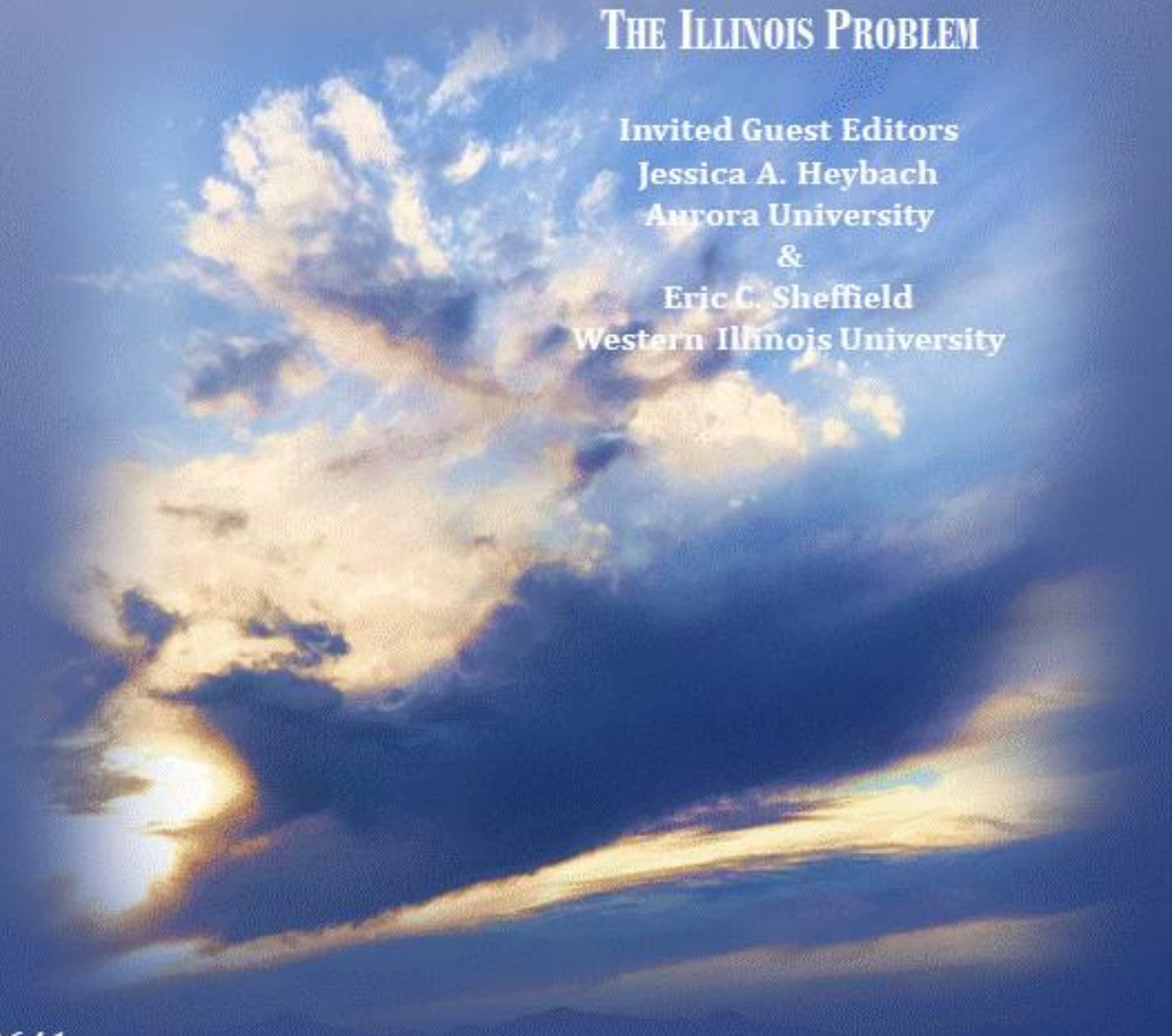
THRESHOLDS IN EDUCATION
since 1975



THE ILLINOIS PROBLEM

Invited Guest Editors
Jessica A. Heybach
Aurora University
&
Eric C. Sheffield
Western Illinois University

Volume 41
Issue 3
ISSN: 0916-9641

Thresholds in Education
www.academyforeducationalstudies.org/Journals/Thresholds/

Aim and Scope: *Thresholds in Education*, now an open access online scholarly journal, is dedicated to the philosophical exploration of programmatic, pedagogical, and curricular renovation as well as new education inquires, theories, and viewpoints. *Thresholds* is a space for authors to engage the philosophical method not only to provide constructive critique of extant policy and practice in education but also to explore fresh ideas and viewpoints that will lay the foundation for innovative and critically oriented schools of the future.

Subscription Information: All past, current, and future issues of *Thresholds in Education* are available at no cost @ www.academyforeducationalstudies.org/Journals/Thresholds.

Thresholds in Education is published at least twice annually each year. ISSN 0196-9641. *Thresholds in Education* is indexed by EBSCOHOST.

Disclaimer:

In consideration of participating in the media production described herein, contributors, their heirs, executor, administrators, legal representatives and assigns release and forever discharge the Thresholds in Education Foundations Board, the Academy for Educational Studies and their officers, agents, and employees and all other persons connected with *Thresholds in Education* from any and every claim, demand, action, in law or equity that may arise as a result of their participation in this production.

*Cover Design by Jessica A. Heybach

The Illinois Problem

Table of Contents

Volume 41, Issue 3
ISSN: 0916-9641

Issue Editors: Jessica A. Heybach & Eric C. Sheffield

Introduction: The Illinois Problem

Jessica A. Heybach & Eric C. Sheffield

Abstract

The co-editors of this issue of Thresholds in Education, entitled The Illinois Problem, trace the reasons why such a discussion as that found in the following pages is appropriate at this juncture of Illinois' history. Additionally, they explain that the title has both a concrete/particular character (Illinois as neoliberalism's research & development laboratory) and a metaphoric/narrative character (the Illinois Problem writ large). Finally, the editors preview the other articles in this third issue of the 41st year of the journal.

Keywords: *activism, Chicago, education, Illinois, neoliberalism, TIF*

We've been pondering the matters taken up by the authors in this issue of *Thresholds in Education* for some time now—both as residents experiencing the daily particular problems of Illinois itself and as interested voyeurs of the broader "disseminated" versions of *"*The Problem" in other states, regions, and even countries. And so, what do we mean by *The Illinois Problem*? In brief, we believe the *Illinois Problem* as taken up in the pages that follow, conveys theoretical, practical, and pragmatic concerns for today's socio-political context—concerns that direct us to see, understand, and act in ways that address the problem itself. The theoretical position that the *Illinois Problem* conveys and utilizes for its analysis is that the current conflated political basis for deciding policy discourages a concern for building and maintaining a healthy public within a democracy. Rather, current socio-political understanding "encourages a morality that is economic; a social perspective that is individualist; a politics that is aesthetically patriotic; and, an economic understanding that is merciless" (Heybach & Sheffield, 2014, p. 71). This theoretical lens, we believe (as depressing as it certainly is), allows us to see actual practical policy intent in the face of both neoliberal and neoconservative forces coalescing toward a similar end—an end which leaves little room for widespread human flourishing. In terms of its practical import, this vision allows us to see the actual intent of specific policies and practices explored in this theme issue.

Neoliberal Double-Think: Publicly Broke and Privately Rich

Wendy Brown (2015) in *Undoing the Demos: Neoliberalism's Stealth Revolution* advances the argument that neoliberalism is more than just an immediate material/economic scheme meant to ensure the rich stay rich and the poor stay poor; rather, it is a rationale that subverts that status of the human. Brown's argument, drawing on the work of Foucault, reveals

that the logic driving such a web of scorched earth economic imperatives hinges on an often-concealed flight away from the logic of human rights. Consequently, the status of the human as a subject endowed with inalienable rights and universal value is undermined within neoliberal logic. Brown (2015) explains:

> …equality ceases to be an a priori or fundamental of neoliberalized democracy. In legislation, jurisprudence, and the popular imaginary, inequality becomes normal, even normative. A democracy composed of human capital features winners and losers, not equal treatment or equal protection. In this regard, too, the social contract is turning inside out. (p.38)

Such an inequality-as-normal logic has crept across local, state and national politics in remarkable ways that undermine more than just the civility of political discourse, but rather, ushers in unprecedented levels of dehumanization that threaten the very potential for democracy to exist. Brown (2015) continues, "as a normative order of reason developed over three decades into a widely and deeply disseminated governing rationality, neoliberalism transmogrifies every human domain and endeavor, along with humans themselves, according to a specific image of the economic" (pp. 9-10). This theoretical understanding of where we are within Illinois and beyond, frames the discussions that follow. Before turning to the bulk of the issues, we open with an example of how neoliberalism incentivizes dehumanization.

In the case of 2012-2013's historic Chicago school closings, it became clear that neoliberal economic forces were not just at the root of these actions, but explicitly used to incentivize state sponsored instability (Aviles & Heybach, 2017).[1] That is, austerity measures were put in place not simply as a necessary response to economic downturns and budgetary shortfalls blanketing Chicago and Illinois at-large, but because numerous private entities stood to gain significantly by investing in communities historically ignored, economically and otherwise. To comprehend how a major U.S. city comes to close 49 public schools, one must consider these school actions within the larger story of state sponsored instability that had been deliberately orchestrated by powerful forces across the city (Lipman, 2013). Since 2002, when then Chicago Public Schools (CPS) Chief Executive Officer, Arne Duncan, forced the closure of three "low-performing" schools (Vevea, Lutton, & Karp, 2013), mass disruption to educational access and services has impacted 41,096 students, and thousands of teachers, administrators, and support staff. To date, over 127 CPS schools have been subjected to "school actions," defined as Board initiated closings, consolidations, and mass firings of school staff within buildings that have been deemed "turnaround" schools (Vevea, Lutton, & Karp, 2013).

1. The images included here were taken by the authors in late fall of 2013 and represent a small fraction of CPS schools that were closed in 2012-2013.

Beyond the issue of manufactured instability, the material loss of public assets cannot be underestimated. For example, CPS spent $30.9 million dollars to board-up schools and move materials out of them—officially termed "mothballing" (CEFTF, 2014). Given the enormous undertaking, The Advisory Committee for School Repurposing and Community Development (ACSRCD) was established at the direction of Mayor Rahm Emanuel "to ensure decisions around these sites [were] made in the best interest of their local communities" (Chicago Public Schools, 2013). The "sites" in question are the closed public schools that sit on public lands—assets that had been paid for by generations of local taxpayers. Public land and goods that might continue to benefit neighborhoods and the city as a whole even if they were/are currently sitting empty.

These decisions were made publicly palatable because CPS and city officials saturated the pubic psyche with the claim of "under-utilization." Thus, if these facilities were "under-utilized" it made perfect sense to close the buildings and relocate students. However, the public was rarely afforded the information that explained what was meant by under-utilization or how this phenomenon came to be. In unraveling the policy history that made these decisions possible, some unique and disturbing components can be found in the case of Chicago: 1) the decision to close schools was made pre-emptively to finalizing a long-term facilities master plan; 2) the wholly manufactured nature of this crisis was made possible by years of charter school expansion that drained public schools of students and resources; 3) the utilization formula "exaggerated the extent of 'under-utilization' and underestimated the extent of overcrowding" (CEFTF, 2014, p. 16); and, 4) CPS ignored best practices from other urban district utilization formulas across the nation. Regarding the utilization formula, CEFTF (2014) found that:

> CPS does not factor into its formula the concerns of parents and educators about optimizing class size, and in some circumstances reducing class size; the current ISBE [Illinois State Board of Education] rules on class size for Special Education; or the class size guidelines in CPS' collective bargaining agreement with the Chicago Teachers' Union [CTU]. CPS does not vary its space utilization guidelines and formula based on goals and objectives (or even restrictions) for optimizing class size, or for the varying space needs for different ages and grades of students. (p.18)

Beyond the shock that the utilization formula violates CPS' own class size guidelines ensured through a collective bargaining agreement with CTU, these actions make it difficult to understand why CPS chose to not consider what other districts (notably New York City) consider when constructing space use formulas.

