In total, there are 82 public schools, including 6 OPSB direct-run, 14 OPSB charters, 57 RSD Charter 1 independent schools, 4 charters authorized by the Louisiana BESE, and 1 independent school authorized by the

Louisiana legislature. Altogether these are run by 44 separate governing bodies, including 12 charter networks.⁵

Table 1: Overview of New Orleans Public Schools, 2014–15

District or Chartering Entity	Recovery School District (RSD)	Orleans Parish School Board (OPSB)	Board of Elementary and Secondary Education (BESE)	Louisiana Legislature
Number of Schools	57 RSD charter schools (open enrollment)	14 OPSB charter schools (selective, priority, and open enrollment); 6 direct-run schools	4 BESE charter schools	1 independent school
Governing Body	Each charter management organization (CMO) or independently run charter has its own board of directors which are selected by the CMO or charter, not elected	Each charter has its own board; all 5 direct-run schools are governed by the elected local school board	BESE	

SOURCE: Cowen Institute for Public Education Initiatives, *Governance Structure: 2014-15 School Year*; Louisiana Department of Education, *2013-14 Charter Annual Report*.

This Study

The ramifications of such a complex system for students and families have not yet been fully investigated by researchers. Through interviews and quantitative data analysis, we describe some of the ways in which the system impacts students attending schools in New Orleans. We ask: How does this system affect student choices and experiences? How effective is the charter system in providing equitable school experiences for students across the city?

In analyzing how students experience schools in New Orleans, we focus on four main areas of research. First, we examine how school choice occurs in New Orleans in the post-Katrina era—how the process functions and what patterns of access appear in admissions and enrollment practices. Second, for students in schools, we analyze the policies and practices that lead to their success and continuation in the schools they have entered or to their changing and leaving schools. We focus especially on the experience of different types of high-need students—those with the greatest educational and economic challenges. Finally, we investigate the macro-political and school-level forces that contribute to the experiences of the children and families of New Orleans in this new school system.

The study employs a mixed-methods design, relying on document analysis, along with quantitative and qualitative data analyses, described more fully in Appendix A. The qualitative data include observations in selected schools and interviews with a total of 81 students, parents or guardians, educators, community members, and representatives of organizations involved with both advancing and critiquing the reforms.

The quantitative data include student- and school-level administrative record data from the LDOE. We note here that, like most other researchers, we were initially unable to secure any quantitative data from LDOE to study student achievement or the distribution and movement of students into and out of schools in New Orleans. Only two organizations—the Center for Research on Education Outcomes (CREDO) at the Hoover Institute at Stanford and the Cowen Institute at Tulane University were given comprehensive data sets by LDOE.

Other researchers' requests were denied or ignored for a number of years. After our own repeated requests, we initially received some data that were partial and inadequate to explore our research questions. Finally, following a lawsuit by a group of researchers, the LDOE was ordered to produce the data set given to CREDO for the use of other researchers. We used the data LDOE then produced, made publicly available just a month ago, for our analyses of student distribution across schools. We note, however, that the data are still partial, and LDOE has yet to make a comprehensive data set generally available that would allow a full exploration of student experiences and outcomes across schools in New Orleans.

The Shift to Charter Schools

Beginning in the 1960s, just after the official integration of public schools, white middle class flight from the city and its public schools accelerated both residential and educational segregation.⁶ In the following decades, white enrollment in public schools dwindled while African American enrollment steadily increased, from 58% in 1960–61 to 94% in 2004–05.⁷ As the Orleans Parish schools became increasingly African American, school conditions worsened, the population became more “at-risk,” and student achievement sagged. At the same time, New Orleans residents became considerably more economically disadvantaged than the rest of the country. The median household income was \$30,711 compared with \$46,242 for the U.S.,⁸ and 73% of students in the schools qualified for free lunch.⁹

Despite a number of fiscal and management problems,¹⁰ at the end of the 2004–05 school year, 88 of the more than 120 public schools in Orleans Parish had met or exceeded the state's requirement for adequate yearly progress, and 93 of the schools showed academic growth. The OPSB was making progress in improving achievement before Hurricane Katrina hit.

Louisiana's Legal Foundation for Shifting to Charter Schools

In 2003, before Hurricane Katrina, the Louisiana BESE passed Act 9, aimed at the takeover of failing schools from OPSB control and the simultaneous creation of a state-run “district” that would provide local governance and management of “failing” Orleans Parish schools: the Recovery School District (RSD). Schools were deemed failing based on the calculation of a School Performance Score (SPS)¹¹ which was based largely on state test scores, with a smaller component associated with attendance rates, dropout rates, and the graduation index.

In the first two years of the RSD, the state provided charters for a few schools as one option for reconstituting schools under No Child Left Behind (NCLB).¹² In 2005, Louisiana legislators passed Act 35 in an “extraordinary session,” without community input. Act 35

increased the level of the SPS required for designating a school as failing from 60 to the state average of 87.4. The law allowed the state to transfer any school with an SPS below 87.4 from the local school board to the RSD. Although this move led to nearly half the state's schools being identified as failing, the law included restrictions that, in essence, targeted its effects most specifically to New Orleans. This made the city's schools ripe for takeover by the state and then by charter organizations in 2005 and beyond.

Whereas 88 of New Orleans' 120 schools met the state's standard on August 29th, 2005, when a score of 60 on the SPS was passing, most failed to meet the score of 87.4 that was in effect by November 30th, the effective date of the state takeover that led to 102 of 126 New Orleans public schools being placed under the jurisdiction of the RSD. Ironically, the SPS that designated a school as "passing" reverted to 60 in 2010.

With this legal framework in place, the political system created both legislation and funding in support of school takeover and privately run charter operators.¹³ Tens of millions of federal and philanthropic dollars were allocated to support the creation of charter schools. Unlike other cities where existing schools or communities must advocate for, and organize around, the establishment of charter schools, New Orleans' path to a majority charter system was different: Act 35 removed the clause that required community buy-in for the creation of charter schools. One educator articulated a view we frequently heard, that

The reform community has failed to create a shared vision for reform.... There are still many people in New Orleans that felt like this reform was done *to* them and not *with* them, and so I think there's a lot of ill will.

RSD employed a multipronged strategy to take over failed schools by 1) gradually phasing out some schools (where no new students are accepted); 2) simultaneously phasing in new schools (gradual expansion where schools add one or two grade levels at a time until at full capacity); and/or 3) converting existing direct-run schools to charters operated by CMOs who were already running other schools in the city. The strategies of "phase in or phase out" or "rebrand and restart" led to the dissolution of neighborhood schools, leaving families and school populations split up and scattered across the city as they entered a whole new world of public schooling organized by "choice" rather than neighborhood.

Also, during the ramp-up to install the charter system, Louisiana engaged in the mass termination of more than 7,000 tenured teachers. These teachers did not receive due process and most did not have a chance to reapply for their jobs, even though their contract stipulated the creation and use of a teacher contact list for any re-hiring. Some were hired by charters. Many charters hired from elsewhere in the country or contracted with Teach for America, importing young, inexperienced teachers on two-year commitments and administrators from other geographic backgrounds. In 2012, the courts declared the mass teacher termination illegal, but it was too late for those teachers who had moved on to other communities and professions. The state supreme court reversed the decision in 2014, and the case is currently headed to the U.S. Supreme Court.¹⁴ Even if terminations are reversed, there is no district for teachers to return to.

A Hierarchy of Schools

After these legal foundations were laid, the charter school landscape began to unfold. In the unique legal context of chartering in Louisiana—and the even more unique context of chartering within New Orleans—many schools exert choice at least as much as students do. Some schools are able to control their enrollments in various ways, depending on which district they are in, how they are registered with the state (see Table 2), and their existing enrollment criteria. In order to understand how students can choose schools and how schools can choose students, we culled school and district websites to understand the differences between enrollment criteria and practices. We created the following typology of schools to catalogue the distinctions that exist among the school categories citywide:

- **Direct-Run:** A direct-run school is the most traditional in the sense that it is a local public school with an elected local school board and is part of the school district. A few of these schools now exist in OPSB.
- **Open Enrollment:** A charter school that is required to accept any student based on the completion of an admissions application and is intended to have no restrictive enrollment criteria. All RSD charters are designated as open enrollment and must use the new OneApp system described below. Many OPSB charters that are open enrollment have an application that is specific to the school (though some share a common application and others use OneApp).
- **Priority Enrollment:** These schools consider themselves open enrollment *after* certain populations are given priority during the enrollment process. After priority enrollment has taken place, the remaining seats are offered to the general public based on lottery. It is important to note that, often, the remaining seats are quite limited, making these schools out of reach for the majority of children.
- **Selective Enrollment:** This is the most rigorous and competitive category for student enrollment. Students who gain admission into these schools must score in a certain percentile on a standardized test and must have and maintain a certain grade point average. Other criteria, which vary by school, can include letters of recommendation, an interview with school faculty or staff, student work samples, status as a gifted and talented learner, and/or second language fluency.

While a large number of schools are designated as open enrollment, not all of them have functioned without restrictions. From 2005 until 2012, enrollment practices in RSD schools were on the honor system; there was no oversight of admissions and no commonality of practices among open enrollment schools. By the 2012–13 school year, in response to heated criticism from parents and advocates, the RSD implemented a common application system, OneApp, to randomize admission and seek to remove admissions improprieties within its open enrollment schools. We found in our research, however, that a number of schools continue to use a variety of exclusionary strategies with respect to students they prefer not to serve, both at the point of admissions and thereafter.

Although private schools are not the subject of this study, it is important to note that private schools in New Orleans continue to be important players in the educational landscape. According to a 2014 study, with 25% of children in New Orleans attending private schools, the

city ranks first in the nation for private school attendance.¹⁵ Private schools act as an additional sorting agent, allowing more advantaged children to opt out of the public system and be separated from less advantaged peers in the classroom. Private schools serve an additional segregating role in the highly stratified system that has emerged in the educational marketplace.

In order to permit analysis of choice and student distribution across school types, we created a nine-level taxonomy which illustrates the outcomes of school selectivity in terms of student characteristics and performance, shown in Table 2. Based on enrollment criteria, percentages of students with free and reduced-price lunch (FRL) (a federal indicator of poverty), school performance scores (SPS), race, the special education population, and the gifted and talented population, the taxonomy describes a hierarchy of schools, from most to least selective, within the following three tiers:

- Tier 1 includes three kinds of OPSB schools (selective/priority, open enrollment charters, and direct-run)
- Tier 2 includes three kinds of RSD schools (charter, stand-alone, and direct-run)
- Tier 3 includes two kinds of alternative schools (voluntary and assigned)¹⁶

Table 2: Demographic Portrait of New Orleans Schools, 2013–14

Tier	Hierarchy Rank	District and School Type	Letter Grades	Students #	FRL %	Racial Composition	Special Education*
Tier 1	1	OPSB Charter Selective	A = 6 B = 1 C = 0 D = 0 F = 0	6,620	34.5%	White: 44% Black: 40% Asian: 6% Hispanic: 4%	6%
		Priority Enrollment			82%	White: < 1% Black: 94%	
	2	OPSB Charter Open Enrollment	A = 0 B = 2 C = 1 D = 2 F = 0	2,683	87.5%	White: 5% Black: 79% Asian: 6% Hispanic: 5%	6%
	3	OPSB Direct-Run	A = 0 B = 4 C = 1 D = 1 F = 0	2,808	91%	White: < 1% Black: 95%	10%
Tier 2	4	RSD Charter	A = 0 B = 8 C = 21 D = 8 F = 6	28,389	>95%	White: <1% Black: 96% Asian: <1% Hispanic: 3%	12%
	5	RSD Direct-Run		832			
Tier 3	6	RSD Alternative Voluntary	A = 0 B = 0 C = 0 D = 0 F = 3	717	83%	White: 0 Black: 98%	26%
	7	RSD Alternative Behavioral Assigned			63%	White: 0 Black: 99%	

*Special education students counted here are students with disabilities, rather than gifted and talented students who are also designated as special education recipients in Louisiana. Calculations were conducted from school data within tiers.

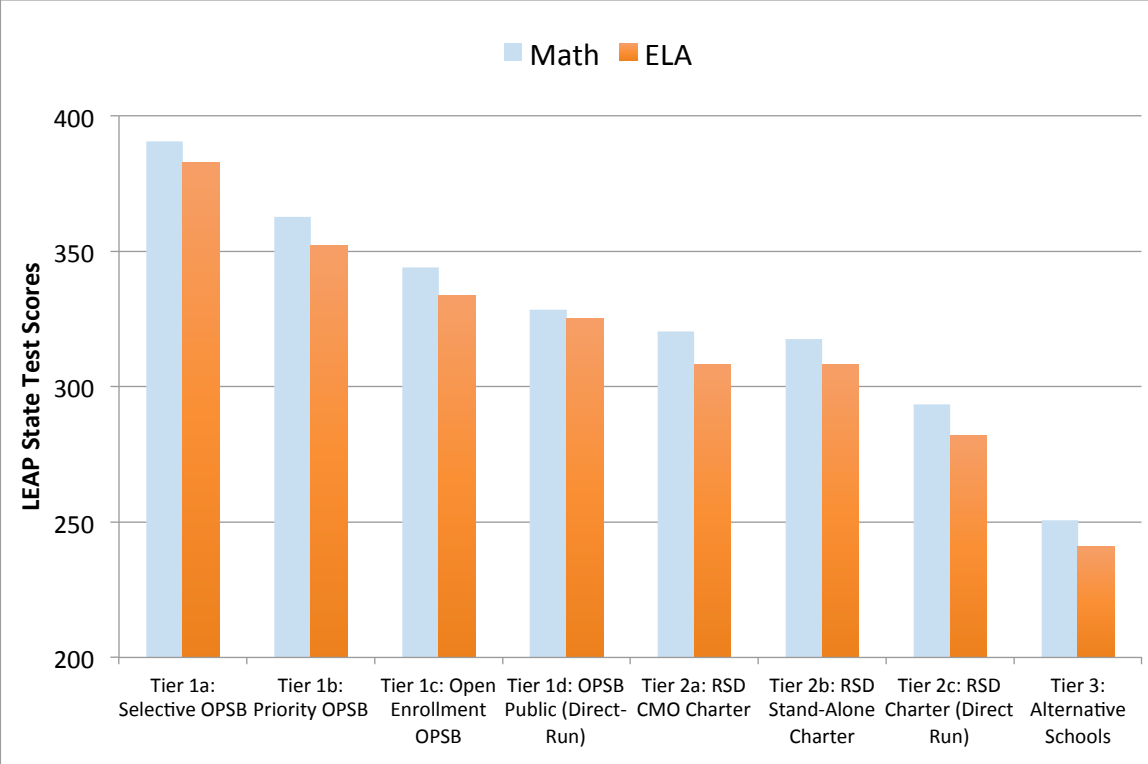
SOURCE: Louisiana Department of Education, 2014; New Orleans Parents' Guide 2013 (spring edition); Expanding Quality Options, Louisiana Charter Schools Annual Report, 2013-14; The State of Public Education in New Orleans, Cowen Institute, 2013.

We describe the organization of schools in New Orleans as stratified, both because the school tiers are highly sorted by race, income, and special education status and because schools at the top of the hierarchy largely choose their student body—few students actually have the option to attend these schools—while those at the bottom are assigned students who are not chosen elsewhere or who are pushed out of schools further up the hierarchy. The RSD usually places expelled students in publically funded, alternative charter schools. These schools represent the last stop for students before being forced out of the school system entirely or serve as a reentry point from the correctional system. In fact, a corporation that operates correctional institutions in other states operates one of the alternative charter schools.

As Figure 1 shows, our analysis of achievement data¹⁷ finds that the tiers and sub-tiers within them are closely associated with a hierarchical distribution of achievement scores. Table 2 shows that within Tier 1, 13 of 16 schools are rated “A” or “B” in the Louisiana school rating system, whereas 35 of 43 schools in Tier 2 are rated “C,” “D,” or “F,” and all of the schools in Tier 3 are rated “F.”

Only the top two sub-tiers of schools within Tier 1 have any appreciable number of white and Asian students and any noticeable number of students who are non-poor. The top levels of Tier 1 schools have, proportionately, half as many special education students with disabilities (6%) as those in Tier 2 (12%), which have, in turn, fewer than half as many students with disabilities as those in Tier 3 (26%).