The CEFTF (2014) report exhaustively chronicles the issue of "under-utilization," and at one point states that "CPS' own top administrators have publicly acknowledged...CPS' formula as a 'blunt instrument'" (p.24). We want to point out that "blunt instrumentation" is notoriously needed in neoliberal societies that do not take account of diverse lived experiences and are emblematic of the mercilessness of neoliberal rationality noted at the outset of this Introduction. CPS' current Space Utilization Standards policy states:

> …Alternate approaches were considered regarding model type...The conclusion was that *wide variability in program type does not make such a model dependable across the entire system* (emphasis added)…CPS finds the classroom-centric methodology [rather than student-centric methodology] on which the Guidelines are based to be significantly more sound and reliable than alternative models. (CPS, 2011)

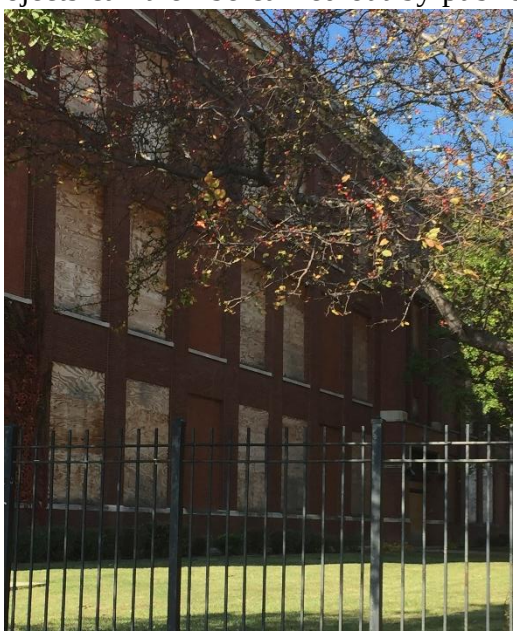
Here is found, in plain sight, the willful dismissal of context and student needs by CPS, as well as evidence of how notions of equal-ness and same-ness have the consequence of amplifying inequality and injustice. In particular, CEFTF argued that vulnerable populations should be taken into consideration when creating a space-use formula that atoned for different, well documented, needs—needs that are in many cases protected by law (e.g. McKinney-Vento Homeless Assistance Act). Yet, as one legal advocate reminded us, "the CEFTF recommendations were never taken seriously by CPS—our work, the report, was buried" (Interview, April 4, 2016).

In the immediate wake of the school closings, the Advisory Committee for School Repurposing and Community Development created glossy PDF marketing materials describing each school facility, including information as to square footage, zoning details, maintenance costs as a school, carry costs as a vacant building, public art holdings, historic building designations, material grounds issues, and the potential for public park creation. The descriptions also included pictures of the structure and floor plans. All of this seems fairly unimportant, until you get to the section regarding "TIF Information."

"TIF" stands for tax increment financing and has been used in Illinois since 1987. According to the Illinois Tax Incremental Association, TIFs are a powerful means to help "financially strapped local governments" rebuild their infrastructure. Although TIF advocates claim that the community "improves" through the use of TIF, this route is not without serious controversy in Chicago and around the nation (Tresser, 2014). After a particular area has been deemed a TIF district:

> The County Clerk certifies the total equalized assessed valuation of property in the District as of the date the TIF district is created. All property taxes arising from this certified initial valuation, or "base value," continue to be paid to existing taxing bodies within the TIF District. Any incremental taxes arising from increases in property values after this point are re-allocated and set aside for "public and private redevelopment project costs" in the District. (TIF Illinois)

In short, *public* tax dollars are set aside for projects that will gentrify the local community, while cutting off already in need *public* projects that do not have immediate access to the funds collected by the TIF district (i.e. *public* schools). TIF projects can then be carried out by public and *private* entities, thus providing *public* tax dollars to fund the development and redevelopment of city land parcels by private, potentially corporate, entities. To put this in perspective, The Civic Lab recently completed research that found Chicago's TIF districts to be sitting on 1.7 billion dollars in TIF funds at the time of the school closings (Tresser, 2014). To date, the largest beneficiaries of Chicago's TIF dollars have been the Loop, Millennium Park, and the Marriott Corporation. These funds have notoriously *not* been used to stop the unnecessary suffering of the public (i.e. those living in unstable communities and neighborhoods throughout Chicago), but rather to gentrify neighborhoods to the benefit of non-human corporations and private entities. The bolstering of non-human value at the expense of material human suffering is quintessentially neoliberal.



Furthermore, a 2011 PEW study found that by and large the promise of repurposing public schools for community well-being has simply not panned out—in fact, it is difficult to repurpose and sell closed public school building across the country (PEW, 2011). Consequently, the use of TIF funds in Chicago adds a particularly unique brand of incentivizing neoliberal

practices which include the closing of public schools to gain access to TIF funds. It is clear that closing CPS schools is unequivocally wrapped up with economic incentives that funnel *public* tax dollars away from *public* entities that are already starved for funds.

To highlight one school that is especially concerning as it relates to Students in Temporary Living Situations (STLS) and the TIF process, we turn to Attucks Elementary School which was phased out over three years (rather than immediately closed as others were). The student population of Attucks was reported to be 100% African-American, 99.2% low income, and with the following homeless rates: 48.3% in 2013, 54.3% in 2014, and 58.6% in 2015 the year the school closed (Illinois Interactive Report Card, 2016). The school is currently being advertised with a TIF balance of $4,185,583, and adjacent TIF's valued at $17,132,219.

These financial realities are difficult to conceive of given the narrative of budget crisis that has enveloped Illinois in recent years and persists to this day. However, worse yet, is the blatant state-sponsored material violence done to this population of students. How is a school building whose students represent such great need (materially and otherwise) allowed to sit on *public* tax dollars in the form of a TIF District while generations of children are subjected to chaotic school policy? This reality challenges the dominant discourses that have surrounded the 2012-13 CPS closings, and should be deeply troubling to any student, parent, concerned citizen, educator, or others interested in the needs of students. Finally, such financial incentives expose not only the overt neoliberal agenda at the very root of these school actions, but that dehumanization and the devaluing of the human will continue to go unmitigated by a public that remains naïve to the financial maneuvers being played in the name of educational "progress."

Local, State, and National Expressions of the *Illinois Problem*

The articles in this issue of *Thresholds in Education* take up the above general and specific concerns—both in Illinois and more broadly—from a variety of perspectives. The first article, penned by Jameson Brewer, Julian Vaquez Heilig, Michelle Strater Gunderson, and Jitu Brown, focuses on activist reactions to school reform. Noting that the privatizing movement has brought decreased student achievement, increased racial inequality, increased class size, and increased violence, the authors focus on strategies activists are using to push back on the privatization movement. Angela Kraemer-Holland follows that discussion with a theoretical analysis of the state of democracy in Chicago. Utilizing Rancière's theory of politics, Kraemer-Holland argues that education reform in Chicago and elsewhere is a manifestation of anti-democratic practices rampant throughout the US.

Following Kraemer-Holland, Ashley Allen examines the historic tradition of activism in Chicago, noting that that tradition is alive and well. She suggests that Chicago activism and its activists might be inspirational for encouraging peaceful "fighting back" in a variety of ways on a variety of issues and in a variety of places. Chris Higgins moves us out of Chicago proper and onto/into the public universities of Illinois and beyond. Noting that the attack on the public sector has sent Illinois public universities into a death spiral—one that must be stopped if the public is to remain in existence at all, much less as a viable political entity.

Becky Noël Smith's piece on the Opt Out Movement, examines its current "place" in the ongoing resistance to standards-based education and high stakes testing. Smith's historical analysis notes the national flavor of the attack on public institutions and ways the Opt Out movement continues to resist. In our final piece, Nicholas Eastman examines Neoliberalism's

"relationship" with charter schools. Eastman's analysis pays particular attention to charter schools' role in "capital accumulation" and the "revitalization" of urban space as well as the exploitation opportunities Charter Schools provide for property owners in St. Louis and across the nation. All of these articles seek to reveal and resist the explicit and implicit tendencies that allow for the exploitation and dehumanization of humans in the enactment of brutalized forms of policies and practices.

Some Final Introductory Remarks

Returning to Wendy Brown's (2015) argument that "equality ceases to be an a priori or fundamental of neoliberalized democracy" (p. 38), citizens must consider the end game set in motion by the rationale that gives rise to the *Illinois Problem.* Neoliberalism, within the public imaginary rather than the imaginary of academics who invoke its use, holds almost no seat at the table. If you hesitate to believe, we challenge you to ask those sitting around your holiday dinner table what they think of neoliberalism. The unfortunate status of neoliberalism as an organizing concept often cuts off the much-needed understanding that is required to resist such political movements. Instead, we might invoke the historical memory of fascism as a concept more readily knowable to the public. It may seem a point of exaggeration, but consider the similarities of neoliberalism and the rise of fascism in 20th century Europe.

In thinking about the philosophical stance of fascism, and its similarities to neoliberalism, the text *The Origins of Totalitarianism* by Hannah Arendt (1976) stands as a fruitful conduit for such activity. Her writing regarding the right to have rights is timely and necessary to understand contemporary expressions of such rationalities (Bernstein, 2018). Arendt states:

> The calamity of the rightless is not that they are deprived of life, liberty, and the pursuit of happiness, or of equality before the law and freedom of opinion—formulas which were designed to solve problems *within* given communities—but that they no longer belong to any community whatsoever. (p.452)

We might add, a state of exile or stateless refugeeism as was the case in what Arendt was theorizing offers a particular embodied physicality, being removed from literal communities, that signals awareness that is not afforded in all neoliberal erosions of human rights.

Arendt (1976) reminds us that there is more at stake than simply the loss of community within totalitarian regimes; rather, she argues that such totalitarianism leads to the fundamental deprivation of the "rights to action …[and] the right to opinion":

> The fundamental deprivation of human rights is manifested first and above all in the deprivation of a place in the world which makes opinions significant and actions effective…This extremity, and nothing else, is the situation of people deprived of human rights. They are deprived, not of the right of freedom, but of the right to action, not of the right to think whatever they please, but of the right to opinion. (p.296)

Again, Arendt is speaking of a strategic, explicit, physical, rationality that allows for the total domination of the other. Neoliberalism is not nearly as overt as fascism—rather, neoliberalism slowly and covertly creeps and slides over, finally appropriating for its own purposes, otherwise

worthy ideas meant to support equality and progress. The *Illinois Problem* is not as obvious to onlookers as fascism was and is. However, in policy and practices it leaves little in terms of options to confront its nearly-rationalized logic. In closing, we hope that the articles that follow in this issue allow for the explicit rendering of the problem at hand so that we might locate and resist the explicit and implicit tendencies that arise from within the *Illinois Problem.*

References

Arendt, H. (1976). *The origins of totalitarianism*. San Diego, CA: Harcourt, Brace, Jovanovich.

Aviles, A. & Heybach, J.A. (2017). Seeking Stability in Chicago: School Actions, (C)overt Forms of Racial Injustice, and the Slow Violence of Neoliberal Rationality. *Education Policy Analysis Archives*, *24* (58), 1-32.

Bernstein, Richard J. (2018). *Why read Hannah Arendt now*. Cambridge, UK: Polity.

Brown, W. (2015). *Undoing the demos: Neoliberalism's stealth revolution.* New York: Zone Books.

The Report of the Illinois General Assembly's Chicago Educational Facilities Task Force [CEFTF]. (2013). Findings and Recommendations Regarding the Implementation of IL P.A. 97-0474 and Planning for the Future of Chicago's Public Schools. https://www.isbe.net/Documents/ceftf-annual-rpt12-13.pdf.

Chicago Public Schools (2011). *Facility standards*. https://cps.edu/About_CPS/Policies_and_guidelines/Pages/facilitystandards.aspx.

Chicago Public Schools (2013). *2013 School actions building repurposing and sale process*. https://cps.edu/Pages/schoolrepurposing.aspx.

Heybach, J. & Sheffield, E. (2014). Creating citizens in a capitalistic democracy: A struggle for the soul of American citizenship education. In J. Petrovic & A. Kunz (Eds.) *Citizenship education around the world* (66-83). London: Routledge.

Illinois State Board of Education (2016). *Illinois state report card 2016*. https://www.isbe.net/Documents/2016StateReportCard.pdf.

Lipman, P. (2013). *The new political economy of urban education: Neoliberalism, race, and the right to the city*. London: Routledge.

PEW Charitable Trust (2011). *Closing public Schools in Philadelphia: Lessons from six urban districts.* https://www.pewtrusts.org/~/media/legacy/uploaded-files/wwwpewtrustsorg/reports/philadelphia_research_initiative/closingpublicschool-sphiladelphiapdf.pdf.

Illinois Tax Increment Association. http://www.illinois-tif.com/about-tif/.

Tresser, T. (2014). *TIF analysis ready!* http://www.tresser.com/2014-tif-analysis/.

Vevea, B., Lutton, L., & Karp, S. (2013). The history of school closings in Chicago 2002-2012. https://www.wbez.org/shows/wbez-news/the-history-of-school-closings-in-chicago-200212/cdfc0755-27b9-48de-b5be-bce992124048.

Chi-Town Educator and Community-Based Activism: Confronting a Legacy of Education Privatization in the Nation's Windy City

T. Jameson Brewer, Julian Vasquez Heilig,
Michelle Strater Gunderson, & Jitu Brown

Abstract

The predominance of research and data examining public education privatization in Chicago indicate that there are few financial savings, decreased student achievement, increased racial inequality, increased class size, and increased violence. Considering these outcomes, educators and community-based stakeholders have not remained silent in the face of this apparent injustice. In this paper, we examine teacher and community-based activism in Chicago situated amongst the local and broader reform efforts to which they fight against. We focus on strategies implemented by educator and community-based activists in response to the broader aims of school reforms, those specific to Chicago, and more broadly across the United States. We conclude by discussing the implications of the strategies that have been borne out of the activism in Chicago as well as across the country.

Keywords: *activism, Chicago, community-based, privatization, school reform*

The effort to reform education across the United States and internationally through what Pasi Sahlberg (2012) calls the Global Education Reform Movement (or GERM) has thoroughly reimagined the purpose of education through the lens of schooling and markets. Guided by the persistent assumption that public education has failed (Berliner & Biddle, 1995; Berliner & Glass, 2014), education reformers assert that it is, in fact, government public education that is innately inefficient and ineffective at the management of schools and they should, therefore, be turned over to the hands of private enterprise (Greene, Forster, & Winters, 2005; McShane, 2014; McShane, Wolf, & Hitt, 2018; Walberg & Bast, 2003). Yet, the only way to make sense of a reimagining of public education as an endeavor best organized and overseen by private control is to recharacterize the benefits of education as individualistic goods, or commodities. It is through the recharacterization of education as a commodity that markets make sense in both discursive and practical applications. Private business terminology is thrust onto what was once considered a sheltered public cornerstone of democracy and, instead, is now understood in terms of a private good (Barkan, 2017; Labaree, 1988, 1997).

Concurrent with the reimagining of education along private market-oriented lines (Ball, 2012; Friedman, 1955, 1997, 2002) is the scapegoating of teachers and communities (Goldstein,

2014; Kumashiro, 2012). Teachers are, according to the reformer logic, the fundamental flaw within the educational system (Kopp, 1989, 2001; Kopp & Farr, 2011). Communities, we are told, are the root cause of the persistent achievement gap, and by extension bear the blame of systemic socioeconomic inequality throughout the United States (Ahlquist, Gorski, & Montano, 2011; Berliner, 2006). Reformers understand schools in terms of providing an equal playing field for all students and the failure to ameliorate broad systemic inequality is the result of "bad teachers" and dysfunctional, violent communities who seemingly do not take the required ownership and blame for their failings (Farr, 2010; Payne, 2003).

The education "reformer" approach has simultaneously been implemented in Chicago, New York, and Washington D.C—three of the national largest cities—and many other cities across the United States (Wong et al., 2007). In Chicago, arguably the birthplace of the school privatization movement in the 1950s (Portales & Vasquez Heilig, 2013), former Mayor Richard Daley announced the Renaissance 2010 initiative in 2004, which sought to close 60 public schools and open 100 new charter, contract or district schools by 2010 (Lipman, 2009). The initial conductor on the journey toward privatization and private control was former Chicago Public Schools CEO Arne Duncan—who later became Barack Obama's Secretary of Education. Then in 2011, Mayor Rahm Israel Emanuel was elected. Emmanuel, also a neoliberal-leaning Democratic mayor of Chicago, continued the implementation of the top-down and private-management styled education reforms via mayoral control in Chicago—including school closings in primarily minority neighborhoods and the mass opening of charter schools. Moore and Cohen (2014) reported that, since the mid-1990s when mayoral control began in Chicago, 135 neighborhood public schools have been closed in Chicago and 122 charter schools were opened. In 2013, Chicago placed a five-year moratorium on school closings, which will end in 2018—more closings of public schools are expected (Strauss, 2018).

Chicago charter and public schools are some of America's most segregated urban spaces—racially (Vasquez Heilig, Brewer, & Williams, in press) and resource-wise (Morenoff, Sampson, & Raudenbush, 2001). Contrasting two schools in Chicago provides the context to begin to understand the differences. Agassiz Elementary and Irvin C. Mollison Elementary are two neighborhood grammar schools in different communities. Agassiz is nestled in the Central Lakeview Community on Chicago's North Side and is not far from the home of Mayor Rahm Emanuel. Mollison sits in the historic, predominantly Black Bronzeville community on the South Side of Chicago. Agassiz, which is about 40% White, has had about 470 students while Mollison, which is more than 95% Black, has approximately 370 students (GoCPS, n.d.; GreatSchools, n.d.). The size of the student population is where the similarities end, however. Mollison has had one teacher's aide in the entire building while Agassiz has had a teacher aide cadre of 10. Students at Agassiz have had a fully stocked library with a librarian while Mollison students have had a library but, as is the case in many schools in Black and Brown communities in Chicago, no librarian. Students at Agassiz learn Arabic and Spanish while parents at Mollison have had to advocate for a part-time Spanish instructor. The student-to-teacher ratio at Agassiz is 14 to 1, while in 2017 there were more than 40 students in a combined kindergarten/first grade class at Mollison. In fact, the Mollison was so crowded that students with special needs had to meet under the stairs.

The challenge with mayoral control of schools is the potential for politics and money to take precedence over students' well-being and success. While mayoral control has not remedied resource inequity across Chicago, it is a fair question to ask: Has mayoral-led school closure

led to improved success for students? A report by Chicagoland Researchers and Advocates for Transformative Education (CReATE), a group of Chicago-area university professors specializing in educational research, summarized research from the field that has found school closures in Chicago have historically had a negative impact on children's academic performance (Farmer et al., 2013). They relayed that 94% of students from closed Chicago Public Schools (CPS) schools did not have access to "academically strong" new schools, their class sizes were larger and experienced increased overcrowding. The students from closed schools also had lower test scores and were more likely to drop out of school and their neighborhoods experienced a spike in violence after closure.

A common argument heard in Chicago and elsewhere is that school closure will result in large savings for the public. Farmer et al. (2013) argued that Chicago has had difficulty disposing of school buildings and that national studies of school closing have consistently been underestimated or understated by officials, as districts needed to pay for closed school site upkeep and maintenance, demolition, moving services, new costs of transporting students, and services for both displaced students and the schools that received them. In essence, the cost savings are rarely realized.

School closings in Chicago have not necessarily aided taxpayers, instead, Farmer et al. (2013) found that they have primarily benefited charter school expansion as 40% of closed CPS school buildings have been leased to privately-managed charter schools. As might be expected, CReATE's analysis of Chicago enrollment data shows that school closures have perpetuated a cycle of neighborhood school closure and charter openings. In addition, CPS has relied on laying off veteran teachers and replacing them with alternatively certified teachers (i.e. Teach For America) under the guise of saving money (Brewer, 2016; Brewer, Kretchmar, Sondel, Ishmael, & Manfra, 2016). These alternatively certified teachers are often groomed specifically to teach in the charter schools that are replacing public schools (Edushyster, 2013).

Of note, there is research by the University of Chicago Consortium on School Research that posits charter schools in Chicago have performed better than neighborhood public schools in the Windy City. Gwynne and Moore (2017) found that charter high school students had higher attendance, test scores and rates of college enrollment than similar students in non-charter high schools. However, the study notes that the population of charter schools in Chicago is quite different in two major ways relative to neighborhood public schools. First, the study found that charter high school students transferred out of their schools at higher rates and when compared to similar students in public high schools. The research literature has previously found that charters crop low-performing students which makes comparisons between charters and public high schools problematic (Vasquez Heilig, Williams, McNeil, & Lee, 2011; Welner, 2013). Also, the study found that there was a larger variation in success within charter schools than neighborhood public schools—which is an indication of wider variation in quality in the charter sector relative to public high schools.

Notably, a more recent study by the University of Chicago Consortium on School Research identified problematic social and academic impacts from school closures. Gordon et al. (2018) found that the students moved to new schools created challenging "us" vs. "them" dynamics. The closures also impeded the "longstanding social connections that families and staff had with their schools and with one another, resulting in a period of mourning" (p. 4). The school closures also resulted in problematic learning effects for students that left closed schools as there was a long-term negative impact on math test scores and slightly lower and short-term

effects for reading test scores. Furthermore, students from closed schools experienced lower core GPAs as negative effects appeared in year three and four post-closure.

In summary, the predominance of research and data examining education reform in Chicago indicate that there are few financial savings, decreased student achievement, increased racial inequality, increased class size, and increased violence. Considering these outcomes, educators and community-based stakeholders have not remained silent in the face of this apparent injustice. In what follows, we examine teacher and community-based activism in Chicago situated against the local and broader reform efforts to which they fight against. We focus on strategies implemented by educator and community-based activists in response to the broader aims of school reforms, those specific to Chicago, and more broadly across the United States. We conclude by discussing the implications of the strategies that have been borne out of the activism in Chicago as well as across the country.

Chicago Teachers Develop Social Justice Framework

While the spring of 2018 saw a growing tide of teachers and support staff who were speaking out against the rising tide of privatization and other issues impacting the working conditions of educators (Goldstein, 2018a, 2018b; Goldstein & Burns, 2018), Chicago educators have organized and waged a concerted social justice framework for more than a decade to respond to the attacks on their work as professionals as well as the persistent attacks and cutbacks on financial support of schools and students.

At the beginning of the twenty-first century, business interests seemed to have more and more control over the classroom, educators found themselves with few allies and politically isolated (Weiner, 2011). The movement from business unionism to social justice unionism is a reaction to these outside forces. The definition of social justice unionism for this paper derives from research from a combination of viewpoints in the field of union scholarship (Anyon, 2005; Peterson & Charney, 1999). A union follows a social justice framework if the following principles are intact: (1) there is a commitment to defending public education as a right for all children; (2) the organization upholds the rights of all educators—not just classroom teachers— as workers seeking improved conditions for both children and adults; and (3) in order to fulfill the definition of a social justice framework, an organization demonstrates a commitment to defending the rights of children and acknowledge a partnership with the communities where students live. In order to accomplish these standards, the organization uses a democratic process where rank-and-file participation is encouraged and upheld.

An analysis of social justice unionism is of utmost importance to educators who are no longer willing to have education reform and the privatization of education occur while unions stand by or, even worse, participate in these reforms. Teachers see the co-opting of terms such as "achievement gap" and "accountability" to justify harsh and devastating measures taken against schools, communities, teachers, and children. The movement towards social justice unionism is growing. It is the hope of many teachers, through the structure and power of their unions, to regain power and to once again be invited to the table in forming education policies that affect their lives and the learning of their students. In order to do this, groups of teachers are working toward regaining the transformation of large urban unions toward social justice. One of these groups originated in Chicago in 2008 as a caucus with a social justice framework, the Caucus of Rank and File Educators (CORE). CORE is of particular interest because it is one

of the first social justice caucuses to gain control of a large urban district that also waged a successful strike action.

Building CORE

Several influential Chicago teachers recognized in 2008 that school closings were going unnoticed and unchallenged. They realized that students were being torn from their communities, and they saw veteran, skilled teachers being fired. Jackson Potter (2009), one of the CORE founders, worked at Englewood High School which was slated to close. He relayed his school was labeled as a "culture of failure." Instead of failure Potter believed he was witnessing a systematic marginalization and neglect of a community. As the union delegate for Englewood High School he asked the union for help and was told that he should "look for another job." At a closed hearing, Marilyn Stewart, then president of the Chicago Teachers Union (CTU), told Potter to sit down and not make a fuss. This was a culminating moment when Potter realized his union was not going to fight the privatization and private control of Chicago schools, and that he would need to find others to confront the inequities of school closings and arbitrary veteran teacher job loss.

Potter gathered other like-minded teachers together and they began studying the effects of education reform. In May of 2008, the working group came together at the United Electricians' Hall to develop a strategic plan to defend public education and send the CTU in a new direction. The group decided to continue meeting on a regular basis over the next six months. In the end, these education activists decided that forming a new union caucus was the best method for promoting their social justice vision. This was the genesis of the Caucus of Rank and File Educators (CORE).