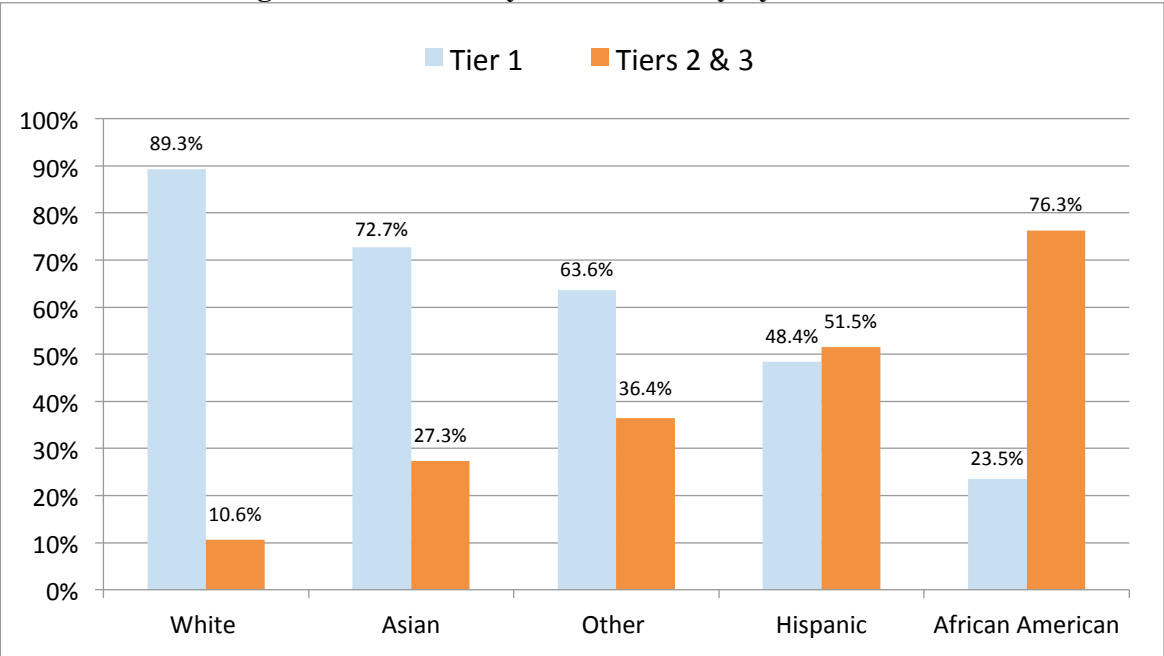
Figure 1: Student Achievement by School Tiers



SOURCE: Calculated from data provided by the Louisiana Department of Education.

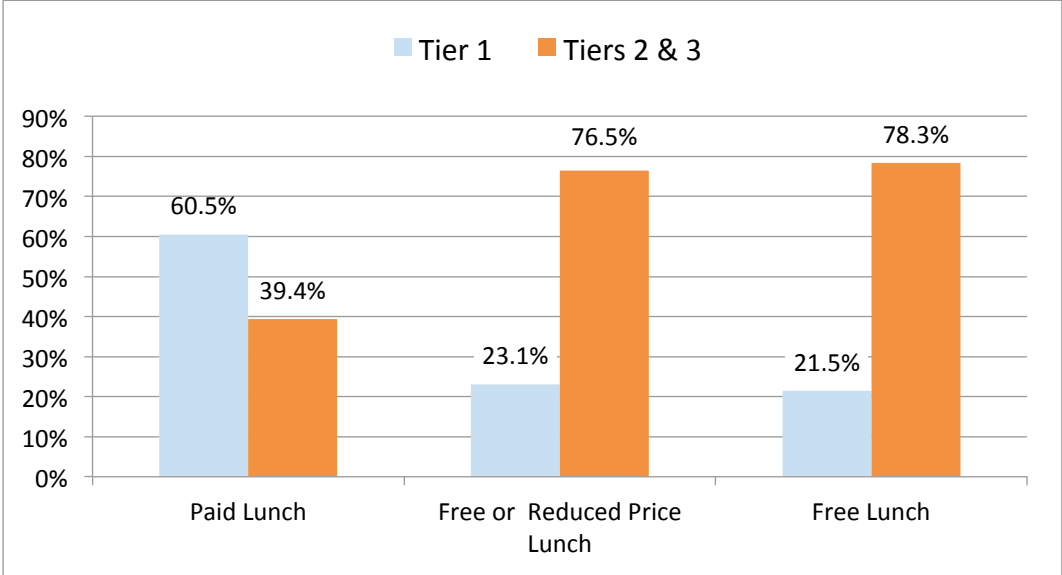
Students of different backgrounds have access to very different tiers of schools. Whereas 89% of white students and 73% of Asian students in New Orleans attend Tier 1 schools, only 23.5% of African American students have access to these schools (see Figure 2). And whereas 60% of students who are above the poverty line (i.e., those who can pay for school lunch) attend Tier 1 schools, only 21.5% of students whose family income is low enough to be eligible to receive a free lunch have access to these schools (see Figure 3). Not only do Tier 1 schools rank as the best in the city, they consistently rank as the best schools in the entire state of Louisiana.

Figure 2: Students by Race/Ethnicity by School Tier



SOURCE: Calculated from data provided by the Louisiana Department of Education.

Figure 3: Students by Poverty Status by School Tier



SOURCE: Calculated from data provided by the Louisiana Department of Education.

A report published by the Cowen Institute in 2014 similarly found that, in 73 of 89 public schools in the city, over 80% of the students were eligible for free and/or reduced priced lunches, a federal indicator of poverty. However, at those schools in the first tier of the hierarchy (selective and priority enrollment schools) the rates of FRL are substantially lower, suggesting that “the distribution of FRL-eligible students across school types is not consistent.”¹⁸ According to data from the LDOE, only 35% of students in New Orleans selective admission schools qualify for free or reduced price lunch.

This stratification occurs as a function of both admissions patterns and transfer or exclusion patterns. While the top schools, for example, have selective enrollment criteria, they are also permitted to continuously moderate their student population by insisting that students maintain a certain grade point average to remain enrolled in the school. Similarly, they are allowed to determine which and how many special needs students they admit, often turning parents away because they do not, for example, serve students with physical disabilities that require accommodations. The students identified as “special education” in the highest-performing schools are generally designated as “gifted” or “talented” and rarely, if ever, carry the “emotionally disturbed” or “autism” designations found in lower tier schools. When schools at the top of the hierarchy un-enroll students whose GPAs have slipped or turn away children with special needs, these children end up attending schools further down in the hierarchy.

Students who change schools are generally on a one-way street to lower-performing schools. A student cannot decide to take an admissions test midway through the year and enter the highest-performing, predominantly white, selective public school. Students can, however, be expelled from a high- or modest-performing charter and sent to an open enrollment school, if it will admit them at mid-year, or to an alternative school in the third, and lowest, tier of the RSD.

A leader in a high-performing school articulated the perspective about student segregation that undergirds the stratification of schools:

One of the issues that public education has to get their arms around, and they have yet to fully deal with this, is that one size does not fit all ... [You would] not amalgamate [students] into one group in one school, [because] you’d be losing some top scientists and top physicians and some of the top attorneys, just by throwing these kids and casting these kids in a public school system where they’re not going to thrive ... You want to get all the bright kids together and, boy, magic happens. You know you don’t say, “Well, you know, we’re going to have all the dumb kids and a few bright kids and somehow they’re all going to get smart.” That doesn’t happen and especially with adolescents and children. That just doesn’t work. So I think we have to admit that and be a little more pragmatic.

This increased stratification may produce benefits for those students lucky enough to attend a top-tier charter school. However, in this hierarchical marketplace, when the schools made available to struggling students show low performance, they are closed and students are sent to other schools. Increasingly, reports suggest that these students are ending up in similarly failing schools.¹⁹

II. The Choice Process in Action

A primary assumption of market models is that consumers choose products from providers who compete for their business. The theory posits that pitting one school's performance against that of another will provide families with a measure for comparison, incentivizing the schools to either improve or risk losing students and eventually closing. Market proponents trust that this system will efficiently remove low-performing schools. This idealized theory assumes that all consumers are equally desirable customers for which providers will compete, that parents have perfect information, that students can switch schools to ones that they prefer, and that schools have the capacity to succeed, despite the previously discussed disparities in funding and the differential needs of students.

A key element of the logic of choice assumes that the consumer, or student, makes choices among freely available options – with providers competing equally for all consumers. According to the Louisiana Department of Education, one of the “keys to charter school success” is “choice” by which “parents select the school their child attends.”²⁰ This seems simple and straightforward. However, just because parents can voice a choice in the system does not mean they will get the choice they want. In New Orleans, the most desirable schools choose their students to a substantial extent. The demographic and achievement data presented above suggest that, while white and Asian families and non-poor families appear to have considerable choice within the most successful and effective schools in the hierarchy, many black and poor families do not have access to these schools.

For schools outside of the more successful Orleans Parish School Board, the RSD instituted the OneApp system, which primarily includes Tier 2 schools. In the OneApp, parents “choose” a list of up to eight schools that may be available to their children, one of which is then assigned to them by lottery. Choice implies that a customer selects a product off of a shelf. A lottery implies that some (often only a few) will win, while others will lose.

The Education Research Alliance for New Orleans recently produced a report detailing the layers of decisions that families make,²¹ revealing that choosing and being chosen by schools in New Orleans is a competitive enterprise dependent on luck more than it is a straightforward choice. A parent's desire to send his or her child to a particular school does not result in the child going there: getting into that school is predicated on a host of factors that are out of the parent's control, such as availability of spots, the lottery number if the student is on a waiting list, the neighborhood, and the child's academic and behavioral record or special needs. A choice system does not mean every consumer gets to choose. Some decisions are made for them while other decisions depend on chance. As we discovered, some consumers are rejected from the schools to which they apply or even those to which they are assigned. Some families emerge from the process of enrolling in school confused and defeated, while others are thrilled.

Furthermore, the results tend to reproduce racial/ethnic and income stratification more often than mitigating it. Zimmerman conducted a geographic analysis of public school enrollment in New Orleans and found that despite the city's far-reaching school choice policy, low-income minorities have significantly limited access to quality schools.²² This finding was confirmed by the respondents' experiences in this study. In many instances, parents spoke about

choosing between the schools that were left to them or choosing schools that their child was likely to get into. Students talked about not getting their choice or having to go to a school that had an opening versus being able to truly decide on a school that they wanted. For example, several students told us:

This was the only school accepting applications, so I just came here.

I was looking for a new school to go to, and every other school was full, but this school was the only school that had spots available. This wasn't my choice at all.

The other school wouldn't accept me because I failed the EOC [End-of-Course Assessment] by one point so I signed up for [this school] and came here.

The RSD lady told me I had to go to [this school] and I was like, "What? Ain't a couple people got shot there?" and she was like "Yeah."

According to RSD figures, about half of the students attending failing schools (which are a large share of the schools in Tiers 2 and 3) did not apply at all in the first round of the OneApp process, which defaults those students to schools that have availability in the later rounds of the OneApp process—the majority of which are rated "D" or "F" schools.²³ Even had they applied earlier, there are not enough seats in non-failing schools to serve most students, and many families that worked hard to secure places in better schools were nonetheless unable to do so.

Although the system is a marketplace, in the sense that there are a range of options and the schools are in competition with one another, not all schools are viewed as worth choosing by consumers, and not all students are viewed as worth serving by schools. In this way, as Gary Orfield has noted, choice differs in the "kinds of opportunities offered, who gets the best choices, and what the overall outcomes are"; in other words, "the *kind* of choice matters greatly."²⁴

Students with the largest number of positively viewed socioeconomic, academic, and behavioral characteristics have the greatest number of choices and the freedom to go to any school in any of the tiers. As we reported earlier, 9 out of 10 white students attend schools in Tier 1 and have choices within that tier, as do 6 out of 10 students with enough family resources to pay for their own lunches. Students of color in these schools are also typically middle class and/or academically well supported.

Students like these felt the open marketplace of school choice worked to their advantage. One student with a desirable background from a desirable middle school explained, "I chose this school because the principal came to talk to us when I was in 8th grade." A low-income student of color who had previously attended one of the schools in Tier 1 explained that, in her opinion, "enrollment in 'better schools' requires one to be smart, artistic, or lucky; [Tier 1 schools] are for the 'elite.'"

Meanwhile, students who do not qualify academically or are not viewed as sufficiently socially desirable to gain admission to a selective school, do not meet the criteria for a priority school, and do not get their top choices for RSD schools have little real choice. A former school

principal observed,

Parents were saying, “I can’t get my kid in this school,” and “this is a preferable school,” and “yes, you’re giving me choice but there still are limitations and I can’t get where I really want my kid to go.”

A principal at an RSD charter explained that this leads to an inequitable distribution of students, with options for some students abundant and those for others quite “narrow”—a reality which he felt renders the open marketplace of school choice nothing more than a “fallacy.” Another educator argued that OneApp only appears to impartially distribute students across schools in the city without necessarily doing so:

We let certain schools have special rules that favor certain populations [and] that actually ends up funneling the lower performing students, the more poor children, into these other schools which end up having an overabundance of high-needs, expensive-to-educate children, while these [Tier 1] schools have an overabundance of lower-needs kids. That’s something that the system of reform ... in New Orleans has taken a hands-off approach to.

Although school choice is rationalized as a means to help minority children have a wider range of better school options, the complexity of how choices get made may be, as Orfield notes, “compounding rather than remedying” racial and socioeconomic inequality.²⁵ Respondents often perceived that the differing admissions policies and practices send messages to families and students about their value and where they belong in society; the low-income students of color belong in the bottom of the hierarchy, and the wealthier white students belong in the top of the hierarchy. The way students get into schools then serves to reproduce social stratification. Enrollment practices serve as the first step in maintaining a layered, hierarchical system where children are sorted and stratified.

Enrollment Selectivity Mechanisms

Enrollment is a critical component of how public schooling occurs in New Orleans. The Louisiana Department of Education conducts enrollment counts twice per year—the first on October 1st and the second on February 1st. Educators colloquially refer to these days as “butts in seats” days because the number of students actually in attendance at school on those days determines the amount of per pupil Minimum Foundation Program (MFP) funding schools receive from the state.

The process for enrolling in schools varies significantly depending on several key features: 1) the type of school a student wishes to, *and* is eligible to, apply for; 2) the number of spots available in those schools; 3) students’ academic characteristics (relevant for enrollment in selective and priority schools); 4) student demographics (e.g., special education status; address is a factor for those who wish to enroll in schools that give priority to neighborhood residents; age is relevant if a student is over age for his/her grade); and 5) behavioral history—specifically truancy, expulsions, and/or incarceration. Depending on student and school characteristics, the types of schools that students have access to are either broadened or narrowed, which shapes the demographic makeup of the different schools within the hierarchy and the academic programs and school climate those students will experience.

One of the biggest advantages that the Tier 1 schools have over the other schools in the hierarchy is their ability to choose their student body; students must apply and be admitted to the schools and, even after admitted, students must maintain a certain grade point average to remain enrolled.²⁶ A principal at one of the schools in Tier 1 of the hierarchy described the test that students must take to qualify to apply as “quite simple” and earning the cutoff score of 80% as “frankly, quite common.” He explained that the real challenge comes when kids are trying to maintain their spot once they’ve been admitted: “Now staying in is a different story... If [students] want to be a part of this community [they] have to work.”

Even parents who were sufficiently resourceful and lucky to successfully procure a spot in the selective schools for their child acknowledged the inequity inherent in the process. One parent said,

What that tells me is that the admissions policies and practices are favoring certain kinds of kids. To me it’s discriminatory. Yeah I mean I should be happy my child has been in there, he’s been in there all of these years, but I see the kind of kids who don’t make it at that school.

Another parent bluntly criticized the existence of selective admission schools:

I thought, “This is crazy.” I’m like, “Look, you’re a public entity, you can’t have more stringent requirements than this public entity to make yourself more selective.... like, this is all public dollars, sorry.”

Even schools that are not explicitly selective often engage in different “cream-skimming” strategies to limit the number of students on the lower tail of the performance curve. Based on reports and interviews with parents and students who applied to RSD schools, we found that these strategies include denying enrollment to low performers, students with discipline records, and special education students. One student we interviewed explained, for example,

The other school wouldn’t accept me because I failed the EOC [End-of-Course Assessment] by one point so I signed up for [this school] and came here.²⁷

Parents described torturous experiences trying to secure admission for their children with special education needs. For example:

A person from the Recovery School District said that he would ... help me file a complaint because I was turned away from those schools at the high school fair ... in November. So early [in February] I went to the school expo, and ... of the four schools I talked to, two weren’t going to serve kids like Sam.²⁸ One of [the schools] was actually ... one of the same schools I spoke to in November. It was actually the same lady, in fact. She said, I remember talking to you at the high school expo in November. And I remember we talked about how we’re full inclusion only ... we’re not a good fit for you. So, then I started thinking and, well, I filed a complaint. I would have thought she would have been taught the law, so I contacted someone at the state to find out where my

complaint went, and they said that all three of those schools said that what I said didn't happen, so it was just dropped ... I didn't deserve a response to let me know that I'd basically been called a liar, I guess.²⁹

The Special Case of Special Education

Because of the difficulty special education students have had getting enrolled at any school in New Orleans, the Southern Poverty Law Center ultimately brought a suit in court.³⁰ Although our study was conducted well after that lawsuit, it seemed clear that the concerns had not been resolved. These range from schools refusing to enroll students, claiming they do not have the capacity to serve them, to a failure to provide appropriate services based on students' Individual Education Plans (IEPs). Because each of the schools or CMOs operates as its own local education agency, there is no central information body providing oversight around the proper legal implementation of the federal Individuals with Disabilities Education Act (IDEA). The ongoing challenge was highlighted by the Cowen Institute's 2013 report, *The State of Public Education in New Orleans*, which stated that "no single entity is responsible for ensuring students with special education needs are served, making it difficult to track students across schools."³¹

When IDEA is violated, parents have very little recourse; they can file a complaint at the state level or with the RSD, but parents report that little is done to remedy chronic missteps. There certainly are schools that are in compliance and serving all students as well as they can; however, most responses we heard in our interviews concerned the failures and inconsistencies in special education administration.

Enrollment. Many of the concerns were accounts of school staff members who sought to dissuade parents from enrolling because the school didn't have the appropriate staff, such as para-educators or one-on-one aides; proper building capabilities, like an elevator or ramps; or because the school's plan for special education instruction consisted of inclusion only, viewed as inappropriate for students with severe disabilities such as mental retardation.