In addition to school closings, CORE members were concerned with the proliferation of charter schools. Charter schools were draining student enrollment from neighborhood schools and were impacting the educators because charters at that time were not unionized. The members of CORE realized that there was a link between privatization, gentrification, and the loss of neighborhood schools. "We (CORE) worked with community groups to show that students and families were being pushed out of neighborhoods by the double whammy of developers and school closings" (Shibata, 2010). Hence, the origin of CORE is based in social justice—fighting for and alongside marginalized groups who are oppressed by power structures, including students, workers, and communities. CORE also developed a political platform based on the effects of school closings on neighborhoods, privatization of public schools, and workplace justice for displaced educators.

From the onset, the founders of CORE were adamant that their caucus be much more than an election campaign for control of the CTU. They were focused on fighting for the education that children in Chicago deserve and for the rights of educators. The group was convinced that the only way to successfully obtain these goals was to establish a democratic process and a member-driven union. In fact, a CORE document states,

> CORE believes ultimate Union power and authority rest in the members themselves. Teachers and PSRP's (Paraprofessionals and School Related Personnel) must be the union's driving force—we must take back our union, redefine its values, leadership

> structure, and direction. All elected leaders must be true servants of the entire CTU membership. (Caucus of Rank and File Educators, 2010)

Yet, the greatest driving force for the caucus was educational equity for students. Karen Lewis, then CORE president, often said that educators needed to find issues that "unite us, give us strength, and build our power" (Lewis, 2013). The inequities inherent in the Chicago Public Schools, especially in terms of resource allocation, school funding, class, and race, served all three uniting purposes. After months of learning, discussing, and thinking together, CORE developed its statement of purpose and five basic principles. The statement of purpose said, "We plan to democratize the Chicago Teachers' Union and turn it into an organization that fights on behalf of its members and the students we educate" (CORE, n.d.). To accomplish that end the CORE leadership realized that they needed to take control of the union and advocate for a strong contract agreement that reaffirmed these principles. A new, sturdier contract would be necessary to enforce the social justice vision of this caucus to "ensure the working conditions and compensation provide for optimal teacher and learning," and getting that contract was only possible with full control of CTU.

One of the qualities that distinguished CORE as a caucus from other union organizations was its ability incorporate other educators and community members with a commitment to taking action. CORE members went to school closing hearings, charter school openings, and board meetings. Speaking about CORE presence at Board of Education meetings Karen Lewis stated, "We made it so every single month our voices, CORE voices, became a visible presence" (Peterson & Sokolower, 2010, p. 1). CORE also lobbied the state legislature for a moratorium on school closings. And together with the Grassroots Education Movement (GEM), CORE activists organized massive rallies against the Board of Education including a tent city campout (Caucus of Rank and File Educators, 2011). With each successive action the membership of the caucus grew and took form. As a result, the CORE case demonstrates how taking direct action in service of marginalized communities is a distinguishing factor in social justice unionism. As a result, CORE's mission of social justice began to unite a community-based education reform coalition across Chicago.

Lois Weiner stated that a socially just union struggles for its members' stake in creating a more democratic, equitable society, and the union allies itself with other movements that are working for social justice, peace, and equity (Weiner, 2012). Believing that the Chicago education reforms were affecting many stakeholders besides teachers, CORE continued to reach out to a large network. Chief among these groups were Parents United for Responsible Education (PURE), Designs for Change, and the Kenwood-Oakland Community Organization (KOCO). Norine Gutekanst, who served on the CORE steering committee, said, "We worked with community groups to show that students and families were being pushed out of neighborhoods by the double whammy of developers and school closings" (Shibata, 2010, p. 1). In January of 2009, the foundational group of CORE organized an education summit where allies from around the city were invited to form strategy and cohesion. The day of the summit produced a record Chicago snowstorm, but in spite of the weather 500 people attended from 80 schools and over a dozen community groups (Shibata, 2010). The social justice mission of CORE was attracting teachers, parents, and concerned community members. In fact, Linda Lenz from Catalyst magazine stated, "CORE is amassing people power, something it has done well from the start" (Lenz, 2010).

CORE won leadership of the CTU when Karen Lewis was elected President after a run-off election against incumbent Marilyn Stewart in the spring of 2010. To develop a presence of educator voice in union activity, the new leadership went on a yearlong listening tour. Karen Lewis relayed, "One thing we did was get and use data. We asked people, 'What do you think? What do you want?'" (Sokolower, 2012-2013, p. 2). The union found that its membership had a deep commitment to addressing a variety of issues affecting Chicago schools. These problematic issues included: unmanageable class sizes, a lack of wrap-around services such as nurses, psychologists, and social workers to address the extensive problems of students living in poverty; the absence of art, music, foreign language, and physical education programs; and 90 schools without playgrounds and 140 schools without libraries. CTU published a research document entitled *The Schools Chicago's Students Deserve* (Caref & Jankov, 2012) that outlined the vast unmet needs in the city's schools as well as the union's vision for what schools should be. Educators and community members were galvanized by the results of this research, and it became a centerpiece in the community-based social justice fight for Chicago schools.

During the following school year, 2011-2012, the union leadership and organizers created contract action committees in every school (Sokolower, 2012-2013). Teachers were asked to take part in simple actions, such as wearing red on Fridays. Some teachers held public grade-ins where teachers would grade papers in public in order to build awareness around the number of hours teachers were spending on their jobs. Additional actions were also planned such as parent and community dinners, teacher in the pulpit (a program where teachers volunteer to speak in faith communities), and informational picketing. Many schools sought to build their grassroots power by creating one positive action per month to buttress support among fellow educators and the community (Gunderson, 2013).

The culminating experience for many of the teachers who were working to form educator and community solidarity throughout the school year was a rally at the Auditorium Theatre in Chicago on May 23, 2013. Four thousand educators gathered to hear speeches, sing, and chant inside the walls of one of the union's most honored places—echoing a rally in the same auditorium that was central in the Chicago teacher actions of the 1960s. After the indoor event, the 4,000 in the Auditorium joined the 2,000 educators and community members on the street as 6,000 Chicagoans marched down Michigan Avenue on behalf of education justice (Gunderson, 2013).

Chicago Teachers Strike of 2012

For 11 months, the CTU negotiated in good faith with the Board of Education for the Chicago Public Schools. During that time, much progress was made. The CTU was able to hold off merit pay attached to test scores—a fad which many other large urban districts had already capitulated (Stewart, 2011). Chicago schools were given 500 new positions to add art, music, or physical education to a longer school day, and principals were directed to draw these candidates from a pool of previously displaced teachers. This was the first recall language that Chicago teachers had received since 1995. The union thought that it had gained enough momentum and goodwill to be taken seriously by the Board of Education and the Mayor. Yet, when the contract expired on June 30, 2012, there were many unresolved issues.

The teachers assured the public and community that their first choice was not to go on strike. They assumed Mayor Emanuel would do everything he could to settle it before a strike.

The educators were receiving pressure not to strike from politicians and advocacy organizations. But all along, they were very open about their priorities and their willingness to strike to achieve them (Sokolower, 2012-2013, p. 2). In September of 2012, after negotiations broke down, a strike was called. The strike lasted for seven days, and during that time teachers rallied in public venues across Chicago. For example, it was estimated that a rally downtown on the first day of the strike drew 30,000 people (Lewis, 2013). The amount of solidarity was unprecedented. The Chicago educators had the support of many other city unions during the strike—police, fire, labor—all joined. CTU estimated that less than 2% of workers crossed the picket line. Karen Lewis said the strike "has awakened a lot of labor unions to what solidarity looks like, what it means" (Sokolower, 2012-2013, p. 4).

The 2012 strike was just the beginning of a fight for education justice in Chicago. In March of 2013, the Board of Education announced the proposed closings of 54 schools and restructuring (also called turnaround) actions in six additional schools. This would have been the largest number of school actions any district has ever undertaken in the United States. Most of the schools that were slated for closure were in West and South Side neighborhoods, which serve primarily poor Black and Latinx families. President Karen Lewis addressed these new challenges in her State of the Union Address to the CTU House of Delegates on January 9, 2012. She stressed the need for the union to focus the conversation during the strike. She said, "Brothers and sisters, we must force the discussion about poverty every time they want to force the discussion about school reform" (Lewis, 2013). After seven days on the picket lines, 26,000 Chicago teachers went back to the classroom with a new contract and clear purpose (Ashby & Bruno, 2016).

Moving Chicago Forward

The advancement of teaching as a profession, teacher training, and health care reform are all progressive issues that unions have addressed over the years. Yet, in the current state of education, this is not enough. Educators are decrying an erosion of public education with the proliferation of charters, teachers arbitrarily losing their jobs in turnaround schools, and the purposeful under-resourcement of schools in urban centers. These conditions are primarily found in poor, urban neighborhood where students and communities have limited political power to fight these top-down, private-control education reform policies. In order to continue relevance in today's education climate, educators need to use the structure and power of their unions to pursue educational opportunities and justice for communities.

Speaking to the CTU House of Delegates, a body of 800 democratically elected educators, President Karen Lewis addressed the social justice framework of the union.

> So what was the catalyst for our tremendous transformation–from a do nothing union to a do something union? What moved us from a place of fear and complacency into becoming the leading voices in these United States in the forefront fighting against misguided education reform? How did that happen? (Lewis, 2013, p. 5)

She continued to explain that it came from educators who believe in justice. As Lois Weiner says in her book, *The Future of Our Schools,* "If you care about social justice in education, you

have a very important stake in not only the continued existence of teacher's unions but also in their transformation" (Weiner, 2011, p. 12).

Creating Community Coalitions in the Era of Donald Trump

In 2007, Dr. Pauline Lipman, a University of Illinois at Chicago professor, in conjunction with the Kenwood Oakland Community Organization (KOCO) publicly released a study entitled "Students as Collateral Damage: A Preliminary Study of Renaissance 2010 School Closings in the Midsouth" that tracked the impact of school closings on Chicago's South Side. The study relayed that 90 percent of the children affected by the Renaissance 2010 plan school closings were Black and the majority were from low-income families (Lipman and Person, 2007). The study also found that the school closings had led to a disruption of teaching and learning climate, problems with safety and discipline, and that educators felt they were "set up for failure" due to declining resources. The study also revealed a lack of consultation with the school community and a disregard for their knowledge and input. This seminal collaboration is credited by community organizers as one of the inspiration points for CORE and the successive community-based campaigns organizing against the privatization and private control of public education in Chicago. Despite community organizing and protest from teachers, community organizers, and other education stakeholders—private control and privatization of public schools continued to gain public policy momentum in Chicago and elsewhere for the next decade. The growth of the power of education reformers culminated with the nomination of Betsy DeVos, one of the nation's biggest proponents and financiers of market-based school choice, being nominated for United State Secretary of Education by Donald Trump.

Despite the resounding voices of millions of Americans, as well as parents and students who rejected the failed privatization agenda of Betsy DeVos in Detroit (which she advocated for and bankrolled), the United States Senate confirmed Betsy Devos as education secretary. For the first time in U.S. history, the Vice President had to cast the deciding vote, breaking a 50/50 tie. The reason this unprecedented historic action was required was likely due to the determination of millions of Americans who opposed DeVos' confirmation, and the organizing of national networks such as the Journey for Justice Alliance, the Network for Public Education, the Badass Teacher's Association, the Alliance to Reclaim our Schools, NAACP, and many others speaking out about DeVos' support of the private control and privatization of education. Forcing a historic deciding vote by the Vice President was a culmination of years of organization towards building a multi-racial, grassroots movement for education justice in this country. After the DeVos confirmation, campaigns were organized in 35 cities across the United States, to build grassroots strength to resist the administration's privatization policies and most importantly, advance the vision for equity in public education. Community-based organizers are working to reject privatization and private-control focused education interventions and demand equity for all students (Brown, 2017).

Community activists do not view education privatization and community control as a partisan issue (Vasquez Heilig & Clark, 2018). On April 18, 2018, in several cities across the United States students, parents and educators lifted their voices in a collective rejection of school privatization. The #WeChoose campaign seeks to hold elected Republican and Democratic policymakers accountable to advance an equity-centered education platform and is endorsed by hundreds of thousands of parents and students across the country. As discussed above

in the Chicago case, the Democratic and Republican parties have both played a role in buttressing the privatization and private control of education. For example, even though Donald Trump has promised in his campaign to spend $20 billion on school choice policies, he didn't close 50 schools in Chicago and fail to improve the education of Black and Brown children—it was Mayor Rahm Emanuel. It was not a right-wing Republican who implemented Race to the Top on states and cities, ignoring savage inequities in public education to promote school privatization—it was Arne Duncan, President Obama's Secretary of Education.