According to one special education expert, this resulted in special needs students "scrambling for limited places." In some instances, parents reported attempting to apply to 20 or 30 different schools, hoping to get a seat. A special education advocate suggested the process was "more intense than applying to college or law school."

Services. Parents and educators shared stories about the challenges students experience once they are finally admitted to a school. One special education teacher we spoke to expressed concern about the unfamiliarity of many school leaders and teachers with the special education laws, because many of them aren't credentialed teachers and administrators. He explained,

There's this whole population [of educators] that just doesn't understand special education, so [they] don't know that it's illegal to do things like not follow the IEP or to just randomly change the IEP because it doesn't fit your school's model.

A special education attorney reiterated this pervasive lack of compliance saying, “A lot of the schools didn’t know what those [procedural protections] were. They just had no idea.”

Some parents and special education advocates reported during this study that children were not evaluated when they should have been. The types of infractions we heard about ranged from schools expelling children before evaluations were done, so the evaluations were never completed, to parents themselves going to school with their children and serving as a one-on-one aide because the school didn’t have the funds to provide an aide for the child. One community member pointed to the fractured system of schools as contributing to this inconsistency. She explained that

...part of [the problem] was just logistics. In a regular school system, you have one central player who makes sure that no matter what school the kid is at, that entity makes sure that the kid gets evaluated.

In an environment without such oversight, it is easy for students to fall through the cracks and for schools not to be held liable.

Finally, many parents and advocates complained about the lack of appropriate services. For most charters, “inclusion” is listed as the primary instructional approach. Done well, inclusion often offers supports “pushed in” to the classroom where special educators teach alongside general educators to help design modifications and accommodations to assignments and grading and to offer additional supports. It may also include adjunct supports such as a resource room for extra help or tutoring beyond the classroom. However, in many schools, inclusion has simply meant putting the student in the general education classroom. One educator and activist explained it in this way:

Full inclusion here doesn’t mean any level of support for kids. That’s the problem. That’s what we’ve said all along to them. Yes we do want full inclusion, but that doesn’t mean you just throw a kid into a classroom and think that everything is going to be fine. And that’s essentially what they’ve done. So full inclusion is a joke...that’s problematic going forward because it sets kids up for failure.

As we describe below, when students are not adequately served, they are likely to fail academically and/or act out behaviorally, both of which can trigger de-selection from a school through a variety of mechanisms that make pushing students out of school easier than serving them effectively.

Post-Admissions Selection Mechanisms

In addition to selective admissions policies and practices, some schools have developed push out strategies for “undesirable” students who were admitted. These include expelling students in October, after receiving their annual funding from the state, and having students arrested on school grounds and thereby eliminating them without having to expel them. A school administrator described the exclusion strategies used to eliminate struggling students from the rolls of many schools:

[The schools] figured out a way that would get the MFP money, which is the money that follows the Title I students, and then just before testing, which would be October. ... there were a lot of kids moving around suddenly around that date.... They would literally go and recruit kids out of schools that were scoring better if they could figure out a way to find them and get them into theirs, you know to transfer, and then pushing kids out with disabilities or low scoring [on] tests, so that they wouldn't bring the scores down. And they would do that in various ways. Some of them were more blatant than others. It could be saying to the parents, "We don't have the special ed. staff support for your child's needs, and we think you would be better supported in another school, and we'll help you find one, or not" or suspensions and expulsions. The rate of expulsions in various schools is just startling, but it was one way [for schools] ... to say, "We have an 85% graduation rate at our high school or 90%." But, that figure doesn't represent how many students left in the [previous] four years or two years or whatever.... If they have half the number that came in but they have a 90% graduation rate, they're just not mentioning that. So there are a lot of other ways, but those were the ones we saw.

Another school administrator confirmed these practices:

So, on October 1 you have your kids, you get your check, you go "wow." You can make projections about spending and you're good.... So what happens is there's a purge. After October 1 it lasts about a month. After that month you're holding on to [those kids] for that February money. So we rarely get students who come in after, let's say, November. If you do, they just moved into the city, they're returning to the city. They've been at another school and have been expelled or about to be expelled and they realize [this school] will take me and that's when we get kids. ... We don't see a lot of mobility between November and February."

One former educator described the "force outs" in the following way:

You have a kid where they tell the parent "if you [don't] take your child out of here then we'll have to go through a whole thing of having him removed [so] you need to take him out and you can choose to put him in some other school." They certainly have used that tactic routinely. Parents don't feel comfortable in confronting a school system when they're told something like that because they know how difficult it was to get their child into a school in the first place.

Although special education students are supposed to experience protections against suspension and expulsion, with no central system, there have often been few safeguards to protect students' rights. A social worker referenced instances of schools finding ways to bypass the rule that limits special education student suspension to a 10-day maximum, explaining how school leaders employ "the famous 'just go home for the day; you don't need to be here today,' and then just send the kid on their merry way. It's not recorded as an out of school suspension although the kid was not receiving instructional minutes. They just leave and the school doesn't have to deal with what's going on for them."

A community member gave this example of a child who had been unable to secure admission and then, when finally admitted, was immediately targeted for expulsion:

[This child] probably never even had a notice [for a particular school] anywhere. He was just like floating out there. We came across him. He wasn't enrolled in school. We got him a place at [a school]. We went in with the placement letter saying, "Here's the placement letter." We have the mom with us. We're here to fill out the paperwork. And they had a meeting that was specifically meant to be intimidating towards this child and parent ... bringing things up like, "Now that you're enrolled in school, if you miss more than blah, blah, blah days then we're going to refer you to municipal court." [They were] bringing up truancy, bringing up discipline policies before he's even attended a day of school, ... saying, "If you do this, then we're going to do this. If you come here, we need you to know that we have hired an NOPD [New Orleans Police Department] as our security guard so you're gonna go straight to jail." That is what they said to this child.

Another community member confirmed that the use of local police in the schools often operates as an exclusion strategy:

Towards the end of last school year, they said that they were going to have NOPD on campus so that if anything happened, it's straight to jail. "Don't cross 'Go', don't collect \$200." So the kid of course is like, "I don't want to go back there."

With little or no central monitoring, schools have had incentives to expel students who were problematic or not helpful in meeting test score targets. As one educator explained, when a student was expelled,

[He or she] is no longer your problem. And if everyone has that mentality of, "if you just leave [the school] then I don't have to deal with you anymore," then there really truly is no one responsible, and it's much easier to pass the buck on a child than affirmatively deal with it.

RSD put a uniform transfer and expulsion policy into effect in 2012 to address the widespread complaints about expulsions. Before 2012, principals could expel students for a variety of offenses, many unworthy of such a drastic measure, ranging from sleeping in class or being chronically absent to disobeying a teacher.³² Despite the new policy, however, our interviews indicated that push out practices continue in many schools, sometimes accompanied by formal expulsion and other times enforced through the mechanisms described above.

How Students and Their Needs are Perceived Across Tiers

These mechanisms result not only in different demographic characteristics of students across schools, but in different academic and psychological profiles of student bodies and distinctive perceptions about the students and their needs.

Tier 1. The schools at the very top of the hierarchy are viewed as matriculating only the city's "best and the brightest." When we spoke to a principal at one of the top-tier schools, for example, he was straightforward about the type of student at his school: "Well our mission is to prepare highly intelligent kids, gifted kids, for success." In addition to his students being "highly intelligent," the principal emphasized that they are

very serious students. Our teachers, and I think our population of kids, and also their parents, they disdain the notion of a lot of game playing.

This intense atmosphere leads to a school population described by educators as "extremely high strung" where the desire to do well and perform often produces students who deal with "high stress," sometimes resulting in anxiety. Unlike in RSD charters where the focus on college and academics must be purposefully instilled in many students, the students attending schools at the top of the hierarchy arrive at school already bought into the culture of competition, college, and high achievement.

While community members, educators, and parents of students at other schools often called selective enrollment practices "unfair" and characterized the selectivity as "push[ing] out" certain populations, many of those who benefit from the system viewed the hierarchy in vastly different ways. One educator we spoke to reasoned that,

Every city needs a selective admissions school. I think you have kids who are really hard charging who can survive and thrive... They can do great in those environments, and every community should have those.

However, according to one parent, the ostensible success of these schools may be at least as much a factor of the students they serve as the quality of the instruction:

They're great schools. And they're going to continue to perform well, but they perform well because of the population of kids.

Tier 2. Tier 2 schools are much more heterogeneous and demand more of the educators who are in them. Perhaps the most consistent response from educators in this tier centered on the necessity for the faculty to be responsive and aware of the complex and multidimensional needs that students have when they arrive at school every day. The degree of challenge increases as one goes further down the implicit hierarchy within Tier 2. At a school relatively higher up the socioeconomic ladder, a former teacher described the student population as quite mixed:

You had a lot of kids came from a two-family home, and whose parents had professional jobs, but you did have the kids that came from the projects and from the neighborhoods that are what you call "hot," like there's violence and things like that, and their parents aren't very involved at all in their education.

A principal at a more highly impacted middle school described the challenge in this way:

I think having a school that is 90-something percent low-income students provides a whole lot of challenges both around in terms of where kids enter academically but also

around the life challenges our kids face, persistent...you know, kids who have persistent trauma in their life. It's very hard in terms of basic needs being met, and then differentiating between that kid and a kid who has absolutely all their needs met and is a very well adjusted, ready to roll, 10-year-old.

Another principal, speaking from the perspective of a student, asked rhetorically,

How am I supposed to come in here and be like this [sitting up straight, raising his/her hand, smiling] for every question on a lesson about the different seven layers of the earth or whatever thing that they're teaching, when my basic human needs are not being met outside of this place, where I feel so incredibly unsafe?

Yet another principal, at one of the few remaining stand-alone charters in the RSD, with palpable sadness in his voice, likened his students to future prison inmates. He said,

In many ways, if you look at the profile of our kids, in terms of their failing grades, reading level, behavior, etc. Who are they building these prisons for? They're building them for kids who have the profile of our students... How do you turn that around?

At a stand-alone charter school which serves the highest-need students and has arguably the worst reputation in the city, the principal estimated that

about 30 percent of our kids had discipline problems at other schools and had been at least to two or more charter schools before coming here. And the issues were always discipline issues.

These sorts of accounts illustrate some of the challenges facing students and educators in this tier of the hierarchy. Students have a host of both academic and social needs, which often dictate academic programming and discipline structures, explored further in the next sections.

Tier 3. Students who attend alternative schools in New Orleans typically fall into one or more of the following categories: over age and at risk of dropping out (the average age range is between 17 and 22 years old), returning to school post-incarceration and/or post-expulsion, chronically truant, and/or teen parents who need a flexible school schedule in order to work at least part time. All of the principals in this tier indicated that 100% of their students are behind in credits, over 90% of their students are eligible for free school lunch,³³ and roughly 40% of their students have an IEP for special education services or are in the response to intervention process and will likely be evaluated for an IEP.

The principal at one of these schools characterized the work at his school as "real hard," because in addition to students' academic deficiencies, "we have a lot of kids who are just very, very damaged. I don't even think we know the depth of damage that a lot of our kids have." A student at this school who is in his last semester explained that he decided to come back to school after first dropping out and then spending some time incarcerated because

I go home to nothing. So I gotta get out and get something, whether it's an education or a job at Burger King, or selling drugs, I gotta get it. Because ain't nobody gonna get it for you.

We spoke to several students in the alternative schools in New Orleans and they confirmed the principals' descriptions of the student population. Student responses ranged from "this is the only school I could have went to because I was missing so many days" and "after I had my child I wanted to graduate" to "I came here because I just kept getting suspended and my mom got tired of it." One student characterized his fellow students in the following way:

Most of these people that come here, they from out the hood so they know how the struggle is, and they know they gotta come to school to make it out. They know they want that piece of paper [diploma] with they name on it.

One principal noted that, because "competition is intrinsic to the model" and schools at the bottom of the hierarchy are the only ones who must admit students who struggle the most, it precludes all schools from being successful in the same ways. "If the charter movement was working," he observed, "[our school] would not exist."

Summary. The language used to describe the students who populate different school tiers is starkly different. Tier 1 students are perceived as "terrific" and graced with the gift of intelligence. Descriptors of students in Tiers 2 and 3 tend to convey the trauma and hard knocks they have endured and to focus on what they *don't* have, as well as the challenges of meeting their needs. Table 3 below captures some of the respondents' descriptions of the students in each of the tiers, setting the stage for the differences in academic and behavioral treatment students frequently experience. As we heard from many respondents, it is difficult for students and families not to absorb the descriptors commonly applied to them as framing who they are, the value attached to their lives and education, and what their life chances are expected to be.

Table 3: Descriptions of Students Across School Tiers

	Respondents Descriptions
Tier 1	<ul style="list-style-type: none"> • "terrific kids" • "highly intelligent" • "gifted... lucky" • "high strung"
Tier 2	<ul style="list-style-type: none"> • "We have a wide range of kids." • "We have kids who have persistent trauma in their life." • "They're building [prisons] for kids who have the profile of our students."
Tier 3	<ul style="list-style-type: none"> • "We have a lot of kids who are just very, very damaged." • "Most of these people that come here, they from out the hood." • "There are a lot of students here who've been molested, who've been raped, so there's a lot of that kind of trauma."

III. Student Experiences

In a system that has no system, the key word to describe educational practice is variability. Curricular approaches and educational program offerings vary substantially from school to school, as do teaching strategies and disciplinary practices. Whereas districts that have undertaken research-based instructional reforms offer similar learning opportunities to students and are developing similar practices among educators,³⁴ in New Orleans each school or network of charter schools functions independently. Each school can develop its own philosophy and practices with little to no support, guidance, or oversight from a central office.

The virtue of this brave new world is the freedom for schools to experiment with a range of methods. At the same time, without common standards or a system of oversight, experimentation is not necessarily always guided by knowledge of best practices or by a common set of educational or ethical principles. The system also provides no guarantee that minimum standards for educational opportunity are being met. As we visited schools in New Orleans and spoke to educators, students, and parents, we found evidence of a very wide range of practices that are, in many cases, substantially shaped by schools' stratified student populations and societal expectations for those children and young people.

An observer can see stark differences in student populations and educational practices between the most advantaged schools and those serving less advantaged students. In a high-performing school in Tier 1, welcoming signs point to the principal's office, and students, most of whom are white, chat as they move from class to class, carrying books and computers to support their work. By contrast, it is almost impossible to walk into many RSD charter schools because of the security guards and metal detectors stationed at the entrance. Once inside, lines on the floor show the direction students must walk. Between classes, mostly African American students walk in silence in a single file along these lines, overseen every 20 feet by young teachers. They usually carry no text books because most are given none from which to study. Often, they eat lunches in silence, track teachers with their eyes, respond only when spoken to, and obey other measures at the risk of entering the demerit, detention, suspension, and expulsion cycle.³⁵

One group of students is being prepared for a world of college and careers in which they will engage in knowledge work demanding critical thinking and problem solving. The other is being prepared for something very different—in their own words, “the military or jail.” While this is certainly not the practice in all Tier 2 schools, and many seek to provide students with a well-rounded education, it is surprisingly common.

In this section, we describe students' experiences across the school tiers in terms of behavioral management and disciplinary experiences, on the one hand, and academic expectations and opportunities, on the other. We begin with some students' descriptions of their experiences and concerns in their own voice and follow with data from our observations and interviews.

Student Concerns

In the fall of 2013, students enrolled in two RSD charter high schools in New Orleans organized a walkout in protest of academic, disciplinary, and interpersonal treatment in their schools; the school's administration, in response to the students' protest, subsequently suspended the students. The students then collaborated on a letter to the charter management organization's school board and administration and submitted a list of "concerns and requests." What follows is an excerpt from their letter.³⁶

Academics:

- (1) *We are learning material that we already learned in middle school. The work is below our grade level. We want to learn material that reflects our abilities.*
- (2) *We only study from our "guided notes" – we have no textbooks to review when we study. We want textbooks. We want to be able to bring text books home and read them.*
- (3) *We don't have a library. We are only allowed to check out books that teachers keep in the back of our classroom, and we can only check out books on our grade level, nothing else. We want a school library, and we want to be able to read books that teach us beyond our grade level.*
- (4) *Teachers put a colored sticker on the side of our books to indicate our reading ability. Because these stickers are visible in public, everyone in the school knows your reading grade level. Teachers also post our test grades in the hallway with our names. Everyone knows everyone else's test scores. We want our reading levels and our test scores to be private.*

School Discipline:

- (1) *We get disciplined for anything and everything. We get detentions or suspensions for not walking on the taped lines in the hallway, for slouching, for not raising our hands in a straight line. The teachers and administrators tell us this is because they are preparing us for college. But walking on tape doesn't prepare us for college. It trains us for the military, or worse, for jail. If college is going to be like [these schools], we don't want to go to college.*
- (2) *We spend so much time having to shake everyone's hands in the morning, and we have to do it firmly, tracking eyes, and with a smile. And then we have to recite our "core values" – which is a pledge we have to memorize and say just to get into the building. If we don't do it correctly, we have to start all over again. If we are having a rough day because of something we experienced at home or in our neighborhood, and we don't feel like shaking hands or smiling, the school sends us home. We are not even allowed to have a bad day.*
- (3) *We get suspended for trying to ask why we must do certain things – teachers consider this to be "disrespect" and it is the most common reason we get suspended from school.*
- (4) *Sometimes teachers take things as disrespect when they aren't meant to be disrespectful. Asking questions about why something is done a certain way shouldn't be considered as disrespect. We want to know why we have to do these things. We want answers, and suspending us for asking questions isn't an appropriate response.*
- (5) *Instead of giving us discipline that is an appropriate response for our actions, we are given an "early release." We get handed a bus token and told to leave campus. But*

because so many kids are given early release and have nowhere to go, we have students hanging out in Joe Brown Park, at the public library, or at Wendy's, without adult supervision, when they should be in school. We aren't getting an education when we're not in school.

- (6) *We want a discipline policy that doesn't suspend kids for every little thing. Suspensions should only be used for very serious matters. We want a discipline policy that keeps kids in school, learning.*

Respect for Students:

- (1) *Students don't have a voice at [the schools]. Students can't ask questions, and we don't have any say into school policies. We can't explain ourselves. We also get talked to like we are little kids, or sometimes like animals. We want our teachers to treat us with respect, and we want to have a say in the school policies.*
- (2) *The teachers don't connect with us or where we come from. There are no black teachers. The only black role models we have at the school are janitors, cafeteria workers, secretaries, security guards, and coaches. Some of the teachers are racially insensitive. None of the teachers are from New Orleans. They can't relate to us, our neighborhoods, or our community. They have no respect for our customs and culture, and simply want to make us more like them without understanding us and our background.*

School Meals:

- (1) *We don't get hot meals. Breakfast is a stale muffin, old milk, and an unripe pear. Not only is the quality bad, but we don't get enough food to make it through the day. We can't bring our own lunch, and sometimes we go home hungry. Some of the kids at the school don't get fed at home. We are not allowed to share food with other students, so some kids go home hungry and don't get dinner that night.*
- (2) *We want hot meals and healthy food with taste. We want a good quantity of food. We want to be able to bring our lunch from home. And we want to be able to share food with other students.*

Behavioral Management and Discipline Practices

As noted earlier, until a recent regulation sought to constrain expulsions,³⁷ schools were permitted to expel students for any cause without due process. In 2012, in response to many parent complaints, the RSD instituted uniform citywide student transfer and expulsion policies, which are intended to make it more difficult for schools to push out students who may struggle to learn, attend, or behave according to overly narrow philosophies of conduct. The full effect of these new policies will unfold over time as they are enforced. Below we summarize data about the variable student experiences with discipline structures and practices within the school tiers.

Tier 1: Discipline in OPSB Schools

In the top-tier schools, the general approach to behavior management might be described as “authoritative”—identified in the psychological literature as the most effective method for developing developmentally healthy young people who have developed self-discipline and responsibility for the long term.³⁸ In contrast to an “authoritarian” approach that sets rules and

automatically harsh punishments for breaking them, an "authoritative" approach involves establishing clear expectations for children, with appropriate consequences, while also showing them warmth and affection. The approach is grounded in reasoning and communication about behavior—including discussions of what the young person is feeling and thinking and whether there are underlying problems that need attention, along with teaching children about responsibility and how to make choices.

At one of the district's more advantaged schools, for example, the principal describes his discipline system as "rational humanism" where the staff members "sit and talk to the kids." He notes, "We try and treat them like young adults, but kids are kids." Students are treated as people with feelings and important perspectives, while guided through conversations to evaluate their behavior, make good choices, and learn to become responsible members of the community.

Another principal at a top school explained that her school employs a constructive and holistic approach to discipline that does not include a heavy-handed reliance on demerits and detentions. She called their philosophy a "whole child model" where the "discipline system is driven by teachers but is followed through on and helped by the school." She went on to explain that the crux of this "push in" approach to discipline rests upon teachers having "a million conversations with students." She noted that

if that push in system doesn't work, then it's to the behavior dean or to one of four counselors we have or to the health clinic or to a teacher. It's very much like "ok where do we go next? ... Is it just a granola bar that you need? Is it that you need grief counseling? Or is it that you are having a psychological breakdown or is it that you're just having a bad day?".... So every teacher and community member down to the custodial staff do things like this.

It is worth noting that this supportive approach to identifying and meetings students' needs takes place within a resource-rich environment that can offer students a range of health, counseling, and teaching services.

Tier 2: Discipline in RSD Schools

While there are RSD schools that seek to use the kind of supportive, authoritative approach described above, the more dominant approach to discipline in this tier is strictly authoritarian, based on rules and punishments without discussion or support. The first RSD charters that opened post-Katrina all adopted very similar discipline codes of conduct. Similar to how the majority of RSD charters adopted mission statements aimed at college preparation, virtually all schools adopted codes of conduct directed at "sweating the small stuff" in an effort to stave off potentially bigger behavioral problems at the pass.

The philosophy is similar to the "broken windows theory," made popular by Malcolm Gladwell in his book *The Tipping Point*, which argues that if you allow small issues, like broken windows, to persist unchecked, eventually small issues will lead to larger issues like litter, graffiti, and crime. In a school setting, the broken windows and small stuff were interpreted to mean having the correct colored shoes in the uniform, sitting up straight in class, walking quietly

and in straight lines in the hallways. These elements that seem minor, even negligible, in many settings, were under the microscope in the new charters; the “small stuff” was treated like major violations of the school’s culture. The theory is that if the adults sweat the small stuff, the culture of hawk-like attention to detail will prevent larger, more serious behavior infractions.

In a 2010 study on discipline policies in the New Orleans RSD,³⁹ researchers found that 70% of the students surveyed had been suspended for minor infractions, including having clothing or items prohibited by the school rules, being late to class or school, or engaging in disruptive or disrespectful behavior.

In a “no excuses” discipline approach, the staff is trained to pay attention to even the smallest of missteps. One educator characterized the discipline approach as “onerous” where “they nitpick constantly.” To maintain a school that “sweats the small stuff” requires a school-wide commitment on behalf of the staff to be consistent and in some ways relentless about the expectations for student behavior. It also requires a willingness to follow through with extensive consequences. Generally the consequences ascend in levels of severity: A demerit is like a warning, and earning several demerits earns a student detention during lunch or after school. After detention, the next consequence is generally suspension, and after a series of suspensions a student becomes eligible for expulsion.

In one school, the principal explained that in their first year of operation their suspension rate was 57%, which she described as “high but not *that* high” and in their second year it dropped down to 37%, which she attributed to students gradually buying in to the expectations. Another principal explained that her school “really cares about if you don’t have the right shoes, you can’t sit in class . . . and so we channel a lot of those energies around compliance. . . and that takes just a lot of support staff personnel.” This also means that energies and personnel that might otherwise be used on instruction are often used to enforce the discipline policies around student dress, speech, and other aspects of behavior.

According to our respondents, many school leaders in the early post-Katrina years felt they found a lot of success with this approach. The juxtaposition of this new way of doing school was welcome for many people given how chaotic some schools had previously been. This “no excuses” model of discipline also allowed schools to communicate with students and families the message that “this is the way it is and if you don’t like it, perhaps this school isn’t the right place for you.” As a result, students began opting in and out of particular schools, sometimes based on the level of strictness in the culture. These rules also provided means for expelling students schools did not want to keep.

One teacher explained that non-educators would often conflate the quietness and orderliness with learning:

[If you are] a young, inexperienced teacher, without an education background, you see kids walking silently in straight lines around tape on the floor, you see kids walking with their arms behind their back in straight, silent lines, you see kids sitting upright, getting a demerit if their head goes down on the desk, you see silent lunches where at least riots aren’t occurring, and it looks beautiful, it looks like these kids are learning.

Parents we spoke to, however, did not generally see these approaches as supportive of learning. Our parent respondents described their children's schools as "focused more on discipline than on learning." Among their comments were the following: "They focus more on security and law enforcement than education." "In general, the kids just don't look happy...it's like a military environment." Several parents talked about wanting to find a "less hellish" school option for their children, and some teachers said they would "never want their child in that sort of environment."

Students' reactions ranged from those who complied and generally accepted the boundaries outlined in the discipline system to those who consistently pushed back, thus finding themselves earning demerits, detentions, and often suspensions on a regular basis. One student explained that "detention was a common thing" for seemingly "meaningless reasons, like for having a shirt untucked." Another student described his experience of disciplinary enforcement as being "picked on." Still another student was so frustrated at times that he would ask to be suspended rather than have teachers constantly managing his movements. "Just give me my five days [of suspension]," he reported saying to staff.

Some students said they considered the demerits they received "reminders" that aren't meant for punishment but more to "help students learn from their mistakes so they don't do it again." Meanwhile others argued, "I understand you all have to go by rules, but like, let us have a little bit of freedom."

There has been pressure in the past for all schools in RSD to adopt the "zero tolerance" approach, but some schools have been unwilling to do so, preferring to work with students to learn to manage their own behavior. One principal explained,

We use a restorative model, so what that means is basically, we have expectations. If the kid breaks the expectation, they go through a process in which they meet with an adult, they figure out what happened, they figure out how that harmed [or] affected them and other people, and how they're gonna fix it. Then they fix it and then they move on...So it's really about going through this loop...constantly going through this same process which causes them to reflect, and eventually that reflection is what will cause you to modulate your behavior.

Although there has been a recent emergence of such restorative disciplinary approaches within the RSD charter schools, most schools in the second tier have maintained their no excuses approach emphasizing preemptive behavior management, where the role of adults is to control virtually every aspect of students' behavior—from dress and neatness to posture, actions, speech, and manners.

Tier 3: Discipline in the Alternative Schools

In the four years post-Katrina, there was one alternative school designed to serve children who had been officially expelled from other schools. There are now also voluntary alternative schools which can receive these students and others who choose to register, typically those who,

for one reason or another—pregnancy, incarceration, academic failure, poor attendance, repeated suspensions—have not been able to remain within a more traditional school setting.

In 2012, one expulsion alternative school changed names and became a Type 5 charter school operated by an organization that specializes in running secure facilities for juveniles in other states. Prior to this transition, the previous leadership at the alternative school was cited for noncompliance with IDEA special education legislation, not providing support to homeless students, and not providing adequate instructional support for the school’s English language learners. A child advocate whose job is protecting the rights of children who are returning back to school after secure lock-up explained that

they changed the name. It’s run by different people, but it’s essentially... a horrible place where there’s not very much learning going on, where the children are not respected, and where the people who work there are really obstructive.

A parent and student advocate characterized the school as

part of the school to prison pipeline. That’s how we saw it, so basically we would tell them, “No. That option is not something you want to do. You don’t want to have your child put in an alternative school where there are four or five policemen around here all the time and ...you know for doing minor stuff, [kids are] winding up in police custody.

One school administrator at a Tier 3 school estimated that 49% of his students are two or three grade levels behind and 47% are more than three grade levels behind and that perhaps 3% of his student population is academically at grade level, while 26% of his students have an IEP. The demographics are similar across alternative schools; in fact, many of the same children have funneled between the schools in the bottom tier of the hierarchy for the majority of their public school careers.

This, coupled with complex social challenges and severe behavioral histories, makes for a student population that epitomizes “at-risk.” One school administrator spoke of the challenges his students face: drugs, violence, aggression, molestation. Students shared that some youth who attend this school simply “walk along this fence and drop off their guns before they go into school and then pick them up at the end of the day.”

The charter organization operating one school approaches the task of education in a way that mirrors much of what happens in juvenile prisons. A school administrator described the CMO’s approach in the following way:

Take the evidence-based components that work in residential settings and apply them in charter school settings before students get committed into the justice system. Once a student gets arrested and put into the justice system there’s all kinds of treatment available for them that doesn’t exist on the pre-incarceration side, so our program... one of our program approaches is to go into areas that have really high incarceration rates or where juveniles are at risk for getting in trouble and setting up charter schools and

catching those kids and trying to imbed some of that cognitive-based treatment on this side of things.”

As a result, the school reportedly takes a strong stance around first determining the social and sometimes clinical needs of the student (such as depression, substance abuse, and domestic violence) prior to commencing an academic program. Unlike many of the Tier 2 schools, behavior expectations in the alternative school are relatively simple: “Show up on time. Wear your clothes appropriately. Remain in your seat. Ask permission before you use something in class.” Teachers are trained to use de-escalation strategies such as “non-verbal cues” and “verbal helpfulness”—where they ask students to do things with a “please and thank you.” The ultimate goal is for the teachers to “not make a big deal out of it”—whatever “it” may be.

Summary

While there are exceptions, students are generally treated much differently across Tier 1, 2, and 3 schools. Table 4 illustrates these differences in how respondents described the distinctive settings.

Table 4: Descriptions of Students’ Experiences of Discipline Across School Tiers

	Respondent Descriptions
Tier 1	<ul style="list-style-type: none"> • “We use a rational humanism approach to discipline....[We] sit and talk to the kids. We try and treat them like young adults.” • “We use a whole child model...in a discipline system that is driven by teachers but is followed through on and helped by the school.” • “Teachers have a million conversations with students.....If that push in system doesn’t work, then it’s to the behavior dean or to one of four counselors we have, or to the health clinic or to a teacher.”
Tier 2	<ul style="list-style-type: none"> • “They focus more on security and law enforcement than on education.” • “The kids just don’t look happy.... It’s like a military environment.” • “They nitpick or constantly call the parents...which is frustrating.” • “We are a school that really cares if you don’t have the right shoes, you can’t sit in class ...and so we channel a lot of those energies around compliance...and that takes just a lot of support staff personnel.”
Tier 3	<ul style="list-style-type: none"> • “You don’t want to have your child put in an alternative school where there are four or five policemen around here all the time and ... for doing minor stuff, [kids are] winding up in police custody.” • “Relationships are really important to building [our] program.” • “We take the evidence-based components that work in residential [lock-down] settings and apply them in charter schools before students get committed into the justice system.”

In the top tier, educators take a whole child approach, seeking to find out and address students’ needs and using an authoritative approach to discipline—setting expectations and building self-responsibility by talking through behavioral issues or dilemmas to help students understand the goals and context, their own behavior, and how to improve their situations.

In the second tier, most schools have a “no excuses” philosophy, in which rules are extensive and management of student behavior often extends to immediate and increasingly

severe punishments for talking, wearing the wrong clothes, slouching, falling asleep, or failing literally to walk a straight line. These authoritarian settings result in systems of demerits, detentions, suspensions, and expulsions that commonly create exclusion from school on a temporary or permanent basis.

In the third tier, schools are often compared to correctional institutions. Some have a heavy police presence, while others seek to build relationships with the students as the basis for helping them balance the challenges in their lives with their desire to make academic progress..

Academic Experiences

Tier 1 Academic Program: OPSB Schools

A principal in the top tier described his school's perspective on students' academic progression as "rather conservative." Despite having "terrific kids" and a "very, very dedicated, focused faculty," he noted, their philosophy is that the onus is on the students to succeed. He explained that,

[Achievement] is up to [the students]. I do not buy into "you owe this kid," or "it's your job to get him..." No, I don't think that's our philosophy. I think our philosophy is that we have a proven product; we know it works. Keep up, and there's little compromise to that. It's more of a European kind of view, and that doesn't roll well with a politically correct society where everyone wins all the time.

Because of their selective enrollment criteria and the fact that they can ask students to leave if they do not maintain their grades, the selective OPSB charters are able to create an even more rigorous and focused environment than their OPSB open enrollment charter counterparts. The freedom to select students also creates freedom to create a different kind of educational emphasis. One principal explained that his goal is to "craft an environment of learning," rather than a test preparation culture:

I understand some schools say, "Well if the only things that counts is the SAT or the ACT, let's gear our curriculum to that." We don't do that. That's not to say we don't talk about it, and we'll say, "Hey when you're taking your test watch out for this," but we're not obsessed with it... We teach for the pure knowledge.

This sort of academic focus—to "teach for the pure knowledge"—was conspicuously absent from all of the RSD schools we encountered. In RSD schools, teaching basic skills and ensuring students score well on tests (EOC, LEAP, and ACT) are the first priority, and then finding ways to ramp up the challenge and rigor were secondary.

These schools, because of their reputations, also attract, recruit, and hire a very specific teaching staff. One principal said that he targets his hiring to bring in teachers with "master's degrees in the content fields, not in education, that permits them to be on the university faculty and teach an AP course here, [so] our kids not only get AP credit but also get credits from the university."

Tier 2 Academic Program: RSD Schools

With the opportunity to revamp schools after Katrina, the architects of the charter reform movement in the city sought to have the newly reconstituted RSD schools reimagined in name, staffing, and mission. This took the form of a push for college preparation as the foundation of all newly opened charters in the RSD. As such, every Type 5 RSD charter listed “college prep” as the central goal in its mission statements and lined the hallways with college banners.

The reality, however, of preparing every child for college has been much more difficult, given that many students are not adequately prepared for middle school or high school. One principal put it this way:

Well, almost every school in this city says it’s college prep, ok. That in itself is not effectively acknowledging the deficits and gaps that exist within the city itself. You have a large over age population; you have students who fail repeatedly their state tests going back to 4th grade, and you can look at their 8th-grade LEAP test, and then it continues on through EOC. So there’s a long pattern of students not being successful.

A teacher explained,

Even though initially it was all college, college, college, now they are realizing that, hey, you’re dealing with a population of people who are ingrained in what their parents used to do and their grandparents used to do. The tradition here is not always college.