Community-based activists have called upon education reforms to refocus on inequality rather than privatization and private-control of education. They are seeking to move the discourse concretely from choice to equity. They are asking questions such as: Why does one child have the opportunity to learn a world language and the other does not? Why does one school have debate teams, robotics clubs, social emotional support and the other does not? Separate and unequal education is about access to resources and opportunity, not how many different schools are available. Most policymakers in the United State have refused to stand firm on the equity issue, critique structural and institutional racism, or advocate for the right for low income families to be treated with dignity and provided educational opportunity.

Community-based organizing efforts to focus on equity instead of choice are growing. There are over 8 million people represented by the platform promoted by the #WeChoose coalition; a moratorium on school privatization, 10,000 sustainable community schools, an end to zero tolerance policies; a national equity assessment of public education in the U.S.; to stop the attack on teachers of color; to end state takeovers and appointed school boards and mayoral control; and finally, limit the over-reliance on standardized testing in public schools. Activists are also seeking to address the strategy that education reformers have traditionally used—which is to pit neighborhood public school parents against charter school parents. They believe that parents and communities should not be adversaries in the privatization and private-control of public education debate.

The #WeChoose campaign is organizing to advance a progressive public education agenda in cities across the United States to inform and build momentum for a national consensus to end school privatization and support sustainable, community schools as a remedy for America's struggling schools. In July of 2018, the Journey for Justice coalition launched a series of "Critical Conversation Townhalls" across the United States to unite communities to fight for equity in public education and to defeat privatization (vouchers and charter expansion) initiatives that will be pushed by Betsy DeVos—and, if history is an indicator—also supported by elected officials from both major political parties (Vasquez Heilig, 2013).

The #WeChoose campaign is successfully engaging people power in social media and in person on the ground to defend children against the privatization and private-control of public education. Community stakeholders in Chicago and other large cities have won sustainable community schools as an alternative to privatization, stopped school closings, elected progressive school board members, led a revolt against standardized testing, and organized boycotts to pressure privatizers to stop closing schools. #WeChoose continues to organize in cities across the United States to build the political will to advance a community-based education agenda focused on equity and not the illusion of school choice that they argue is disingenuously promoted by the supporters of privatization and private-control of public education. The

#WeChoose coalition and its partners proffer that the United States is shortchanging communities of color and that the nation's children deserve equal education opportunities offered by community-based education reform.

Conclusion

The United States has not yet realized the 1954 mandate of *Brown v. Board* to address deep-seated education inequity. Today, more than 60 years later, schools are still profoundly separate and unequal based on race and class. The failure extends to disparities across the spectrum of education including curriculum, access to programs and technology, how school discipline is administered and funding. It is problematic that the state-sanctioned sabotage of human potential is readily apparent in communities across the United States such as Chicago. These issues are being amplified by the school privatization movement, which #WeChoose campaign has called the illusion of school choice.

As we have discussed, the trend towards private control of public schools under mayoral control is clear in Chicago. However, Chicago is not the only place in the United States where privatization and private control has had a purposefully inequitable treatment for communities of color. For example, in New Orleans after Hurricane Katrina, nearly every public school in the system was closed and converted to a charter school. Comparing the experience of St. Bernard Parish and their neighbor, New Orleans' Lower Ninth Ward after Katrina is a case in point of purposeful structural inequity as both areas were ravaged by the hurricane. The major difference between the areas is that St. Bernard's Parish is nearly 72% White and the Lower 9th Ward is 96% Black. The White residents in St. Bernard's suffered greatly, evidenced by 15 schools damaged, many beyond repair (Thompson, 2015). To date, 12 of the 15 schools have been completely rebuilt including a state-of-the-art K-12 complex, *less than 200 yards* from the Lower 9th Ward. In the primarily Black Lower 9th Ward only one school, Martin Luther King High School, has been completely rebuilt and was forced to reopen as a charter school. More than a decade later, Lower 9th Ward students still go to school in trailers or are forced to catch buses very early in the morning to charter schools outside of their neighborhood because most parts of the Ward are still educational deserts. The inequity in the education "reform" approach for neighborhoods relative to race and class noted in Chicago and New Orleans has also occurred in Detroit, Memphis, DC, Oakland and many other cities (Vasquez Heilig, Nelson, & Kronzer, 2018).

In conclusion, Jitu Brown attended a student assembly at Mollison in 2014 some six months after they received 200 children from a recently closed school from a nearby Chicago neighborhood. As he walked into the gymnasium a group of more than 30 second and third graders ran up to him and pulled on his pants leg and asked: "Mr. Jitu, are they going to open my school again? Are we going back to Overton? Please?" All he could do was hug these children as they mourned and tell them, "No, but we are going to do our best to make you happy at Mollison." For those students and families there is no neighborhood school choice. The choice of an equally-resourced, neighborhood public school was ironically taken from them in their name. As we have discussed, educators and community-based stakeholder are actively engaged in stemming the tide of privatization and private-control in Chicago and elsewhere. However, the important work of transforming education and empowering community-based

engagement and support for public schools requires that this country to choose equity, not the illusion of privatized and privately-controlled school choice in Chicago and elsewhere.

Indeed, while there are many successes, public education still needs improvement—especially to remedy the severe inequities that persist (Vasquez Heilig, Brewer, & Adamson, in press). Sixty years after *Brown v. Board*, education is still very separate and unequal. Despite decades of school choice policies and education privatization, White students still have priority access to curriculum, programming, technology and other resources that foster educational environments. Black and Brown communities are being denied those same opportunities and they are in many cities subjected to narrowed curriculum (Brown, Vasquez Heilig, & Brown, 2013) and the onus of improving "failing" schools (Hamilton, Vasquez Heilig, & Pazey, 2013). But, there is hope for change. Hope remains in empowerment—in the ability to organize communities of educators and other public education stakeholders to truly advocate for students rather than profit.

References

Ahlquist, R., Gorski, P. C., & Montano, T. (Eds.). (2011). *Assault on kids: How hyper-accountability, corporatization, deficit ideologies, and Ruby Payne are destroying our schools*. New York: Peter Lang Publishing.

Anyon, J. (2005). *Radical possibilities: Public policy, urban education, and a new social movement*. New York: Routledge.

Ashby, S., & Bruno, R. (2016). *A fight for the soul of public education: The story of the Chicago teachers strike*. Ithaca, NY: Cornell University Press.

Ball, S. (2012). *Global education inc.: New policy networks and the neo-liberal imaginary*. New York, NY: Routledge.

Barkan, J. (2017). Milton Friedman, Betsy DeVos, and the privatization of public education. Retrieved January 29, 2018 from https://www.dissentmagazine.org/online_articles/betsy-devos-milton-friedman-public-education-privatization.

Berliner, D. C. (2006). Our impoverished view of educational reform. *Teachers College Record, 108*, 949-995.

Berliner, D. C., & Biddle, B. J. (1995). *The manufactured crisis: Myths, fraud, and the attack on America's public schools*. Reading, MA: Addison-Wesley.

Berliner, D. C., & Glass, G. V. (2014). *50 myths and lies that threaten America's public schools: The real crisis in education*. New York: Teachers College Press.

Brewer, T. J. (2016). *An examination of teach for america's impact on the teaching profession, hiring practices, and educational leadership.* (Ph.D. Dissertation), University of Illinois at Urbana-Champaign, Champaign, IL. Retrieved from http://hdl.handle.net/2142/90541.

Brewer, T. J., Kretchmar, K., Sondel, B., Ishmael, S., & Manfra, M. (2016). Teach For America's preferential treatment: School district contracts, hiring decisions, and employment practices. *Educational Evaluation and Policy Analysis, 24*(15), 1-38.

Brown, J. (2017). School choice is a scam in segregated neighborhoods. Retrieved August 7, 2018 from https://www.chicagoreporter.com/school-choice-is-a-scam-in-segregated-neighborhoods/

Brown, A.L., Vasquez Heilig, J. & Brown, K. D. (2013). From Segregated, to Integrated, to Narrowed Knowledge: Curriculum Revision for African Americans, From Pre-*Brown* to the Present. In J. K. Donnor and A. D. Dixson (Eds.), *The resegregation of schools: Race and education in the twenty-first century*, (27-43) New York: Routledge.

Caref, C. R., & Jankov, P. C. (2012). *The schools chicago's children deserve: Research-based proposals to strengthen elementary and secondary education in the Chicago public schools*. Chicago: Chicago Teachers Union. Retrieved from

Caucus of Rank and File Educators. (2010). Origins of core.

CORE. (n.d.). Bylaws. Retrieved August 7, 2018 from http://www.coreteachers.org/core_by_laws.

Edushyster. (2013). Is TFA undermining the Chicago public schools? Retrieved September 9, 2013 from http://edushyster.com/?p=3191

Farmer, S., Pulido, I., Konkol, P. J., Phillippo, K., Stovall, D., & Klonsky, M. (2013). *Create research brief on school closures*. Chicago: CReATE. Retrieved from http://www.createchicago.org/

Farr, S. (2010). *Teaching as leadership: The highly effective teacher's guide to closing the achievement gap*. San Francisco, CA: Jossey-Bass.

Friedman, M. (1955). The role of government in education. Retrieved http://www.school choices.org/roo/fried1.htm.

Friedman, M. (1997). Public schools: Make them private. Retrieved http://www.cato.org/pubs/briefs/bp-023.html.

Friedman, M. (2002). *Capitalism and freedom*. Chicago, IL: University of Chicago Press.

GoCPS. (n.d.). Louis a agassiz elementary school. Retrieved August 7, 2018 from https://schoolinfo.cps.edu/schoolprofile/schooldetails.aspx?SchoolId=609773

Goldstein, D. (2014). *The teacher wars: A history of America's most embattled profession*. New York, NY: Doubleday.

Goldstein, D. (2018a). Teacher walkouts: What to know and what to expect. Retrieved July 1, 2018 from https://www.nytimes.com/2018/04/03/us/teacher-walkouts-strikes.html.

Goldstein, D. (2018b). Teachers in Oklahoma and Kentucky walk out: 'It really is a wildfire'. Retrieved July 1, 2018 from https://www.nytimes.com/2018/04/02/us/teacher-strikes-oklahoma-kentucky.html.

Goldstein, D., & Burns, A. (2018). Teacher walkouts threaten republican grip on conservative states. Retrieved July 1, 2018 from https://www.nytimes.com/2018/04/12/us/teacher-walkouts-threaten-republican-grip-on-conservative-states.html.

Gordon, M.F., de la Torre, M., Cowhy, J.R., Moore, P.T., Sartain, L.S., & Knight, D. (2018). School closings in Chicago: Staff and student experiences and academic outcomes. Chicago, IL: University of Chicago Consortium on School Research.

GreatSchools. (n.d.). Mollison elementary school. Retrieved August 7, 2018 from https://www.greatschools.org/illinois/chicago/1242-Mollison-Elementary-School/-Students.

Greene, J. P., Forster, G., & Winters, M. A. (2005). *Education myths: What special interest groups want you to believe about our schools—and why it isn't so*. Lanham, Maryland: Rowman & Littlefield Publishers.

Gunderson, M. S. (2013). *Chicago teachers union, organizing building by building*. Paper presented at the United Opt Out, Washington, DC.

Gwynne, J. A., & Moore, P. T. (2017). *Chicago's charter high schools: Organizational features, enrollment, school transfers, and student performance*. Chicago: University of Chicago Consortium on School Research. Retrieved from https://consortium.uchicago.edu/publications/chicago's-charter-high-schools-organizational-features-enrollment-school-transfers-and.

Hamilton, M., Vasquez Heilig, J. & Pazey, B. (2013). A nostrum of school reform?: Turning around reconstituted urban Texas high schools. *Urban Education, 20*(10), 1-34. doi:10.1177/0042085913475636.

Kopp, W. (1989). *An argument and plan for the creation of the teacher corps.* (Bachelors), Princeton, St. Louis, MO.

Kopp, W. (2001). *One day, all children: The unlikely triumph of Teach For America and what i learned along the way*. Cambridge, MA: PublicAffiars, Perseus Books Group.

Kopp, W., & Farr, S. (2011). *A chance to make history: What works and what doesn't in providing an excellent education for all*. New York, NY: PublicAffairs, Perseus Books Group.

Kumashiro, K. (2012). *Bad teacher! How blaming teachers distorts the bigger picture*. New York: Teachers College Press.