In order to design an instructional approach that would work, educators found they had to first determine what students were able to do: Jumping into 9th-grade Algebra or delving into Shakespeare proved unrealistic for the majority of their students. One principal acknowledged,

The recognition pretty early into our first year was [that] most of this curriculum was just not anywhere close to where the kids were [academically]... You know, our curriculum up until senior year is kind of like an emergency management system, and the workers in that system have that ideology like they’re a team of firefighters, and that’s a very specific way to do the school.

A community member, parent, and former educator spoke extensively about how the charter reform movement has ratcheted up the pressure and increased the stakes for schools—since they can be closed if their students do not achieve adequate test scores—which subsequently constricts the educational experience for students.

I think that the kids’ experiences are pretty narrowly focused on their acquiring sort of basic skills that will get them past tests and, you know, prepare them for kind of a survival of the world that we have. I don’t think that we’re giving kids, on the whole, experiences that are gonna help them become the kind of thinkers that will be able to change the world that we have. I think it’s a very narrow experience the kids are having, because I think the system is under so much pressure to nail the basic stuff that they don’t have the time to look left and right and figure out how to add other things.

The pressures of test-based accountability were a frequent theme with principals, as they often described how they were trying not to be entirely driven by those pressures. As one put it,

A lot of the charter high schools that you're gonna find here are very much aligned to that same mission, and I think sometimes in the charter movement where the pressure is so extreme to close the achievement gap, you can have kids take nothing but math and English all day. So we work really hard to not be that.

Another said he had recognized that “just driving the data side doesn't actually get you the academic achievement...and even for the kids that get [some] academic achievement, it doesn't get the long-term life outcomes that you want and that we want for our kids.”

One principal spoke about how her school is attempting to meet the needs of these children in alternative ways:

So our mission is obviously college and persistence in college, but because we are an open enrollment school, and we continue to get students who may not be on that track, let's say they're 19 [years old] in the 9th grade, and there is no way to do our program in less than four years, but they want to stay here so this is our first year of launching a partnership with [a nonprofit], which is a community based organization, so we're running an internal GED program...and a credit recovery program.

Students described a range of learning experiences across schools. Some students had access to Advanced Placement (AP) courses as early as 9th or 10th grade, while others described being bored and poorly taught by an instructional approach relying heavily on independent practice. One noted that she would like to be allowed to “communicate in class, like have certain times where we can talk... We just have independent practice all day in class.” She wished that for at least some of each class period she would like to “put her mind together” with classmates as a way for them to all understand the objectives better.

At yet another school, a high school senior described his frustration with taking science classes via a computer program aimed solely at passing the tests:

It's aggravating because you have to sit there in front of the computer screen. You sit there and read through the chapters, and at the end of each chapter you have a test; if you don't pass you have to retake that whole section. But, like, physical science is only two weeks.... It's teaching you what you need to pass. Like, I do Earth Science and I started not too long ago, and I'm almost done.

A number of students spoke about the fact that, even when they did not feel stimulated by the academic program, they felt the teachers cared about them. As one said,

These teachers [at my school], they care about our life. They want us to go far. It seems like they want us to go farther than that and they want us to be better.

Others had an entirely different view, for example:

When you tell [teachers] you don't understand, they get mad; they're quick to put you out of the class. They don't care about nothing you say; they just care about their work. And if you don't catch on, they just be like, "Oh, cause 3rd graders do this type of stuff," [but] we are not 3rd graders.

A principal at a direct-run RSD school characterized the current "system" as having

no systemic dialogue regarding the instructional model and processes that lead children to attain, because charters operate as separate entities.... You have 21 charters conceptually doing their own thing with mixed results.

Instead of consistent and reliable quality, students enrolled in one RSD charter can experience high expectations and quality instruction while students enrolled in other schools in the same tier experience little by way of academic rigor and engagement.

Tier 3 Academic Program: Alternative Schools

As direct-run RSD schools and "failing" RSD charters began shutting down, the students at those schools dispersed and began enrolling in the higher-scoring RSD charter schools that remained opened. As the student populations became more academically and behaviorally diverse, the need for alternative forms of education options became apparent. In other words, the initial push to prepare all children for college proved an unrealistic goal when those schools considered "dumpster schools" disappeared from the school market. As a result, BESE voted to charter two alternative schools designed specifically for students less likely to complete a typical four-year high school program.

In 2012, two new alternative charter schools were formed in the city to help fill the gap for those students that were over age for their grade level, significantly behind in credits (due to truancy, chronic behavior issues, incarceration, dropping out and restarting, pregnancy, etc.), or uninterested in spending four years in a traditional high school setting. These schools offer small classes, accelerated unit offerings, nontraditional schedules (such as classes in the morning *or* afternoon so that students can remain enrolled full time while also working at a job for most of the day), and computer courses (so students can work at their own pace in school and at home on their own time). In the alternative schools, students work at their own pace, graduating oftentimes in the middle of the year or deciding to enroll in the middle of the year. The incentive at these schools is the potential for finishing school.

One of the principals described the academic program as

absolutely basic...[We're] not trying to add a lot. So what we want is...[to] get attendance right, we get a lesson plan structure right, set up a framework for classroom management and just do that. That's all you gotta do; nothing extra. Just do that. It's a lot of revisiting basics and just ... trying to create that strong foundation.

As a result, the school creates classes designed around preparing students for the state tests. Instead of "teaching for pure knowledge" or preparing students for college as seen in other

schools in the hierarchy, the alternative school aims to provide its students only with “the basics.” This philosophy translates to the following curricular approach organized entirely around the objectives of each state test. As the principal explained, teachers focus on

what’s covered in the EOCs, the end-of-course [tests]. I say if this is what the student is going to be assessed in, I expect you to spend a lot of time covering it. Some people get real defensive when it comes to teaching to a test but it doesn’t...I mean, if the students don’t pass the test and they don’t graduate; what does it matter? You know they have to graduate.

In addition to in-person classes designed around preparing for state tests, students also have access to online courses that they have the opportunity to accelerate through quite quickly. Like online courses offered at other schools, the success or failure of an online program is predicated on a student’s motivation and ability to work independently through a curriculum without the benefits of an instructor or student-to-student collaboration and interaction. Overall however, the school’s ultimate academic goal is to “just try to get basic proficiencies out of them.”

When students work independently through online high school courses, the school can offer an array of courses, without having to hire faculty members to teach every single course. In this model, the teachers act as proctors offering support to students when they need it. One student expressed that she likes the “flexibility” of the online classes, while most of the students we interviewed felt that the solitary nature of learning online was “boring.” Nonetheless, some found it “better than regular school” because online, they can retake the chapter tests to get better grades.

In one of the alternative schools, there has been a strong effort to build a safe space for youth. The students at this school confirmed that the atmosphere at their school is one that is responsive and flexible in ways that other schools have not been in the past. One student gave an example saying,

If you need to talk to somebody, to calm down...they make sure you feel all right, make sure everything is good. That’s why right now I’m in the 12th grade and I’m *so* proud that I’m in the 12th grade.

This young lady is the mother of two children and shared that her temper has kept her out of school over the years. However, in the alternative school she attends, she’s found a way to get through her classes and graduate with a diploma—an accomplishment she wasn’t sure she would be able to attain in schools previously.

Summary

The language that respondents use to describe schools’ instructional programs and students’ classroom experiences is quite distinctive across the types of schools. In Tier 1, teaching is designed to guide students toward “pure knowledge.” The goal is for students to have

a sense of “freedom” as they are actively involved in deep and engaging learning experiences that are unfettered by an obsession with state testing.

In Tier 2 and 3 schools, the pressures of state testing and basic skill remediation guide instruction rather than engaging topics or essential questions aimed at piquing interest or sparking intrinsic motivation. The curriculum is described as “remediation,” “acquiring basic skills that will get [students] past tests,” and, sometimes, “an emergency management system.” Students are often in classrooms focused on independent seatwork or computer programs that preclude interaction with teachers or other students that might help them both engage and learn.

As one goes down the hierarchy of schools, students’ roles shift from being thinkers and inquirers to being recipients of the information contained on the state tests in ways that will allow them to find the right answers when confronted with multiple choice questions. Teachers’ roles shift from being experts who provoke and guide students as they take on challenging investigations to conveyors of the information on state tests and proctors who are available to help students if they get stuck in a computer program.

In Tiers 2 and 3, there seems to be little opportunity in many schools to bring students into the curriculum in ways that might make them want to learn; instead the focus is on guaranteeing that the students achieve a certain score on state tests to ensure that students can make progress and the school avoids censure and can continue to operate another year.

Table 5: Descriptions of Students’ Academic Experiences Across Tiers

	Respondent Descriptions
Tier 1	<ul style="list-style-type: none"> • “We teach for the pure knowledge.” • “We want kids to be active and involved and engaged.” • “It’s a true high school experience...more freedom.” • “We’re not obsessed with tests.”
Tier 2	<ul style="list-style-type: none"> • “We think a lot about remediation because of this student population.” • “Our curriculum is kind of like an emergency management system and the workers have the ideology like they’re a team of firefighters.” • “The pressure is so extreme ...you can have kids take nothing but math and English all day.” • “The kids’ experiences are pretty narrowly focused on their acquiring basic skills that will get them past tests.”
Tier 3	<ul style="list-style-type: none"> • “You’re just sitting down the whole time....You’re not really interacting with anybody; you’re just on the computer.” • “It’s a lot of revisiting basics.”

The Influence of School Accountability and School Closures on Student Experiences

A critical influence on schools’ and students’ experiences in New Orleans is the Louisiana school accountability system. An annual School Performance Score⁴⁰ and an accompanying letter grade (A–F) are the primary means by which the Department of Education “communicates the quality of school performance to families and to the public.”⁴¹ The SPS score is the state’s primary means by which to evaluate, rank, reward, and sanction the public schools.

Scores determine how consumers will see the school and how easy it will be to recruit able students. They also determine how the school will be treated by the district and state, with interventions for failure that lead eventually to closure. Finally, they determine whether the schools can be moved back into publicly managed districts, out of the state-run RSD.

Increasing and maintaining high SPS scores are essential for schools in this system. As we saw in both the quantitative data we analyzed and the interviews we conducted, SPS scores are, in many schools, the driver of enrollment practices, in terms of which students are sought or avoided; academic decisions, determining curricular and instructional approaches; school organization, including structural details of the school day and year; and discipline practices, such as detentions, suspensions, expulsions, and overall school climate.

Every person we spoke to during this study referenced the importance and power of the SPS score in the state's school accountability system. Students understood how scores influenced whether their schools stayed open or shut down and if they would be promoted each year or graduate; principals understood how charter renewal, and in many cases their continued employment, hinged on the school's annual scores; parents referred to scores as a way to determine whether a school was high quality or low quality; and teachers viewed students' scores as a determinant of whether they successfully taught the curriculum or not. In the words of one educator, "the incentive structure is based on test scores...and [schools] want to do anything they can to get higher test scores."

The test-based incentives affected student experiences in many ways: the schools at which they could (and could not) gain admission; how they were treated in school, including the likelihood that they would be pushed out; and the nature of the curriculum they experienced.

One aspect of this system is the regular closing of "failing" schools—perhaps better described as those schools in the bottom portion of the hierarchy that serve the most needy students—which affects some students frequently. Since RSD's expansive takeover of OPSB schools in 2005, direct-run RSD schools have been closing or phasing out⁴² at a steady rate. Some of these were due to the decision that the district would no longer run any schools, and all would become charters. Others have been schools closed due to academic "failure." Between 2011 and 2013, for example, six RSD charter schools, 10% of the district's total school portfolio, were closed based on low SPS scores.⁴³

The RSD distributed students who attended the closed RSD direct-run schools to existing charter schools that had space. Students who attended RSD charter schools whose charters were revoked were granted priority in OneApp if no charter operator agreed to absorb the students. An investigative report conducted by *The Lens*, a local newspaper in New Orleans, found that among students whose school closed due to academic failure, at least half ended up at similarly poor-performing schools with letter grades of D or F.⁴⁴

The experience for students who attend failing schools that are shut down is disruptive and often discouraging, as these students—whose school was slated for shut-down at the end of the 2013–14 school year—explained the following:

It's like everybody built a connection with everybody in the school and now we have to stop and go somewhere else and we're all going to be separated.

A little piece of me died.

It aggravates me sometimes because I'm tired of switching schools all the time. I want to just stay in one school for four years. I want to just get into a high school and stay there. I don't want to keep having to send my record from this place to that place.

As this last student's comment reflects, because the school hierarchy serves students of different income and achievement levels in different tiers, the neediest students are by definition most likely to be in schools that are threatened with closure due to low test scores. As schools struggle to survive, they benefit from ridding themselves of students who are harder to educate, and high-need students can experience the trauma of school exclusion as well as schools closing multiple times.

An RSD representative voiced her concern that the district had no safeguards to ensure students would not get tracked from one failing school to another or even lost from the system:

I blame it on [the RSD], because the kids at [Tier 2 shut down school] and [Tier 2 shut down school] were filtered from one of the other elementary schools that closed down, and so now they're in another school that's closing down, and they have to move again... A good number of the kids from one of the other elementary schools that was shut down never reappeared somewhere else.

There is not a systematic way to track those students who may have dropped out of school entirely. In the sea of schools in New Orleans, where there is little communication among the different schools that function as mini school districts, and between those schools and the RSD, students can and do disappear both from the schools and from the district and state data sets that are supposed to track them.

The alternative schools that are the schools of last resort are especially challenged within the current accountability structure. As one principal noted,

Obviously, none of our schools can ever meet the accountability scores to stay open... We still get an SPS score number and a letter grade, which will obviously always be an F....

Closing these schools as their accountability exemption expires does little good and may do substantial harm, as those that are making headway in learning how to educate this group of students successfully will be replaced by new school operators who have to start all over to create a functioning school—a process that generally takes about three years—which puts them well along the chronological process toward closure.

IV. Student Outcomes and School Results over Time

In this section, we present data from our own research and that of others regarding student outcomes and school results in New Orleans. These data present very different pictures of the outcomes of the reforms, and we seek to unpack the often confusing findings that emerge by clarifying the sources and methods used in different studies and data reports. In brief, frequent changes in the metrics used to gauge school and student progress in Louisiana and New Orleans, as well as the use of different data sources and comparison groups, can lead to very different conclusions about trends over time, especially with respect to test scores.

The picture is always more positive if the OPSB data is combined with data about the New Orleans RSD. However, claims about the reform strategy—which included a state takeover, discontinuation of the elected school board, and conversion entirely to charter schools—pertain only to the New Orleans RSD. These policies were not applied to the current OPSB. Thus, wherever possible, we disentangle the findings for the two districts. There, the stories are very different: While the OPSB is one of the highest-performing districts in Louisiana, the New Orleans RSD remains one of the lowest-performing districts in one of the lowest-performing states in the U.S.

Effects of the Marketplace Incentives on Schools

The marketplace in New Orleans is complex. We certainly saw and heard reports of schools seeking to do their best to educate students well to the extent they could figure out how to do so, often against considerable odds, and some that were succeeding in providing an enlivening and engaging education that would support the attainment of deeper learning and 21st century skills like critical thinking, problem solving, communication, and collaboration. But these schools typically served the Tier 1 students who were already most advantaged, along with some Tier 2 schools that consciously resisted the norm of test-based instruction coupled with a no excuses approach to discipline.

At the same time, the focus on competition among schools in the New Orleans marketplace centers substantially on student test scores. As we have seen, this focus creates incentives for school stratification through “cream skimming” more advantaged students where schools have the ability to do so and pushing out those who do not measure up by academic or behavioral metrics. While one would hope that school choice could incentivize the provision of high-quality education to students, fitted to their particular interests and talents, such an approach is more difficult for increasing test scores than creaming and cropping students.

The tension between focusing on improving educational quality and managing the “quality” of students was also noted in a study recently released by the Education Research Alliance of New Orleans, which included interviews describing the responses to competition of 30 charter school leaders.⁴⁵ The findings suggested that “school leaders ... responses to [market] pressures varied, depending in part on their status in the market hierarchy. Some took steps toward school improvement, by making academic and operational changes, while others engaged in marketing or cream skimming.”⁴⁶

While nearly all of the school leaders (29 of 30) focused on marketing or promotional activities, only about one-third of school leaders reported using academic and operational strategies to improve their schools. These ranged from seeking to boost test scores directly to looking for better teachers, adding gifted programs, AP courses, creating dual enrollment partnerships with institutions of higher education, and engaging in fundraising to expand offerings and extracurricular activities. Many of these strategies were also designed to create a niche for the school that would allow it to attract more desirable students.

Even though all but one led open enrollment schools, at least 10 of the 30 school leaders described engaging in selection practices. They used a variety of strategies to find and recruit more able students outside of the OneApp process, even when they were fully enrolled, or refused to advertise or to admit students in mid-year, even if they were under-enrolled. Some described how parents or students not ready to “step up” to their school’s “high expectations” would transfer out, a form of selection through attrition. The author noted,

When schools reported selecting students, they seemed to view it not as a choice but as a necessity to survive. In most cases, principals reported such practices matter-of-factly. Schools in New Orleans are responding to market pressures, but they are also responding to a “different set of incentives” (Lubienski, 2005), including balancing the accountability pressures to improve test scores with the need to enroll more students.⁴⁷

Challenges in Drawing Inferences About New Orleans Results

The net results of these forces on student achievement and attainment have provoked considerable contention. Numerous claims have been made about the success of charter schools in New Orleans as proponents have put it forward as a model for other jurisdictions to follow.⁴⁸ Virtually all observers agree that the system was underperforming before Katrina, and there are data suggesting that school performance has improved since. For instance, the former CEO of New Schools for New Orleans, a charter support organization, says that New Orleans schools have gone “from an F to a C,” citing the state accountability ratings and pointing to higher graduation rates and ACT scores as evidence.⁴⁹

However, Louisiana has twice changed the way it calculates schools’ A to F grades for school accountability purposes over the last decade, making it easier to get higher ratings while also keeping a substantial number of schools that are opening, closing, or involved in turnaround activities out of the rating system for periods of time. In addition, widely cited data on New Orleans graduation rates have been questioned—with different definitions producing evidence of either modest increases or slight declines, as we describe below, but remaining extremely low, along with ACT scores that are among the lowest in the state.

The many changes in metrics and data sources in Louisiana and New Orleans are one source of contention about trends in performance; difficulty in constituting an adequate comparison group before and after Katrina is another. Use of different definitions and data sources for comparing results across schools and over time is yet another problem in sorting the claims that are put forward by proponents, skeptics, and various researchers. Finally, the LDOE’s refusal to provide data requested by a wide range of independent researchers has made

it impossible to adequately test the various claims with the individual-level student data that would be needed to address the questions of student inclusion and comparability.

Changing Metrics and Issues of Data Sources

Below we discuss the changes that have occurred in the metrics for school ratings and test scores, as well as the different findings about graduation outcomes that are a result of advocates and researchers using different data sources and measures.

School ratings. At the top of the statewide school report on the LDOE website, the successes of the state are noted as follows:

- Since 2011, the number of schools earning a letter grade of “A,” the state’s top distinction, increased by 144% percent, an increase of 141 schools.
- The number of schools with a failing letter grade has correspondingly decreased from 2011 to 2014, by 20.9 percent, or a total of 24 schools.⁵⁰

However, the website does not signal that the school ratings system was changed over that period of time in ways that increased school ratings and reduced the number of failing schools as described below.

With respect to the School Accountability System, the state used a star system (1–5 stars to indicate performance) calculated with SPS scores ranging from below 60 points to over 140 points prior until 2010–11. As noted earlier, after having raised the benchmark for school failure to 87.4 in 2005, it was placed back at 60 in 2010, causing fewer schools to be deemed failing. In the 2011–12 school year, the SPS calculations introduced letter grades and increased the total number of points possible to 200. In the 2012–13 school year, the total number of SPS points changed again, settling at 150 total possible points.

Furthermore, beginning in 2013, when the LDOE adjusted its SPS scale to a 150-point system, the state also created a label for schools that are “in transition,” excusing those schools from being graded. These schools are marked with the letter “T” to signify that their test scores are not reported because they are charters that have recently taken over previously failing schools and absorbed all of those students and grade levels. In this way, failing schools are essentially removed from the school landscape for a period of time, and their students’ scores are not reported once those children are re-enrolled in a new school.

Thus, in the 2013–14 school year, four schools with “T” grades were not counted as “failing” schools, nor were the 16 schools that received a “D” grade.⁵¹ These constituted more than one-third of the schools in the New Orleans RSD. Additionally, charter schools that are new, or have been in operation for fewer than three years, are “ungraded” or exempt from earning an SPS score; this gives the school a cushion before being held accountable publically for student performance on state tests. All of these can create gains in the district’s average school rating by eliminating low-performing schools from the calculations. There are more schools in the process of starting, ending, and absorbing students each year in New Orleans RSD than any other district in the state, and thus more schools are left out of the ratings there.

Test Scores. In recent years, Louisiana has changed the test content and the cut scores on its tests for designating students as having reached the “basic” or “mastery” level. The proportion of correct answers needed to achieve a given cut score was lowered,⁵² and virtually all schools have shown improvements in the proportion of students reaching those levels. Thus, gains in the percentage of students achieving at the basic level or above (reported in the most recent Cowen Institute study)⁵³ are difficult to interpret as evidence of educational progress without making comparisons to other similar schools. For this reason, some researchers have argued that the most accurate comparison of trends over time within New Orleans is to look at its rankings relative to other districts in the state. We examine data in this way in a later section.

Graduation Rates. High school graduation rates are also the subject of contentious debate. In 2014, for example, the governor of Louisiana, Bobby Jindal, claimed an improvement in graduation rates over time, citing data used by Educate Now, a pro-charter school organization. Jindal said,

Right before Katrina, during the 2004–05 school year, New Orleans had a graduation rate of 54.4%. The graduation rate for New Orleans is now 77.8%—which tops the statewide average for all students (which just reached an all-time high at 72.3%)—and the national average for African American students.⁵⁴

However, these graduation rate trends are not supported by evidence. The pre-Katrina figure cited by Jindal is unsubstantiated by the LDOE, which says that such a statistic was not collected or published at that time.⁵⁵ The data that have been unearthed by researchers who have looked through state and district archives show that graduation rates for the OPSB in the pre-Katrina years (which then included what is now both RSD and OPSB) hovered at 78% to 81% between 1999 and 2002.⁵⁶ Currently published data make it clear that the more recent statistic Jindal used (77.8% for 2011–12) combines both RSD and OPSB data; thus it appears that graduation rates had declined slightly at the time he made this statement, rather than increased. Since then, the combined graduation rates have declined further, to 72.7%, with the New Orleans RSD at 61% and the OPSB at 89%.⁵⁷

Comparison Group Challenges That Result in Non-Convergent Findings

Difficult methodological challenges confront studies seeking to make causal claims about the effects of post-Katrina reforms, since none can fully account for factors such as the loss of thousands of families who never returned to the city after the hurricane, the dramatic change in student demographics, or the resources available to some schools that now receive considerable private money. Census data show that not only has the city become smaller since 2000, it disproportionately lost low-income black families and those who did not own homes,⁵⁸ thus representing a more advantaged population today than previously.

Because of the difficulties associated with creating a comparison group for evaluating effects, one recent study from the Cowen Institute used students from other districts outside of New Orleans as controls for students inside New Orleans, despite the unique composition of the student population and schooling context in New Orleans.⁵⁹ The study reported increases in the number of New Orleans students achieving a “basic” or above level on state tests and concluded

that students gained more than the comparison group students. This study has not yet been published in a peer-reviewed journal in a complete form, and only a truncated version of the findings is available, so it is not possible to examine the methods fully enough to evaluate the plausibility of this unusual approach to comparison.

Meanwhile, one study looked at the actual students from New Orleans to compare outcomes for evacuees who continued their education in and outside the city. The research, published in the *American Economic Journal*, tracked the 20,000 students whose families fled the city, finding that those who stayed away after Katrina did better academically than those who came back. Evacuee students who returned in 2009 to schools in the RSD showed no statistically significant post-Katrina gains, while the highest evacuee achievement gains were in traditional public schools outside New Orleans.⁶⁰

Two recent studies from the CREDO at the Hoover Institute have included charter schools in New Orleans. The first, *Charter School Performance in Louisiana*, included New Orleans as the largest supplier of charters in the state.⁶¹ It concludes that charter school students do better than traditional public school (TPS) students statewide and in New Orleans in reading and mathematics gains. (This finding held for urban charters, not suburban or rural ones, and for non-poor students). However, the study is not actually a comparison of the body of TPSs in the state with charters: It excludes most traditional public schools because it only matches charter students to those schools that are direct “feeder” to those particular charters. These feeder schools are not only a small subset of all traditional public schools in the state (372 out of 1,381, or 27%), they are also very different in their demographic characteristics. Furthermore, they represent only those schools that students leave to attend charters, rather than the ones where students are sufficiently satisfied or well settled to stay.

The authors do not describe how they handled the fact that many of the “feeder” schools to New Orleans charters were rapidly disappearing over the years studied (2005–06 through 2010–11); thus, the closing schools would not have any students to contribute to the comparison in subsequent years. They also do not describe how their virtual matching methodology could work in New Orleans where charter students far outnumber non-charter students. The method described indicates that, typically, each charter student is matched to multiple (up to seven) “virtual twins” who are demographically similar TPS students from feeder schools that have sent multiple students to a given charter, a feat that would be numerically impossible in New Orleans without changes to the methods, which are not described. For these reasons and others, such as the failure to distinguish selective charters from open admissions charters,⁶² it is difficult to know what schools and students are really being compared in this study.

The second CREDO study, on urban charter schools across the country,⁶³ included New Orleans as one of the 41 cities where students in charters were compared to those in non-charter schools. The report concluded that, overall and in New Orleans, charter school students made greater gains in mathematics and reading than those in TPSs in the same cities. The report offers little information about its sample. It does not reveal whether it used the same “feeder” school methodology described in the Louisiana study, nor does it state whether it included both the New Orleans RSD and OPSB schools as its representation of New Orleans. The study report does not provide sample sizes for charter and non-charter students for New Orleans. Thus, once again, it is difficult to know how to interpret the comparison. If the report included only New Orleans

RSD, the comparison group problem is that there were very few children left in non-charter schools by the end of the time period studied, and the traditional schools were typically those of last resort for students who had been expelled or were denied admission to charters, often because of their special education needs. If the report included OPSB, then it also included the explicitly selective charters allowed by Louisiana's charter law, which are not comparable to other schools on many dimensions. In either case, as discussed above, it is clear that the virtual matching strategy could not have been used as described, because there were too few non-charter students left in New Orleans and a shrinking set of non-charter feeder schools. The report notes that not all charter school students could be matched with demographically similar TPS students (in the national sample about 80% could be matched), but it does not provide data for individual cities about the extent to which matching could be achieved.

Looking at the entire body of TPSs and charter schools in Louisiana—and using a national test that has strong comparability over time—produces a different picture. A study of achievement data from the 2011 National Assessment of Educational Progress (NAEP), using hierarchical linear modeling techniques to look at the achievement of similar students within schools, found that Louisiana had the largest disparity in the nation between the performance of students in charters and traditional schools. In this study, charter school students performed between two to three standard deviations lower than comparable public school students in district-run schools.⁶⁴

Thus, different studies using different kinds of comparison groups come to very different findings. A final comparison would be between Louisiana and other states that have approached reform differently. NAEP data show that, despite having far more charter activity than any other state, Louisiana continues to be one of the lowest-performing states in the U.S. In 2013 (the most recent data available at this writing), Louisiana ranked 48th out of the 50 states in 4th- and 8th-grade reading, 49th in 8th-grade math, and was tied for 50th in 4th-grade math.⁶⁵

Outcomes for the RSD vs. the Orleans Parish School Board

In examining the outcomes of the reform, it is important to consider how to define the reform itself. The major reform included the state creation of the Recovery School District, the RSD's takeover of a large number of New Orleans schools, the removal of the elected school board, and the transformation of all of those schools to charter school status.

The schools in the OPSB were not subject to these reforms: They were not taken over by the state and remain under the governance of a publicly elected school board, which operates a number of the schools directly and has authorized others to become charters that it also oversees. OPSB is one of the highest scoring districts in the state, and when its results are included along with those of the RSD, they dramatically change the conclusions that would be drawn. A community member explained it in this way:

When you hear talk of the success of New Orleans, sometimes they say “New Orleans,” right, and then other times they say “the Recovery School District.” You really have to listen closely to the language, and then go and double check who is included in the data.

Some analysts argue that because the state has changed cut scores on the test and has changed the rating scale for school accountability ratings, the fairest academic comparison of the

New Orleans RSD with all other districts in the state is the percentile ranking of student performance.

As we have seen, it is enormously difficult to identify the effects of chartering, given the dramatic transformation of the population in New Orleans after Katrina, and without student-level data that allows comparison group analyses. At the most basic level, however, it is clear that the New Orleans RSD continues to be a low-scoring district in a low-performing state. As Table 6 illustrates, only 12% of students in the NO-RSD scored at the “mastery” level or above on the state LEAP tests in 2014, half the statewide rate of 24%. By contrast, in the OPSB—a now separate district that continues to operate public schools in New Orleans—the proportion was much higher, at 42 percent.⁶⁶

Table 6: Percent of Louisiana Students Scoring at Mastery Level or Above on State (LEAP) Tests, 2014

Recovery School District (RSD) – New Orleans	12 %
Statewide in Louisiana	24 %
Orleans Parish School Board (Not assigned to RSD)	42 %

Only 15% of Louisiana districts scored lower than RSD on this measure. Despite the fact that many of the charters identify themselves as college preparatory, few of their students meet a benchmark that would suggest they are approaching college readiness. Although 57% of students in the New Orleans RSD performed at the basic level or above in both 2013 and 2014,⁶⁷ the LDOE notes that “basic achievement does not correspond with community college or university success. While 69 percent of students [statewide] hit this mark, for example, only 28 percent complete a university or community college degree.”⁶⁸ This is very close to the proportion that reaches the mastery level on the state tests.

According to LDOE data,⁶⁹ at the end of the 2013–14 school year:

- The New Orleans RSD reported high school graduation rate was 61.1%, the lowest in the state.⁷⁰ Even this low graduation rate is inflated, because it is based on the share of 9th graders who graduate. In the RSD, a substantial number of students leave school before 9th grade.⁷¹
- The ACT composite average score was 16.4, ranking 66th of 70 districts in the state, ahead of only the rest of the Louisiana RSD and three very small rural districts. (By contrast the state average was 19.2 and OPSB average was 20.5). This means that the majority of students in the RSD do not qualify to enter four-year universities in Louisiana.
- Even though most RSD schools are advertised as college preparatory, only 5.5% of RSD students taking AP courses passed the exams with a 3 or more. (The comparable percentage for OPSB was 51.4%.)

Another benchmark of performance is student progress through school. Using individual student data from the LDOE Student Information System to track students from their 9th-grade entry through potential graduation four years later, researchers looked at the progress of students in the three cohorts starting 9th grade in 2006, 2007, and 2008 (followed until 2010, 2011, and 2012, respectively). They found that the New Orleans RSD graduated between 36% and 43% of its students within four years, while OPSB graduated 62% to 73% of its students in this time (see table 7).

About one-third of RSD students and about 15–20% of OPSB students transferred to schools outside of Louisiana or were expected to re-enroll the following year. A few received a GED or a special education certificate. However, about 1 in 5 RSD students and about 1 in 10 OPSB students left school without a diploma or certificate, having dropped out, been expelled, transferred to the corrections system or adult education, or having disappeared from the database. These students are disproportionately the “disconnected” youth who have been unable to successfully complete their education and are least likely to find a productive connection to ongoing education or employment.

Table 7: Progress of 9th-Grade Cohorts Through School, 2006–12

9 th -Grade Cohort Entering Year / Expected Graduation Date Four Years Later	% Graduating with High School Diploma Within Four Years		% Transferred Outside of the State or Country		% Left Without Diploma or GED (Expelled, Dropped Out, Transferred to Corrections, Adult Ed. or Disappeared / Unknown)		% Expected to Re-Enroll in a Louisiana High School	
	NO-RSD	OPSB	NO-RSD	OPSB	NO-RSD	OPSB	NO-RSD	OPSB
2006–07 / 2010	40%	62%	8%	5%	22.0%	13.5%	26%	14%
2007–08 / 2011	36%	73%	12%	6%	23.3%	8.0%	23%	9%
2008–09 / 2012	43%	72%	15%	5%	15.4%	8.5%	22%	10%

SOURCE: LDOE End-of-year Student Information System (SIS) enrollment files, calculated from Hatfield & Ferguson (2015).

Broader Social Outcomes

Another perspective on school outcomes examines exclusion, crime, and the juvenile justice system. One analyst cites the longstanding research connecting lower educational attainment and higher crime rates and shows how that situation plays out in New Orleans.⁷² The report states,

Since the years following the [school] takeover, crime has increased dramatically, with more and more crimes involving juveniles and young adults. For the 2011 year in New Orleans, crime jumped 10 percent from the previous year, with significant spikes in murders, rapes and armed robberies.⁷³

The authors connect the issue of crime to the preponderance of school closings and exclusions. Both strategies simultaneously raise scores for schools (reopened schools are not required to re-admit previous students) while pushing “low-performing” students either to other

schools or out of the system altogether. The report authors argue that the variety of exclusion tactics employed by schools is associated with the increased crime rate.

A new report by Measure of America, a project of the Social Science Research Council, found that over 26,000 people in the New Orleans metropolitan area between the ages of 16 and 24 are counted by the Census Bureau as “disconnected,” because they are neither working nor in school.⁷⁴

Among the youth most likely to become disconnected are those who have been required to move from school to school because of exclusions or school closings. As we learned from our research, many students go to equally low-performing schools or are lost in the shuffle when their schools close. Furthermore, a recent study found that most of them experience significantly negative effects on achievement when their schools close and they are moved to new schools.⁷⁵

The results of this study indicate that for many families in New Orleans, the application of a market-based competitive model in New Orleans has produced a system of winners and losers. It has increased stratification across schools and the exclusion of at-risk students from the most desirable options. This process has exacerbated already inequitable achievement outcomes. One New Orleans parent interviewed provided a dire view of the situation:

There will be a [social] class here [in New Orleans] who will be educated and there will be a class here that will not be educated. That’s just the reality that we’re looking at now. I’m saying in a generation, there will be an underclass here like I don’t know that we have anywhere else in this country, because there will be a part of the populous here that won’t be educated. If you have an uneducated populous, then you have no democracy and that is the problem.

In this parent’s view, echoed by others, the privatization of education has supported educational opportunities for some children while undermining them for others, with serious long-term ramifications for the social and political future of New Orleans.