Labaree, D. (1988). *The making of an American high school: The credentials market & the central high school of Philadelphia, 1838-1939*. New Haven: Yale University Press.

Labaree, D. (1997). Public goods, private goods: The American struggle over educational goals. *American Educational Research Journal, 34*(1), 39-81.

Lenz, L. (2010). New union, new day. Retrieved August 7, 2010 from http://www.catalyst-chicago.org/news/2010/11/15/new-union-new-day.

Lewis, K. G. J. (2013). *The state of the union*. Paper presented at the House of Delegates of the Chicago Teachers Union, Chicago.

Lipman, P., & Person, A. S. (2007). Students as collateral damage? A preliminary study of Renaissance 2010 school closings in the midsouth. *Educational Policy, 21*, 471-502.

Lipman, P. (2009). *Making sense of renaissance 2010 school policy in Chicago: Race, class, and the cultural politics of neoliberal urban restructuring*. Chicago: Great Cities Institute. Retrieved from https://greatcities.uic.edu/2009/01/01/making-sense-of-renaissance-2010-school-policy-in-chicago-race-class-and-the-cultural-politics-of-neoliberal-urban-restructuring-gcp-09-02/.

McShane, M. Q. (2014). *Education and opportunity*. Washington, D.C.: AEI Press.

McShane, M. Q., Wolf, P., & Hitt, C. (2018). *Do impacts on test scores even matter? Lessons from long-run outcomes in school choice research: Attainment versus achievement impacts and rethinking how to evaluate school choice programs*. Washington, DC: American Enterprise Institute. Retrieved from http://www.aei.org/publication/do-impacts-on-test-scores-even-matter-lessons-from-long-run-outcomes-in-school-choice-research/.

Moore, K. & Cohen, R. (2014, January 22). Unmasking The Chicago Charter Scam. Retrieved from https://socialistworker.org/2014/01/22/the-chicago-charter-scam.

Morenoff, J. D., Sampson, R. J., & Raudenbush, S. W. (2001). Neighborhood inequality, collective efficacy, and the spatial dynamics of urban violence. *Criminology, 39*(3), 517-558.

Payne, R. K. (2003). *A framework for understanding poverty*. Highlands, TX: aha! Process.

Peterson, B., & Charney, M. (1999). *Transforming teacher unions: Fighting for better schools and social justice*. Wilwaukee, WI: ReThinking Schools.

Peterson, B., & Sokolower, J. (2010). A cauldron of opposition in duncan's hometown: Rank-and-file teachers score huge victory. *ReThinking Schools, 25*(1).

Potter, J. (2009). A culture of failure. Retrieved August 7, 2018 from http://www.youtube.com/watch?v=IvMKyc9Ocjo.

Portales, J. & Vasquez-Heilig, J. (2014). Understanding how universal vouchers have impacted urban school districts' enrollment in Chile. *Education Policy Analysis Archives, 22*(68). Retrieved from http://epaa.asu.edu/ojs/article/view/1427/1314*.

Sahlberg, P. (2012). How GERM is infecting schools around the world. Retrieved July 1, 2014 from https://www.washingtonpost.com/blogs/answer-sheet/post/how-germ-is-infecting-schools-around-the-world/2012/06/29/gJQAVELZAW_blog.html?utm_term=.ecd41f853afa.

Shibata, K. (2010). Reform caucus jolts Chicago teachers union. Retrieved August 7, 2018 from http://www.labornotes.org/2010/01/reform-caucus-jolts-chicago-teachers-union.

Sokolower, J. (2012-2013). Lessons in social justice unionism: An interview with President Karen Lewis. Rethinking Schools, 27(2). Retrieved from https://www.rethinkingschools.org/articles/lessons-in-social-justice-unionism-an-interview-with-chicago-teachers-union-president-karen-lewis.

Stewart, J. (2011). Race to the top means merit pay for teachers. Retrieved February 15, 2013 from http://www.gpb.org/news/2011/01/20/race-to-the-top-means-merit-pay-for-teachers.

Strauss, V. (2018, May 24). Chicago promised that closing nearly 50 schools would help kids in 2013. A new report says it didn't. Retrieved from https://www.washingtonpost.com/news/answer-sheet/wp/2018/05/24/chicago-promised-that-closing-nearly-50-schools-would-help-kids-in-2013-a-new-report-says-it-didnt/?noredirect=on&utm_term=.dbdaa730de32.

Thompson, R. (2015). St. Bernard parish rebuilds itself from utter devastation after hurricane katrina. Retrieved August 7, 2018 from https://www.theadvocate.com/baton_rouge/news/article_8b548335-05ab-51c0-aa88-4ba5400a1c58.html.

Vasquez Heilig, J. (2013). Reframing the refrain: Choice as a Civil Rights issue. *Texas Education Review. 1*(1), 83-94.

Vasquez Heilig, J., Brewer, T. J., & Adamson, F. (in press). The politics of market-based school choice research: A comingling of ideology, methods and funding. In M. Berends, A. Primus, & M. G. Springer (Eds.), *Handbook of research on school choice* (2nd ed.). New York: Routledge.

Vasquez Heilig, J., Brewer, T. J., & Williams, Y. (in press). Choice without inclusion? Comparing the intensity of racial segregation in charters and public schools at the local, state, and national levels. *Urban Education*.

Vasquez Heilig, J., & Clark, B. (2018). New insights and directions: Considering the impact of charter school attributes on communities of color. *Journal of Transformative Leadership and Policy Studies, 7*(1), 3-9.

Vasquez Heilig, J., Nelson, S., & Kronzer, M. (2018). Does the African American Need Separate Charter Schools? *Law & Inequality: A Journal of Theory and Practice, 36*(2), 247-267.

Vasquez Heilig, J., Williams, A., McNeil, L., & Lee, C. (2011). Is choice a panacea? An analysis of black secondary student attrition from KIPP, other private charters and urban districts. *Berkeley Review of Education, 2*(2), 153-178.

Walberg, H. J., & Bast, J. L. (2003). *Education and capitalism: How overcoming our fear of markets and economics can improve America's schools*. Stanford, CA: Hoover Institution Press.

Weiner, L. (2011). *The future of our schools: Teacher unions and social justice*. Chicago: Haymarket.

Weiner, L. (2012). Social movement unionism: Teachers can lead the way. Retrieved August 7, 2018 from http://www.reimaginerpe.org/19-2/weiner-fletcher.

Welner, K. G. (2013). The dirty dozen: How charter schools influence student enrollment. *Teachers College Record, [online]*(http://www.tcrecord.org/ ID Number: 17104).

Wong, K. K., Shen, F. X., Anagnostopoulos, D., & Rutledge, S. (2007). *The education mayor: Improving America's schools*. Georgetown University Press.

Chicago's Consensus Democracy: The Suppression of Public Power in Public Education

Angela Kraemer-Holland

Abstract

This article identifies the broad features of neoliberalism and neoconservatism, and where these rationalities converge in policy and practice. I apply Rancière's theory of politics to the common neoliberal and neoconservative practice of public suppression, specifically as this and these rationalities' features appear in tandem meant to shape public education. Framing Chicago as the example of contemporary education reform, multifaceted efforts to suppress public power and public input in the educational policy process are brought to light and serve as unifying principles between two seemingly different rationalities and the suppression of dissensus in favor of anti-democratic practices.

Keywords*: neoliberalism, neoconservatism, political theory, de-democratization, dissensus, Chicago, consensus*

Introduction

In order to best observe and understand the anti-democratic movement in public education, we must turn our attention toward cities in which both neoliberalism and neoconservatism appear in policy and in practice.[1] In practice, neoconservative leadership can threaten the rhetorically progressive marketing of neoliberal education policy through conservatism's and neoconservatism's unabashed support of corporate power[2] and cultural nationalism,[3] beliefs that are divergent from neoliberalism's superficial adherence to alleged equality for the masses. Though these rationalities may seem contradictory on the surface, neoliberalism and neoconservatism converge in their "de-democratizing effects."[4] As Heybach and Sheffield argue, the transition toward "neo" forms of liberalism and conservatism are reflected in how individuals interact with the state on a broader

1. Pauline Lipman, *The New Political Economy of Urban Education: Neoliberalism, Race, and the Right to the City*, (New York, Routledge, 2011).

2. David Harvey, *A Brief History of Neoliberalism,* (New York, Oxford University Press, 2005).

3. Wendy Brown, "American Nightmare: Neoliberalism, Neoconservatism, and De-Democratization" *Political Theory* 34, no. 6 (2006).

4. Brown, "American Nightmare," p. 690.

scale.[5] Within a culture of individualism, anti-democratic policies can seem both natural and inevitable.[6]

Stifling discourses of the radical right and left have resulted in a fusion of seemingly oppositional rationalities in public education policy, shaping not only the goals of public education,[7] but also the capacity in which decisions around these goals are indicative of truly democratic decision-making. As a result, the actors who shape education's underpinnings showcase rampant individualism, "economic morality," and unwavering patriotism as ideals seen as givens, cornerstones of an ideology that fuses two initially opposed rationalities to paint a particular truth, though grounded in falsehoods and aesthetics.[8] In addition, the role of the public is severely limited in this practical and ideological shaping of public education.

Chicago, like other Midwestern cities, is unique in its positioning: allegedly progressive policies marketed to the masses, but these policies are stifled by neoconservative and neoliberal political figures. For the remainder of this article, I will refer to both neoliberalism and neoconservatism as "rationalities," rather than ideologies, arguing that the former has the capacity to shape the sayable and how we understand what is both true and sensible.[9] It is at this convergence against democracy where this article begins its critique. The purpose of this article is to explore how a decades-old "hegemonic alliance"[10] reflects a contemporary fusion of neoliberal and neoconservative rationalities and their capacity to erode public education in light of their capacities to suppress public power in favor of manufactured, performative participation.

In addition, this article endeavors to unite these seemingly opposing rationalities (one moral-political, and one market-political) work to erode public education through saturating the state, as well as undermining the political autonomy of the masses meant to engage within the process of preserving education as a public good. As mentioned, though once contested rationalities, neoliberalism and neoconservatism merge in not only their anti-democratic principles, but also in their anti-democratic educational objectives.[11] Chicago serves as an exemplary case of this fusion of rationalities meant to erode the democratic principles of public education. In order to best understand the case of Chicago, we must look more deeply at the rationalities that govern its education landscape.

Neoliberalism

Neoliberalism is both an economic and political rationality founded on beliefs of privatization, increased choice, and liberated economic markets to allegedly maximize citizens' well-being and individual freedoms, all while destroying federal and state infrastructure.[12] For a neoliberal society, individuals' desires and acquisitions supersede the needs of the people, allowing for increased individualized, private control of public life and its institutions in order to maximize

5. Jessica A. Heybach & Eric C. Sheffield, "Creating Citizens in a Capitalistic Democracy: A Struggle for the Soul of American Citizenship Education." In *Citizenship Education Around the World*, eds. Aaron M. Kuntz & John Petrovic (London: Routlege, 2014), p. 69.

6. Lipman, *The New Political Economy*, p. 73.

7. Heybach & Sheffield, "Creating Citizens."

8. Jacques Rancière, *Disagreement: Politics and Philosophy*, (Minneapolis, University of Minnesota Press, 1999), p. 85.

9. Brown, "American Nightmare."

10. Henry Giroux, *The Terror of Neoliberalism: Authoritarianism and the Eclipse of Democracy*, (Herndon, VA, Paradigm Publishers, 2004).

11. Heybach & Sheffield, "Creating Citizens," p. 69.

12. Brown, "American Nightmare," p. 698.

profit. This privatization of public institutions, still however, requires state oversight in the forms of market regulation and access to public facilities, for example.[13] Other implications of neoliberalism include increased protections of financial institutions, redefining common sense,[14] and finally governance by the elite or alleged "experts", instead of the critical participation of the masses.[15]

The employment of market ideology in the early stages of neoliberalism was meant to open financial markets to curb inflation; but in the process, market ideology converted citizens into mere consumers of goods and services, where good consumers learn to act within the existing, market-centric environment.[16] Freeing financial markets in a neoliberal rationality redistributes wealth toward the elite, rather than regenerating it to the masses. Neoliberalism operates under the belief that since the market it allegedly objective, its liberation will ensure equal resources and opportunities. In this way, part of what makes it "neo" involves its depiction of free markets as both objective and normative.[17] This widely held assertion is achieved through policy, rather than by chance. However, the concept of "freedom" becomes an empty, economic rendition of an individualized, consumer-centered system of choice,[18] where the ruling elite limits the genuine "freedom" of choice for the masses.