V. Conclusions and Implications

This study sought to better understand students' school experiences and outcomes in a post-Katrina market-based portfolio district. Based on respondents' experiences and district data, as well as a review of existing research, policies, and documents, we find that the New Orleans reforms have created a set of schools that are highly stratified by race, class, and educational advantage, operating in a hierarchy that provides very different types of schools serving different "types" of children.

Although the education reform movement post-Katrina was intended to improve the educational options for *all* New Orleans children, the changes implemented have not benefited student populations evenly. The most advantaged students—particularly, those who are white, non-poor, and/or academically able—have admirable choices of attractive schools. Meanwhile, the least advantaged—those who have special education needs, have suffered traumas, or have challenging home situations—have few, if any, choices they desire, and are actively avoided by schools that are able to manage their student enrollments (including many that are designated as open enrollment). These students take what they are given and frequently lose it again when they are pushed out or their school is closed. Among the remaining students, some students get lucky in the lottery; others get lost in the shuffle.

One of the parents in our study spoke perceptively about how she sees public schooling in New Orleans today:

Public education is not broken for everyone. It's broken for children who learn differently. It's broken for a lot of poor children, not every poor child, but a lot of poor children.

Key Findings

Below we describe our key findings in terms of students' experiences of school and in terms of system outcomes regarding school quality, improvement, and student progress. We present the findings briefly and then explore each of them in more depth.

Student Experiences of School

1. New Orleans reforms have created a set of schools that are highly stratified by race, class, and educational advantage, operating in a hierarchy that provides very different types of schools to different types of children.
2. Students' academic and disciplinary experiences are strongly shaped by where they land in the schools hierarchy.
3. Students' degree of choice and ultimate school assignments depend substantially on their demographic and academic characteristics.
4. Student experiences are influenced by the test-based accountability system as it influences school curricula and enrollment / push out practices.

System Outcomes

5. Individual good schools have been created in the reform process, but the quality of schools is highly variable.
6. School closure as the primary tool for addressing school quality is problematic, as students lose achievement when they are displaced by a closing school and are often unable to access a higher-performing school.
7. Studies on the effects of the New Orleans reforms on student achievement vary substantially in their conclusions based on the metrics and comparisons used.
8. The New Orleans RSD continues to struggle with poor performance, posting among the lowest achievement and graduation rates in the state.
9. School quality and accountability are impeded by the lack of a strong central system in the New Orleans RSD to support instructional improvement for schools or maintain safeguards for children's access to a reasonable quality of education.

Discussion of Findings

Student Experiences of School

1. New Orleans reforms have created a set of schools that are highly stratified by race, class, and educational advantage, operating in a hierarchy that provides very different types of schools to different types of children. We found that within three descending tiers of schools—and several sub-tiers within each of them—there is a near perfect correlation between the tiered structure and average achievement, and these are, in turn, associated with highly differentiated populations of students by race, class, and disability status. This finding replicates that of the University of Minnesota Law School's Institute on Race and Poverty, which documented in its 2009 study the “separate but unequal tiered system of schools” created by the New Orleans reconstitution, which steers minority students to lower-performing schools and white students to higher-performing schools.⁷⁶

Nine out of 10 white children and 60% of those who can afford to pay for school lunch attend Tier 1 schools in the OPSB, some of which are explicitly selective and others of which are focused on programming for gifted and talented students and those who want to choose academically rigorous programs. In Tier 2 schools, which are supposed to be open admission, this differentiation continues, as schools compete to recruit the most able students and many have a variety of strategies to avoid or eliminate the least able. These include not providing programming for special education students, creating applications processes that high-need students or families are unlikely to complete, organizing academic programs that are aimed at academically able students, and creating stringent academic, attendance, and behavioral expectations that can lead to transferring students out when they are not met.

Tier 3 alternative schools are primarily for students who have been expelled or otherwise taken off track in their progress through school by being pushed out of other schools;

experiencing attendance problems associated with family instability or trauma; becoming pregnant; or experiencing legal difficulties. Many are returning to—or heading for—the corrections system. In this tier resides the greatest proportion of African American students (99%) and the greatest share of students with intensive special education needs, whom other schools have been unable or unwilling to serve.

The phenomenon might be viewed as citywide ability tracking. Instead of ability tracking within *one* school, New Orleans effectually has citywide ability tracking *between* schools, which results in the segregation of students. The schools at the top of the hierarchy have more heterogeneity in terms of race and class, because they incorporate the white and middle-class populations, but they have the most homogenous academic population. The schools in the middle of the hierarchy are more homogeneous in terms of race and class (being predominately low-income students of color), but they have the most heterogeneity in terms of student ability. Finally, the schools in the bottom of the hierarchy have a very homogenous academic *and* demographic population, making the bottom tier the most segregated space educationally.

This hierarchy is maintained through enrollment practices: schools at the top have the benefit of choosing their population and dis-enrolling those that don't comply or continue to meet the standards. At the bottom, schools have the toughest students (academically and in terms of behavior history) and are effectually the “last stop” for public education. In this way, the reform movement in New Orleans has reified and intensified the socioeconomic and racial stratification that existed before Hurricane Katrina. Schools are organized to parallel the external social hierarchy. Instead of education being a means by which students “move up” the social mobility ladder, most students who move among schools after the start of a given school year are “moving down” the hierarchy.

2. Students' degree of choice and ultimate school assignments depend substantially on their demographic and academic characteristics. The LDOE website proclaims that “parents know what's the best education for their child and should be provided with quality choices.” The Department's explanation of school options goes on to explain that “while all students should be held to the same rigorous expectations for achievement, not all students excel in the same environment with the same instruction.”⁷⁷

Although this explanation of school choice implies that students and parents have access to any school of their choosing, in practice, this is not the case. While the most advantaged students have wide access to any school in the city, few students have access to the top schools, and the most vulnerable students have guaranteed access to very few schools. Many students and parents told us that they had no choice in the school they were assigned to attend, as the schools they would have preferred were full or felt they were not a good “fit.”

The most selective, highest achieving, most racially diverse, best-resourced and most sought after schools within this system are out of reach of the large majority of students in the public schools in New Orleans. Students' access to schools is limited by their neighborhood, past academic history (skill level, grades, test score performance), specific talents, behavioral history (previous disciplinary actions, contact with juvenile justice system, truancy), and special education designation (e.g., gifted or talented vs. physical, emotional, or cognitive disability).

Although competition is meant to drive the marketplace of choice, schools do not compete for all children: Children who are more difficult to educate are undesirable consumers in an environment where schools need to achieve high test scores to maintain their desirability and their charter to continue to operation. Taking a risk with low-performing young people can be detrimental to a school's survival.

3. Students' academic and disciplinary experiences are strongly shaped by where they land in the schools' hierarchy. Students' distinctive experiences in schools (academically, socially, and in terms of discipline) are predictable based on key features of the school: its enrollment type, SPS, district affiliation, and type of charter, among other things. These experiences differ based on the school's level of freedom, which is regulated by the type of charter they have, which ultimately determines the type of student they attract, allow in, and/or push out.

Those selective schools with the highest performing students reported that their academic program was more aimed at "pure knowledge," with students invited to investigate and inquire into challenging academic content. Meanwhile, educators in open enrollment schools with middle- to lower-performing students reported pressure to "teach to the test," and many students reported engaging in extensive independent seat work, often without any interaction or communication with other students, as well as computer programs that were aimed at helping them memorize the content they would be tested on.

As one moves down the hierarchy, the discipline environment shifts dramatically. In Tier 1 schools, a supportive approach is implemented with an attitude of respect for students and an eye toward helping them learn self-responsibility. In Tier 2, participants described a much more prescriptive and authoritarian discipline environment where a hawk-like attention to tiny missteps guides the interactions between adults and students, with students receiving demerits, detentions, suspensions, and expulsions for offenses ranging from wearing the wrong clothes to talking or, literally, stepping out of line. Interestingly, in Tier 3, perhaps because the alternative schools are in fact the "last stop" for public education, some of the schools employ a restorative, relationship-based discipline that seeks to teach students how to grow and reflect on their choices and behaviors as a way of improving rather than simply punishing their actions.

4. Student experiences are influenced by the test-based accountability system as it influences school curricula and enrollment / push out practices. As the accountability system determines how schools are rated and whether they are in danger of being sanctioned or closed, it creates incentives to teach to the test and to recruit and retain students who score better while seeking to avoid or unload those who struggle academically. We heard from educators in all but the most advantaged schools that they experienced these pressures, and most described strategies they had seen and/or engaged in to manage the tests and to manage the school population.

The charter law that explicitly allows for selective admissions for some types of charter schools protects the highest achieving schools' populations (via enrollment and retention policies that require students to maintain a certain GPA to enter and remain enrolled), which leads to higher test scores and the likelihood of perpetuating a reputation of exclusivity. It gives these

schools a wide pool of students from which to recruit and more freedom to make educational decisions that are not guided by tests.

According to respondents, competition and subsequent comparison between schools (via the letter grades assigned to schools based on SPS scores) put more pressure on the lowest-performing schools since the most common state sanction comes in the form of charter revocation and school closure. Ultimately then, enrollment is described as a key lever in producing or hindering desirable student performance outcomes; if a school could find a way to control its population then it was more likely to secure high achievement on state tests.

Although the 2012 introduction of OneApp limited the freedom of open enrollment schools to manipulate their enrollment, a number of the interview respondents indicated that strategies to influence enrollment are still used. As a recent Education Research Alliance study found, “some schools targeted children who were already high performing” for recruitment and were able to “circumvent the centralized assignment process” to either attract high-performing students or to dissuade low-performing students.⁷⁸

While there were educators outside of Tier 1 schools who consciously sought to offer a rich and engaging curriculum that was not explicitly test-based and those who sought to educate and retain high-needs students, they saw themselves as pushing against the grain in the system. Schools with the most “at stake” in terms of accountability sanctions were the most likely to employ a “no excuses” or “zero tolerance” discipline approach. Colloquially referred to as “sweating the small stuff,” this approach was common in Tier 2 schools which responded to small infractions as “a big deal” in an effort to stave off potentially bigger behavioral problems at the pass. Examples of “small stuff” might be having the correct colored shoes in the uniform, sitting up straight in class, and walking quietly and in straight lines in the hallways; these elements that seem minor, even negligible in many settings, were under the microscope in many of the open enrollment schools and treated as major violations of the school culture. Some schools used this approach to discipline as a back door way of controlling enrollment: even though schools may not be able explicitly to dis-enroll a student, if the environment is such that only strict adherence to the many rules will be tolerated, students may opt to transfer out, or they may become eligible for repeated suspensions and eventually expulsion because of a chronic lack of compliance.

Accountability policies created a context within which students who are the hardest to educate end up being pushed down the stratification “ladder,” landing at the bottom of the schools hierarchy. Schools in Tier 2 have little incentive to seek out ways to enroll, serve, or retain low-achieving students, although some educators are committed to doing so despite the incentives. Overall, if those students can be moved to the 3rd-tier schools, the 2nd-tier schools have a better chance of constructing a higher-scoring student body. Even those alternative schools in 3rd tier of the hierarchy must advocate with the state to find ways to bypass and negotiate an “alternative framework” within the existing accountability structure so as not to be sanctioned because of their students’ persistent low achievement on state tests.

As a function of the accountability incentives, and the exclusions and school closings associated with them, we found that the most vulnerable students have the least choice, the

greatest uncertainty, and the greatest disruption and displacement in their educational experiences. They are undesirable consumers who have few options, are often pushed out of the schools they finally gain admission to, and are most likely to have their schools closed—some of them on more than one occasion. The result is that those students who would most benefit from the continuity and reliability provided by a consistent school experience are the least likely actually to get one.

System Outcomes

5. Individual good schools have been created in the reform process, but the quality of schools is highly variable. Among the New Orleans schools, our respondents referred to pockets of innovation and instances of high-quality instruction, an outcome of the reform that is admirable and should be highlighted. Many principals we spoke to indicated that there was a deliberate effort to create a school environment aimed at ensuring students felt cared for and supported in their efforts to follow their dreams. And some students shared that this atmosphere was in fact part of their school experience at times. Unfortunately, these stories were often matched with equally disturbing accounts from students who received little instruction and felt that their very presence in school was problematic and that their shortfalls made them targets of a system that seemed determined to weed them out.

In addition, even when caring educators were working hard, they often admitted that they did not know how to accomplish the goals they sought or how to achieve the metrics the accountability system demanded. And there were few sources of learning and support for many of them. As a result, the curricula and instructional practices within the schools across the city are highly variable and decidedly unequal. Without a central governing body, uniform distribution of students across the school sites, or even a means by which school leaders and educators can share best practices and learn from one another, the way school happens for New Orleans children is uneven, unpredictable, and therefore inequitable.

6. School closure as the primary tool for addressing school quality is problematic, as the market-based “close and replace” strategies do not necessarily ensure high-quality school options for the lowest-performing and most socioeconomically vulnerable students. In some cases, students can get trapped in low-performing schools over and over again, increasing the likelihood of continued low performance due to repeated exposure to substandard educational experiences, coupled with the trauma of discontinuity.

A recent study of New Orleans found that students lose achievement when they are displaced by a closing school⁷⁹ and are often unable to access a higher-performing school. Another study on the effects of school closure on students found that this sanction causes a “negative shock to students” which results, on average, with students having lower GPAs and lower attendance immediately following school closure.⁸⁰ According to the study’s findings, these effects have far-reaching consequences such that students often have decreased likelihood of high school graduation and college attendance.

7. Studies on the effects of the New Orleans reforms on student achievement vary substantially in their conclusions based on the comparisons used. Dramatic changes in the

population after Katrina have changed the city demographics and make comparisons that seek to evaluate the effects of reforms difficult. One study has tried to use students from other districts as the comparison for New Orleans students. Though this unusual comparison appears to show gains for students in the RSD and OPSB, the study found that the actual evacuees who came back to New Orleans did not gain achievement. A separate study reinforced this finding and further found that evacuees did best when they migrated to traditional public schools in other parts of the state.

Two studies compared gains of students in New Orleans and Louisiana charter schools with those of students in “feeder” traditional public schools that had sent students to the charters, but did not include students in the remaining traditional public schools (which are 80% of the total) as part of the comparisons. These studies reported stronger achievement for the charter schools in relation to the feeders. Meanwhile, another study, which looked at NAEP data for the full sample of schools, found that traditional public schools far outperformed charters in Louisiana.

A constantly changing set of metrics in terms of how student scores are reported (with recent changes in cut scores and content) and how school ratings are reported (with several sets of changes to the school ranking system) have contributed to competing narratives about the effectiveness of reforms in the years since Katrina. So has the fact that the state allows schools that are brand new, have been closed, or have accepted students from a closing school to be exempted from the accountability ratings for a period of time. Thus, in 2013, when nine schools opened and nine closed, and another set of schools accepted students from those being shut down, more than one-third of New Orleans RSD schools, disproportionately lower performing, were exempted from ratings. In that year the district’s improved ranking (from an “F” to a “C”) occurred substantially because of these exemptions.

8. The New Orleans Recovery School District continues to struggle with low performance. When looked at separately from OPSB, which was not the subject of state takeover and did not include a system-wide conversion to charter schools, New Orleans-RSD schools demonstrate very different outcomes. While OPSB is one of the higher-performing districts in the state, the New Orleans-RSD has among the lowest test scores (at the 15th percentile of districts in the state) and the lowest high school graduation rate in the state of Louisiana. ACT scores are among the lowest in the state and well below the benchmark for college readiness, and only 5% of students who take AP exams reach a “3” or above.

9. School quality and accountability are impeded by the lack of a strong central system in the New Orleans RSD. The major function of the district is to manage the OneApp system. The district is also charged with oversight; however, families and schools experience many struggles resulting from the lack of a strong, high-capacity central office to support instructional improvement for schools or maintain safeguards for children’s access to a reasonable quality of education. Our respondents described the fact that the district has difficulty keeping track of students; cannot ensure that they are enrolled and treated appropriately in light of federal and state law, particularly with respect to access and services for special education students; and lacks a viable means to enforce norms for instructional practices or how student behavior is treated. In addition, with each tub on its own bottom, there is little system to support cross-site learning and school improvement or to create

norms and learning opportunities for instructional practice. Some charter management organizations provide these opportunities to their schools, but access to learning for education professionals is spotty across the district.

Implications and Conclusion

New Orleans represents a model to examine the feasibility of a nearly 100% charter, market-based system of schools where school autonomy, parent choice, and high-stakes accountability coincide. The result is truly an education experiment on a grand scale. Because of its uniqueness, New Orleans has become a city that the nation is watching. As other cities are deciding whether to emulate, replicate, or avoid these sorts of reforms, the children, families and educators in New Orleans are living through the successes and challenges, opportunities, and inequities presented by the policies and enacted on a daily basis.

The Louisiana Department of Education website proclaims that “Louisiana believes every one of Louisiana’s children should be on track to a college degree or a professional career” and that the state’s approach to education is “built on the premise that all children can achieve high expectations for learning and those closest to children...know better than government how to help students achieve.”⁸¹ This vision is actualized for some of New Orleans’ students and families. It is not available to others in the highly stratified system of schools that has evolved. Our data provide evidence of the inequalities in learning opportunities offered across schools, the dramatic differences in how students are treated, and the ongoing exclusion and disruption that characterizes the education careers of many vulnerable students.