However, neoliberalism isn't a one-size-fits-all rationality, but rather is contingent upon locality.[19] It is not merely an economic rationality, but an organization of the state, the subject, and social life. Thus, while neoliberal political rationality is based on a certain conception of the market, its organization of governance and the social is not just economic ideology spilling into other areas but rather the explicit imposition of market rationality upon these spheres.[20] The neoliberal state advocates for free market, property rights, and privatization of assets. As part of strengthening privatization of public institutions, the neoliberal state "assumes the risk" while private entities gain profit.[21] As mentioned, citizens then function as little more than consumers of public or privatized services, which erodes agency in favor of controlling human behavior and one's capacity to obtain both power and capital to ensure the very individual freedoms (though initially curtailed) promised by neoliberal policies.[22]

Neoliberalism has the capacity to pervade all aspects of public life, including systems of values and beliefs. What makes neoliberalism powerful is its capacity to pervade the masses' consciousness. Systems of thought are powerful in maintaining a society's power structures in favor of elites. Neoliberalism's reshaping of common sense illustrates its ability to infiltrate and control human behavior on a subconscious level, through its capacity to alter what constitutes common sense, and how this second-natured understanding of one's world is also good sense.[23] Neoliberal elites can control discourse in order to serve their own agendas, resulting in "misleading" representations of how things are, effectively masking root causes and systemic issues that contributed

13. Heybach & Sheffield, "Creating Citizens," p. 74.
14. Harvey, *A Brief History.*
15. Michael Apple, *Education and Power*, (New York, Routledge, 1995).
16. Heybach & Sheffield, "Creating Citizens," p. 82.
17. Brown, "American Nightmare."
18. Heybach & Sheffield, "Creating Citizens," p. 74.
19. Brown, "American Nightmare."
20. Ibid., p. 693.
21. Apple, *Educating the "Right" Way*, p. 77.
22. Giroux, *The Terror of Neoliberalism.*
23. Antonio Gramsci, *Selections from the Prison notebooks*, (London, Lawrence & Wishart, 1971).

to the problem in question.[24] One powerful tool and outcome of neoliberalism remaking common sense involves portraying collective power as unnecessary.[25] Common sense framing in this way enables the masses to believe that individual interests hold higher importance than collective needs, diminishing public power and the capacity for the masses to critically engage in public life.

Neoconservatism

Neoconservative rationality manifests differently for the various groups that hold a degree of allegiance to it. Neoconservatism encompasses what Brown classifies as intellectuals and anti-intellectuals, evangelicals, angry white men, and righteous black men, to name a few.[26] Despite the differing ideological frames of reference of those encompassed in neoconservatism, multiple principles do exist to unify members of neoconservatism. Neoconservatives believe in corporate power, restoration of class power to elites, and private enterprise. Both ideological influences and corporate-backed think tanks helped to advance individual freedoms as a way to mask the drive to restore class power.[27] So, neoconservatism reflects both religious and fundamentalist responses in the political and social spheres. This can create a dilemma for political parties encompassing some degree of neoconservatism, resulting in a less-than-unified rationality. The Republican Party—the political party most often associated with neoconservatism—still struggles to balance between its support of big businesses, and its support of moral values in the social sphere. As a result, conservatism and neoconservatism house figures who represent and support various aspects of this rationality, which can trickle down into the masses' support of certain aspects over others.

Neoconservative rationality hardly departs from neoliberalism's erosion of democratic principles and goal of shaping of common sense. As with neoliberalism, neoconservatism aids in the shift of common sense, truth, and the consciousness of the masses. Conservative rationality reflects a rationality based upon alteration.[28] It operates under a level of certainty,[29] in which the declaration of what is true, right, and good without reference to anything is a neoconservative concept of political truth. The neoconservative rationality rests on statements based upon declaration, or rather, sounding convincing instead of factual. The rhetorical power of a declarative rather than a reasoned or argued truth is buttressed by the neoconservative defense of truth "from the gut."[30] As a result, the communicated conception of truth and common-sense rests in well-circulated hunches from the powerful.

Finally, the largest unifying principle involves the position of the state as one of patriotic and militarized strength. What makes conservatism "neo" involves its moralization of the state on a national and global scale.[31] "Self-evident" principles endowed upon humanity by their own virtue are, because of their appearance in American documented, are thus accessible to *all* human beings in the United States.[32] Neoconservatism paints the United States as the shining example of government. Neoconservatives believe in coercion in the form of militarization to further individual

24. Harvey, *A Brief History.*
25. Apple, *Education.*
26. Ibid., p. 690.
27. Harvey, *A Brief History.*
28. Apple, *Education*, p. viii.
29. Heybach & Sheffield, "Creating Citizens," p. 72.
30. Brown, "American Nightmare."
31. Ibid.
32. Heybach & Sheffield, "Creating Citizens," p. 72.

interests, especially by highlighting threats or alleged threats here and abroad. This militarization pairs well with the desire to highlight a moral purpose in the social sphere, both of which speak to neoconservatives' push toward cultural nationalism. Neoconservatives believe that "liberals" eroded the social order to one in which the state provided for non-affluent, non-white populations. This common belief helped to mobilize the Christian right and the white working class under the banner of cultural nationalism,[33] illustrating the elevated conception of the United States.

Similarities and Differences

In both neoliberal and neoconservative rationalities, citizenship is distorted: to either individuals acting as economic agents, or as "supporters of the shining city on the hill,"[34] as hyper-patriots, "expect[ing] neither truth nor accountability in governance."[35] From here, the susceptibility to governance—and the weakening of public agency—increases, just as the concept of choice becomes individualized and politically dominated, masking the genuine conception of freedom. Instead, these rationalities function on the formation of a baseless freedom grounded in individual choice, subsequently distorted to what the elite control and distribute to the masses.[36] Profitability and productivity anchor these rationalities' conception of governance, providing conditions for individually motivated actions.[37] Thus, democratic principles become obstacles. Ordinary, individualized life and choices are substituted for genuine democratic participation. The capacity for the ruling class to exercise their power "rests on a pacified citizenry" where moral and amoral—neoconservative and neoliberal—discourses have replaced democratic ones.[38] As these rationalities diminish political participation through governance, citizens' rights and genuine freedom more generally, become meaningless.[39]

As these rationalities fuse, the state becomes a source of effectiveness that legitimates those abuses of power, as both a partial and political entity. Neoconservatives model state authority on church authority, while neoliberals fashion the state as a body guaranteeing free market protection. Seemingly opposed to each other, both rationalities jeopardize checks and balances of state power and weaken liberal democratic institutions. While neoconservatism depends on a nationalist, populist, and often working-class base, it reinforces the belief that shunning the rich is "anti-American." Neoliberalism operates under a system of economic winners and losers where the economic elite reaps the benefits of restored class power.[40] Both rationalities force citizens to protect what belongs to them. to some degree, both rationalities support the intervention of the state as it relates to the economy.

In addition, although neoconservatism, like neoliberalism, projects support and belief in democracy and liberty, neoconservatives displace the key principles and assumptions associated with it. For example, equality is not a value found in neither neoliberalism nor neoconservatism: "egalitarianism, civil liberties, fair elections, and the rule of law lose their standing, becoming

33. Harvey, *A Brief History.*
34. Heybach & Sheffield, "Creating Citizens," p. 76.
35. Brown, "American Nightmare," 692.
36. Ibid.
37. Heybach & Sheffield, "Creating Citizens," p. 73.
38. Ibid.
39. Jacques Rancière, "Who is the Subject of the Rights of Man?" *The South Atlantic Quarterly* 103, no. 2/3 (2004).
40. Brown, "American Nightmare."

instruments or symbols."[41] In essence, neoliberal rationality helps to prepare for the anti-democratic policies and ideas that characterize both neoliberalism and neoconservatism. In addition, as egalitarianism and democratic principles lose meaning, moralism and statism gain traction as legitimate visions of governance. In essence, both neoliberal and neoconservative rationalities shift truth by devaluing political accountability and intellectual opposition.

We have seen how neoliberalism and neoconservatism have come to represent anti-democratic rationalities, and in some ways, mirror each other in anti-democratic practices. This context is integral to understanding how the fusion of these rationalities appears in public education. In extension, both neoliberal and neoconservative practices in public education by and large illustrate suppression of the public as it relates to drafting and enactment of educational policy, as well as the mere participation within conversations that dictate the enactment of educational policies on individual cities and communities. As we look toward the appearance of these rationalities in public education, it becomes apparent we must examine the political structure in which these rationalities coexist in order to discourage democratic participation and to frame the fight for equitable public education as a political one. Jacques Rancière's theory of politics, dissensus, and consensus provide an extensive backdrop for how we can understand the appearance of these rationalities within the existing social arena, and in education, where the suppression of the public—and controlling their capacity to understand this suppression—reflects their lack of power to preserve education as a public good.

Rancière's Theory of Politics

Jacques Rancière offers a descriptive explanation of politics and the role of particular social classes in its presentation in society. Generally speaking, politics represents the relationship between worlds, or the relationship between societal frames of reference. For Rancière, it represents action driven by reason[42] that assists in the organization of powers, roles, and systems.[43] Therefore, politics is about one's ideological and physical existence in society: it is a manifestation of how we think and what we do. It can arise based upon how we use our thoughts and actions to challenge the social order. Equality makes actions, objects, and places political by giving rise to a meeting in which the social order is challenged.[44] This meeting of logics sets up a place for actions driven by reason, a place for worlds, groups, and ideologies to collide and intersect.

For Rancière, there are two forms of politics: the real and the manufactured. The latter, or manufactured, represents the "police," as Rancière calls it.[45] This is not to be confused with our conventional understanding of the police, which illustrate an organization or group that enforces law and order. The *politics* of the police reflect creating and maintaining society and the social order, as it exists, without disruption, and to benefit the ruling class. Police politics is not only the organization of power, but also the system in which this organization is legitimized. This systemized organization of power and distribution of social roles is not entirely immune from struggle or challenge, thus the creation of the conventional police to reinforce law and order. However, what

41. Ibid., p. 697.
42. Jacques Rancière, "Ten Theses on Politics." *Theory and Event* 5, no. 3 (2001).
43. Rancière, *Disagreement,* p. 28.
44. Ibid., p. 32.
45. Ibid.

makes police politics powerful is its implicit nature: police politics shape common sense and thus actions driven by reason. Anything that breaks from this order reflects real or genuine politics.

Rancière critically examines democracy's roots to illustrate his conceptions of contemporary politics and the position of the people or the "demos." He asserts that democracy is a term invented by its opponents out of mockery, invented by those deemed qualified to rule.[46] Thus, democracy, by nature and despite its lexical root, is hardly grounded in the agency of the demos. As a group of sorts, the demos are not identified racially or as separate social classes, but are instead deemed as the "poor." However, they are not the poor, but the "uncounted," still superficially acknowledged to enjoy the same freedom as the ruling class.[47] The demos are the subjects that are a supplement to the parts of society: they are those who have no part in the public, decision-driven sphere. Considered the "unaccounted for," the demos are those "without speech" or rather, those who have no capacity to insert themselves into the public sphere with hopes of being understood.[48]

Finally, the distinguishing feature of politics is the existence of a ruling class, subject, or party who governs others, without any other qualifications to hold this position of superiority. In this way, the social order is not based upon nature, or birthright, but rather, upon just the fact that the social order *exists*. This necessitates that the demos understand the social order and the existing obligation to obey it. The ruling class imposes both the law, and thus, the division of class as part of maintaining the social order.[49] "Class" is meant to distinguish who can rule, and who cannot—who "counts," and who does not. As a result, the ruling class, by virtue of control, is "counted" in the social order, while the demos are not. The uncounted have no part in decision-making and thus, no part in the construction of society. However, they still make efforts to uproot their inferior position. Equality—since those who give the orders give the orders because they can, not because of birth position—threatens this order. The struggle for visibility begins here: with politics, where equality is consistently jeopardized by the existing order between those in power and the demos, as the latter attempt to gain visibility. These attempts to gain visibility illustrate breaks in the social order, meant to create space for a dispute.