The segregation across schools in the New Orleans hierarchy matches the findings of a national study, which found that white students are over-represented in *some* types of charters, while minority students in other types of charters have little or no exposure to white students.⁸² As the Children’s Defense Fund points out, segregated schools reproduce historic racial and class patterns resulting in higher rates of poverty, less adequate access to health care, and assignment to schools with fewer qualified teachers, fewer learning resources, and poorer facilities.⁸³ New Orleans students and educators reported seeing these same disparities in their schools, as the schools serving more advantaged students had greater access to large philanthropic and other private contributions than those struggling to serve the highest-need students.

While studies using different comparison groups provide different views about whether educational outcomes have improved for students in New Orleans, it is clear that the New Orleans RSD continues to be one of the lowest-performing districts in one of the lowest-performing states in the U.S.

It is not obvious what lessons other districts should draw from this experiment at this point. The greater success of the Orleans Parish School Board, which was not part of the state takeover and was not converted entirely to charters, could be viewed as counter-evidence for the claims that the RSD takeover strategy is a silver bullet for others to emulate. However, OPSB has benefited from the fact that it now serves few of the neediest students in the city and can manage its enrollments to keep many of those students out.

From a systems perspective, the question is whether the tools available to the Recovery School District for reducing the intense levels of segregation and stratification in the system and creating much more equitable educational opportunities are adequate to the challenge. The RSD grants charter schools relative freedom to design curriculum, instruction, disciplinary approaches, personnel policies, and organizational features within their schools. It has the power to close low-scoring schools and open new ones.

However, the school closure strategy is not enough to ensure high-quality education for children. It creates considerable disruption for students, and studies find it lowers the achievement of those displaced, who often experience multiple changes of schools both because of school closures (the same students are in the bottom-tier schools that are frequently closed) and because they have opted out of oppressive school environments and/or their individual challenges have caused schools to encourage them to leave. This creates continual trauma and dislocation for these students. Many cannot get into higher-performing schools, whose places are filled, and the schools that replace those that are closed in this highly stratified market are often doomed to be closed as low performing in a few years themselves.

The fact that the many start-up and closing schools, plus those who accept their students, are kept out of the accountability ratings, means that district ratings are artificially inflated for the RSD, while the hidden underbelly of system failure, which profoundly affects vulnerable students, is obscured from view.

The RSD appears to have little oversight capacity to ensure that students are being fairly admitted and appropriately served, and little ability to address problems of access or quality when they arise. It has few tools or resources available to invest in instructional improvement in schools or in helping schools learn best practices and trade successes with each other—a practice that does occur within some charter management organizations, but that is discouraged among schools in a competitive marketplace. Current incentives operate largely to encourage schools to keep their sources of success to themselves.

Our research and that of others finds that school leaders spend a great deal of time marketing their product and managing the student population to attract the better performing students and avoid those who struggle, while focusing instruction on boosting test scores. Fewer describe themselves taking up the more challenging work of transforming educational quality for the highest-need students as a means to meet their goals. Many confess that they do not know what to do to improve the quality of learning their high-need students experience, and there are few opportunities for them to access this knowledge.

Ultimately, a successful system reform will be designed to promote high-quality school experiences for all students in non-segregated settings that safeguard children's rights of access to supportive learning opportunities. In the context of a school portfolio, such a successful reform will also support school improvement in ways that ultimately create a set of schools that are worth choosing, in which every child will choose and be chosen by the schools that meet their needs. That system has not yet been created in New Orleans. History will tell whether it can be developed. It is likely that acknowledging the realities of the experiences of the most vulnerable children is a necessary first step in that direction.

APPENDIX A

Data Collection and Methods

This mixed-method study combined document review, quantitative analysis of administrative data, and qualitative data collection through observations and interviews.

Document Review

The research team began with a thorough analysis of administrative and policy documents that provided information about the system and its evolution immediately prior to and after Hurricane Katrina. We then gathered year-to-year administrative record data and publicly reported information to chart the chronology and details of the school reform process and to examine the historical, political, and contextual factors at play in New Orleans. We continued to collect and analyze administrative and policy documents, as well as other research studies, throughout the research process.

Quantitative Data

We made repeated requests for an administrative data set to the LDOE, which were initially ignored and denied and then partially fulfilled after a court case required the LDOE to provide data to independent researchers. We ultimately received individual-level student data including demographic information (race, ethnicity, gender, free/reduced-price lunch status, special education status) and test scores for all test-takers in the RSD and OPSB. These data allowed us to examine the distribution of students by achievement and demographics across school tiers for 2011–12, the only year for which linkable data were made available. Data were analyzed using descriptive statistics: means and frequency distributions overall and within school categories described by the tiers.

Qualitative Data

We designed a qualitative research process to answer the questions about the impact of this reform on student experiences. We obtained university institutional review board approval to conduct interviews of five different populations—students, parents/guardians, educators, community members, and reform advocates—to provide multiple perspectives on both the system’s approaches and student experiences. We began by contacting schools in each of the school tiers we had identified in order to gather a wide representation of students, families and educators. We observed school environments and student activities in these schools. We then used a snowball sampling technique; after each interview, we asked the participant(s) to recommend another person or people that we might contact.

Interview Process

A series of semi-structured interviews with individuals, plus a number of student focus groups, were conducted during four visits by two researchers to New Orleans on February 20–

23, 2014; March 23–27, 2014; May 13–16, 2014; and October 26–30, 2014. The protocol questions used in the interviews were developed based on the following research questions:

- (1) What are the characteristics of students and schools in different school tiers?
- (2) How are students’ academic and disciplinary experiences alike and different across the schools/tiers?
- (3) How do enrollment and dis-enrollment practices differ for different types of students and in different types of schools?
- (4) What policies influence the schools’ behaviors or practices with respect to enrollment, dis-enrollment, discipline, academic/educational curricular choices?

Interview questions covered topics such as school context/environment, enrollment/recruitment, learning/academic environment, instructional practices, discipline practices and policies, community collaboration/input, relationship to the district/state, school- and state-level policies, expectations, and oversight. The interviews allowed us to gather “thick descriptions” of the experiences, systems, and nuances of people’s feelings and perceptions associated with schools in the city.⁸⁴ Table A-1 summarizes the interviews conducted.

Table A-1: Interviews Conducted

Participant Groups	Number of Interviewees
Principals/School Leaders	11
Educators (current and former teachers, school leaders, board members, and district personnel)	10
Students (current and former students)	42
Parents	9
Community Members (non-educators)	11
TOTAL	81

Data Analysis

To understand the complex phenomena at play in New Orleans schools, we engaged in an inductive and grounded research approach where hypotheses and findings continued to be refined and complicated throughout the duration of the data collection and analysis processes.⁸⁵ We used a number of methods to analyze the data collected during the course of this study including data coding, memo writing (in the field and during coding), conceptual framework development and revision, and weekly analysis meetings as a research team.

Each interview was transcribed word for word by Landmark Associates, which allowed us to re-read interviews in totality and revisit them during the writing and analysis processes. Using Nvivo software, we coded each of the interviews using the coding “nodes” listed in Table A-2 below. The Nvivo software allowed us to examine important or recurrent themes and to systematically consider patterns in responses, as a means to remain “analytically honest.”⁸⁶ We then refined the codes based on the emergence of key themes in the data. During the analysis, we sought to organize the data in a manner that was true to the respondents’ perspectives, experiences, and opinions while also effectively capturing the overall narrative of the way public schools in New Orleans have changed in the last decade.

Table A-2: Codes with Number of Sources and References

Code Name	Unique Sources	Number of References
Academic Experience and Quality	40	152
• College prep	17	30
• Test scores and SPS	20	39
Alternative Educational Setting (no expulsion / voluntary)	12	63
Alternative School After Expulsion (assigned)	11	42
BESE, OPSB, RSD, LDOE Roles	26	89
Data Capture and Dissemination (state, district, school level)	11	37
Demographics, Student Population	34	122
• Class/SES	18	40
• Race	16	40
• Student academic skill level	18	47
Enrollment Process	40	187
• Counseling out while enrolled (push out)	11	24
• Denied enrollment	11	23
• Parent withdraw and transfer	10	13
• Recruitment	8	16
Expulsion Process	14	26
Oversight, Grievances, Accountability	21	63
Privatization, System (or lack thereof)	30	166
• Choice	22	51
• History pre-Katrina, legislation, background	16	51
School Closures (and/or takeover)	25	70
School Creation (openings post-Katrina)	19	35
School Reputation	28	82
Special Education Designation	27	99
Suspensions (including undeclared suspension)	16	27

We wrote 17 analytical memos, which allowed us to make connections between data gathered from respondents, chart our own emerging questions and hypotheses, and highlight issues that needed further exploration or triangulation from other sources. This included reading through field notes, conducting open coding to pull out themes from the data, and creating systematic code memos around particular topics to clarify and link themes and categories.⁸⁷

Finally, during the analysis process we evaluated the validity of the data by using triangulation techniques to ensure that one respondent’s opinion or one outlier experience did not cloud our interpretation of the phenomena happening in the schools. We looked for evidence that emerged from multiple sources of data (e.g., multiple interviews) or types of data (e.g., interviews and documents). Additionally, we sought to include the voices from a wide range of respondents as a means of understanding the nuances of the experiences and the effects of policy at varying levels. At the same time, we sought out dissonant voices or contrary perspectives to produce a balanced account.

APPENDIX B
Legal Framework for Charter Schools in Louisiana

Table B-1: Types of Charter Schools in Louisiana

Type 1	A type 1 charter school is a <i>new school</i> with a charter agreement between the nonprofit corporation and a <i>local school board</i> .
Type 2	A type 2 charter school is a <i>new school</i> or a <i>preexisting public school converted</i> to a charter with the <i>state Board of Elementary and Secondary Education</i> .
Type 3	A type 3 charter school is a <i>preexisting public school converted</i> to a charter between a nonprofit corporation and the <i>local school board</i> .
Type 4	A type 4 charter school is a <i>preexisting public school converted</i> to a charter or a <i>new school</i> operated as a charter between a <i>local school board</i> and the <i>state Board of Elementary and Secondary Education</i> .
Type 5	A type 5 charter school is a <i>preexisting public school transferred to the Recovery School District after the school was determined to be failing</i> with a charter agreement between a nonprofit corporation and the state Board of Elementary and Secondary Education. NOTE: some previous direct-run schools were converted to charters and others were created as new start-up schools using the same population of children (former RSD students).

SOURCE: Louisiana Department of Education, <http://www.louisianabelieves.com/schools/charter-schools/>; Louisiana Association of Public Charter Schools, <http://lacharterschools.org/>.

Table B-2: Charter School Laws and Legislation, 1995–2012

Year	Law and Overview
1995	<p>Act 192 allowed for up to eight school districts in the state to volunteer to participate in a pilot program in granting charters to eligible groups or to apply directly to BESE so the district could operate a charter school themselves.</p>
1997	<p>Act 477 opened up charter school creation in that all districts in the state were welcome to apply, though the number of charter schools statewide was capped at 42. Act 477 also permitted groups to appeal directly to BESE if the local school board did not approve the charter or put conditions on the charter approval that the applying group did not find acceptable.</p>
2003	<p>Act 1293 was passed as a constitutional amendment and four corresponding bills, Act 9, Act 260, Act 381, and Act 944, which significantly impacted the operation of charter schools. Act 1293, in amending the state constitution, authorized BESE to take over failing public schools or provide others to do so. It also authorized BESE to receive, control, and spend the state and local per pupil share of the MFP for those schools.</p> <p>Act 9 spells out the procedures BESE is to follow to implement the constitutional amendment, created the Type 5 category of charter schools as an option that BESE has in providing for the operation of a failing public school it takes over, and includes special provisions for the creation and operation of Type 5 charter schools.</p>
2005	<p>Act 35 substantially expanded the definition of a failing charter school and allowed for the transfer of any school with an SPS below the state average to be transferred from the local school board to the RSD. This law also gives freedom to the RSD to organize its charters in any way necessary including the removal of “attendance zone” thereby making enrollment citywide for Type 5s. Additionally, RSD has the power to determine which schools are opened, which are closed, which schools should be relocated and rebuilt, and what range of grades should be offered.</p>
2012	<p>Act 1 shifts the power from the local school board to the principal and local superintendent. All hiring and firing of teachers moves to the purview of the principal and/or local superintendent while also removing tenure and seniority as basis for retention in a teaching position. Teacher qualifications, effectiveness, and performance are the central determinants for retention and/or dismissal using an evaluation tool. The evaluation tool will also be used to calculate salary (and as grounds for termination) and merit-based pay increases.</p> <p>Act 2 allows for more opportunities for authorizers to add more charters and provides for unlimited vouchers and private choice for all public school students using public per pupil monies.</p>

SOURCE: <https://www.louisianabelieves.com/>; <http://lacharterschools.org/charter-schools/>; Senate Bill No. 710 (Act No. 9); House Bill No. 121 (Act No. 35); Charter School Demonstration Programs Law Bulletin 126.

Endnotes

- ¹ Hill P., Campbell, C., Menefee-Libey, D., Dusseault, B., DeArmond, M., & Gross, B. (2009). *Portfolio school districts for big cities: An interim report*. Seattle, WA: Center on Reinventing Public Education.
- ² Hill et al., 2009, p. 1.
- ³ A longer, more complete discussion of the results is available in Cook-Harvey, C. M. (2015). *Stratification and sorting: Variable student experiences and outcomes in New Orleans' post-Katrina public schools* (Doctoral thesis). Retrieved from <http://purl.stanford.edu/fg124mz4420>
- ⁴ See Table B-1 in Appendix B with the state's definitions of the different types of charter schools and chartering bodies.
- ⁵ Sims, P., & Rossmeier, V. (2015). *The state of public education in New Orleans: 10 years after Hurricane Katrina*. New Orleans, LA: Cowen Institute for Public Education Initiatives. Retrieved from <http://www.speno2015.com/images/SPENO.2015.small.single.pdf>
- ⁶ Spain, D. (1979). Race relations and residential segregation in New Orleans: Two centuries of paradox. *Annals of the American Academy of Political and Social Science*, 441, 82–96; Bankston, C. L., & Caldas, S. J. (2002). *Troubled dream: The promise and failure of school desegregation in Louisiana*. Nashville, TN: Vanderbilt University Press; Rivkin, S. G. (1994). Residential segregation and school integration. *Sociology of Education*, 67, 279–292.
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- ⁸ Fussell, E. (2007). Constructing New Orleans, constructing race: A population history of New Orleans. *The Journal of American History*, 846–855.
- ⁹ U.S. Census, American Community Survey, 2005; Louisiana Department of Education, 2004–05 Orleans Parish District Accountability Report Card.
- ¹⁰ Thevenot, B. (2004, April 20). New probe of N.O. schools is launched. *The Times-Picayune*; Auditor: Orleans schools fall in the red. (2005, March 31). *The Advocate*.
- ¹¹ The SPS is used in Louisiana to measure the relative success of schools. The primary component is performance on state tests, although the ingredients and the scale (100, 150, or 200 points) have changed in the past decade, leading to difficulties in comparisons over time.
- ¹² The chronology of events reveals how the U.S. education system and certain states fostered privatization as an education solution. Louisiana started the Recovery School District (RSD) **before** Hurricane Katrina in response to Federal (NCLB) accountability policy.

Thus, the word “recovery” does not refer to New Orleans recovering from the hurricane but to schools recovering from designation as “failing” under NCLB.

- ¹³ See Table B-2 in Appendix B for a chronology of charter school legislation between 1999 and 2012.
- ¹⁴ Fired New Orleans school workers go to U.S. Supreme Court. (2015). The Associated Press.
- ¹⁵ Kolko, J. (2013). Where back to school means private school. *Trulia* [Blog post]. Retrieved from <http://www.trulia.com/trends/2014/08/private-vs-public-school/>
- ¹⁶ It is important to note that the top of the hierarchy, as it exists today, is not substantially different than it was pre-Katrina. Despite the fact that schooling has changed drastically for the majority of the city’s public, the upper echelons of the public academic sector have remained virtually untouched. In fact, one might argue that with the preponderance of chartering post-Katrina, the schools at the very top of the hierarchy have managed to become *more* exclusive and insulated from change as they have been allowed to further pull away from the direct governance of the OPSB to create their own charter school boards.
- ¹⁷ Data were those supplied by the Louisiana Department of Education for all test-takers who took LEAP, iLEAP, and End-of-Course (EOC) exams in 2011–12. These data include 25,802 students in 3rd–12th grades.
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- ²⁶ The next section describes in detail the different admission criteria for students in the different types of schools; where the selective admission schools require academic criteria be met, the priority admission schools have a range of criteria that give certain students an advantage over others.
- ²⁷ While low performance is certainly a reason for excluding children, it is illegal (except in the highest-tier selective schools, which represents another method of reinforcing stratification). Therefore, many schools focus on exclusion of students likely to have lower test scores, but for other reasons, such as behavioral issues.
- ²⁸ Pseudonyms are used for all participants and schools in this research.
- ²⁹ Public schools, under the federal Individuals with Disabilities Education Act (IDEA), are required to provide seats and necessary accommodations for every student, including special education students. Because of the expense and lower test scores of special education students, many students are discouraged from attending, in violation of the federal IDEA.
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the lower grades in a separate part of the campus. For example, floors 1 and 2 of a building might belong to the direct-run school and operate 11th and 12th grades, while floor 3 of the building would house a charter school with only 9th and 10th graders enrolled.

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