Dissensus

Genuine politics, on the surface, transforms the space people occupy at a given time. It functions on its reconfiguration of space, manifesting a dispute, or what Rancière calls dissensus.[50] The real, genuine presentation of politics appears through dissensus, or rather, when differing worlds or frames of reference collide, and the issue surfaces of whether dispute and potentially understanding will originate from this collision. Dissensus illustrates the attempt to challenge the *manufactured* appearance of politics—the politics of the police. Dissensus reflects a dispute and it creates a distance between the sensible and itself, a moment or series of moments in which "two worlds are put into one."[51] In this way, opposing political subjects confront each other to legitimate themselves within the political space. Finally, dissensus begins with a major "wrong" or injustice: an existing, ever-present gap between the rulers and the demos, created by the empty freedom of

46. Rancière, "Ten Theses," p. 5.
47. Rancière, *Disagreement,* p. 8-14.
48. Rancière, "Ten Theses," p. 2.
49. Rancière, *Disagreement,* p. 73.
50. Rancière, "Ten Theses."
51. Rancière, "Who is the Subject," p. 304.

the people within the social order.[52] It is here that the demos' efforts to gain legitimacy carry significance. Politics only exists through the questioning or upholding of equality amidst this empty conception of freedom.

As easy as it would be to conceptualize politics as merely a class conflict, it is important to frame its appearance in light of dissensus, which illustrates exercising agency beyond equality between social classes. Politics isn't just a conflict between rich and poor, but rather, causes the poor or the demos to exist.[53] Dissensus illustrates the effort to uproot the existing order, to right the "wrong" inherent in politics and to expose these oppositional frames of reference in order for the demos to be seen and understood in the public sphere. The opposition of logics inherent in Rancière's understanding of politics allows for the different "counting" of parts and groups of society differently. This ideological struggle exposes different and sometimes opposing frames of reference. It is here that questions of what is equal, just, and fair are brought to the surface by the demos, attempting to gain visibility and to be understood by those who rule. However, understanding is jeopardized when the powerful cannot understand or choose not to understand (or refuse to acknowledge) the arguments presented by the demos. As a result, the foundation of politics rests upon an opposition of logics that resurface in dissensus.

However, dissensus is much more than argument or ideological opposition. It can rupture the social *and* the conceptual order of society. It can change not only what we do, but also how we *think* about what we do. Rights to and control of a space can be legitimated, jeopardized, or denied. Dissensus is based upon the capacity to which each party understands each other, or attempts this. Rancière explains this situation further: there's a simultaneous understanding and lack of understanding between both parties. It is a question of how both parties come to define and understand the *same* concept *differently*" (emphasis added).[54] This reflects contention, rather than misunderstanding. However, the larger question focuses on whether both parties have equal capacity to assert themselves. This is justice, when each party is given due to exhibit agency. Dissensus illustrates the manifestation of efforts toward preserving this justice. Even more so, dissensus embodies justice in its capacity to give rise to questions of equality and the role of the uncounted, or the masses: can we, the people, make ourselves both seen and heard? Actions themselves are political once they give rise to dissensus. Thus, actions are political when the question of whether equality is either jeopardized or maintained.

The Threat of Consensus (Democracy)

As a form of governance, consensus democracy is modeled off of the politics of the police. It is born out of consensus, which does not reflect a general agreement, but rather a surrender of sorts to what is common, which no longer allows for dissensus. Consensus democracy is characterized by promises of alleged justice, economic production, and is allegedly apolitical and classless, where individuals not part of the elite are only counted when in combination with others present in the same space.[55] It eliminates appearance of genuine dissensus and dispute to the control of the rulers shaping the state. Consensus democracy involves encompassing individuals and

52. Rancière, *Disagreement,* p. 19.
53. Ibid., p. 11.
54. Ibid., p. x.
55. Ibid., p. 116.

groups simply showing common humanity and overlooking the ever-present partition that determines the way in which the different parties are counted in society. Because consensus democracy is built on the idea of "common humanity," with everyone existing at the same time among the same understanding of what is sensible, its efforts to saturate social divisions to create an illusion of equality, where politics and thus dissensus cease and common humanity is meant to serve as alleged social equality.

The objective of consensus democracy, and arguably from where its influence stems, is to eliminate genuine politics. In order to do so, consensus democracy endeavors to erode the difference between politics and the police.[56] By eliminating the difference between politics and the police, spaces in which the demos can attempt to be seen and understood are removed. Police intervention, in a conventional sense, involves breaking up demonstrations.[57] In these cases, places for agency are quite literally, removed. However, consensus here is not always explicit. Opportunities to exercise agency either do not exist, or common sense is shifted to portray these spaces as unnecessary due to the prioritization of individual over collective gain. Politics then, when it does appear, becomes performative, as the demos' space for truly exercising agency no longer exists. In addition, freedom promised to the demos via "democracy" is empty in nature, as common humanity no longer offers the assurance of genuine equality, especially where public participation is concerned. Here, the real and performative forms of politics are indistinguishable, creating a "police figure" of the demos.[58] A unified group may be visible—and thus meant to stand for the demos—but operates within a deconstructed, manufactured space devoid of genuine politics.

As a result of the existence of consensus democracy, Rancière argues that genuine democracy does not exist. He argues that consensus democracy suppresses the common space in which the demos can gain visibility, thus diminishing their participation in addition to the distorted, performative nature of the fleeting opportunities for dissensus. Democracy as we think of it, allegedly ensures justice, wealth, and gains for all on an individual basis,[59] but instead becomes the manifestation of the power of those who have no qualification for exercising that power.[60] As a result, genuine democracy does not exist: it becomes a performative manifestation of politics, demonstrating theatrics of dispute and cancelling out true and genuine occurrences of politics.[61] Humans gather under the rule of those qualified to rule, which are only ruling because they can, within a common space. These gatherings illustrate efforts for dispute, but in consensus democracies, merely represent just enough of a temptation to still disingenuously participate in public life. As a result, those who engage are just political performers, an appearance. They are not agents of the state, or parts of the masses. These actors reflect an image of the demos themselves, but only assist in the creation of consensus democracy with the absence of genuine dispute.

In societies operating under anti-democratic principles, consensus and consensus democracy result, reflecting the end of politics and the isolation of political spaces from the demos.[62] Though democracy exists in its label, consensus democracy is hardly democratic with regard to public agency and participation. Consensus democracy creates a society in which communities *undermine* opposition of the police and dissensus. At their core, anti-democratic principles in fact

56. Ibid., p. 63.
57. Rancière, "Ten Theses," p. 9
58. Rancière, *Disagreement,* p. 70.
59. Ibid., p. 95.
60. Rancière, "Who is the Subject," p. 304.
61. Rancière, *Disagreement,* p. 62.
62. Rancière, "Ten Theses," p. 16-17.

expand the division between those who count and those who don't. State rule by "experts," or those deemed qualified to rule, happens as a result of consensus to the newly constructed common sense and ideological underpinnings shaped by the powerful and meant to impact the demos. Individual freedom, government incompetence (in favor of privatization of public institutions), and competition reflect seductive aspects that continue to entice the demos to superficially participate in the political process but ultimately erode their grip on public institutions, as well as their capacity to preserve their agency.

Consensus illustrates both isolation and eventually public subordination to the state of society as shaped by those in power, in much the same way that neoliberalism and neoconservatism reflect rationalities that gain power from public subordination. The reproduction of the sensible, or in this case, the public's understanding of their coercion to the state of affairs, reflects a process by which groups and classes have the capacity to gain consensus over whom they can rule. The elite in power help to legitimize subordination and consensus of the demos. Thus, "consent" to these ideas of the sensible results in consent to the powerful in shaping ideology, as well as public life, public institutions, and thus the capacity (or lack of capacity) for the masses to participate in this regenerative process.

The Case of Chicago

What then, does this all mean? How can we think about public education in the context of the fusion between neoliberalism and neoconservatism, and Rancière's theoretical framing of politics? The convergence of these rationalities and politics appear poignantly in cities, hotbeds for neoliberal and neoconservative restructuring of public institutions, especially in public education. The remainder of this article will focus on Chicago as both an example of "neoliberal urbanism,"[63] as well as the prime example of neoliberal and neoconservative shaping of educational policy at the expense of the city's citizens. The anti-democratic principles of both rationalities appear through Chicago's venture philanthropy scene, its large-scale district reforms, and mayoral-district control. Like Rancière's concept of consensus, these facets illustrate efforts to convert politics into performative gestures and to suppress public power in the shaping of public institutions.

Chicago Governance and "Right to the City"

David Harvey classifies the city as a "vantage point" from which to examine multiple aspects of and contradictions within public life,[64] where one's "right to the city" is measured by the ability to access public spaces and institutions.[65] Having rights to the city involves the capacity to democratically participate amidst conflict between ideologies. However, those who are qualified to rule are those who govern the city, thus imposing division between the counted and uncounted,[66] giving way to ideological conflicts between the rulers and the ruled. These conflicts demonstrate a reconfigured space for genuine politics and opportunities for dissensus. Though elites have the capacity to run the city as they see it, we must question the extent to which the uncounted possess a "right" to their city, despite the existence of political spaces.

63. Lipman, *The New Political Economy*, p. 19.
64. David Harvey, *Social Justice and the City*, (London, Arnold, 1973).
65. Henri Lefebvre, *Le droit à la ville*, (Paris, Anthropos, 1968).
66. Rancière, *Disagreement*, p. 83.

In addition, rights to the city are both literal and figurative. There exists the tangible, literal possibility of remaking and restructuring cities and their policies. However, there also exists the capacity to shift, diminish, or eliminate what is exploitative and what is sensible, illustrating the figurative conception of "rights". For the uncounted demos, they have no part in the fashioning of the city in addition to the controlling of the city or the political processes that shape it.[67] The lack of visibility is both literal and figurative, where physical and ideological representation is lacking. Ironically, the demos are those who are uncounted in the public sphere, one of the very elements they seek in order to establish themselves as agents in the political and social processes of taking up public spaces and occupying public institutions. Such efforts illustrate attempts to possess rights to their city

Diminishing public power and accountability allows for urban governance[68] by integrating economic elites into the framework of policy meant for re-development of cities. This ultimately results in the gentrification of neighborhoods and inequitable resource distribution in order to increase funding for the city. More broadly, these actions extract the resources and rights to the city from the public, as governance is dependent upon the elites' power and decision-making capacity. Cities demonstrate the endless shifting of social cultural, monetary, and political capital—where neglect of a particular area demonstrates the devaluing of capital that has ultimately been funneled elsewhere within the city—demonstrating a new space for capital accumulation. This new "space" is both literal and figurative.[69] It is where power exists, and where certain populations can physically organize to acquire and exercise that power. The demos are limited in their access to these spaces; both neoliberalism and neoconservatism exacerbate these limitations in reframing how we understand cities and where development of capital and power can occur within them.

Lipman characterizes Chicago as an example of "neoliberal urbanism,"[70] a case that exemplifies one particular type of neoliberalism manifested in urban restructuring of the city. Neoliberal urbanism is the result of scaling the national government's power in favor of expanding local governments. This has historically justified fiscal cuts to cities across the United States; which, in Chicago especially, has affected some areas more than others. As a result, cities became competitors within the global market in order to offset the funds lost at the diminishing of the federal government's role in disbursing funds to localities for public services.

This neoliberal urbanism directly shapes urban education policy as well. Chicago is not just an example, but is instead a "test case and model" for urban education policy, often neoliberal in nature, but dependent upon financial and corporate actors that characterize neoliberal and neoconservative rationalities. However, Chicago's recent large-scale education policies reflect a fusion of neoconservative and neoliberal rationalities in light of their anti-democratic implementation in relationship to the public. Chicago's role as a "zone of experimentation"[71] for education policy illustrates its capacity to define and shape the practice and implementation of these policies and practices across the country, giving way to social movements to preserve public education, literally and figuratively as a *public* good.

67. Rancière, "Ten Theses," p. 16.
68. Lipman, *The New Political Economy*, p. 26.
69. Ibid., p. 33.
70. Ibid., p. 19.
71. Ibid., p. 20.

Chicago's Education Landscape

So, what does looking at the city as a hotbed for social control of the demos have much to do with education? If we understand the city as a place in which politics, consensus, and dissensus give rise (and fall) to one another, we must understand that the fight to preserve public institutions by and for the masses reveal questions of whether the masses have "rights" to their cities and its resources. Public education, arguably the last existing, genuine public good[72] then becomes a battleground for the masses to engage in potential spaces of politics and thus create opportunities for dissensus and visibility, demonstrating a true democratic process. How does Rancière's theory serve as an ideological frame of reference for how neoliberal and neoconservative rationalities converge within the sphere of public education? Not only do these converge on the issue of education policy, but also in how the masses attempt to and thus fail to collectively shape these policies and the restructuring of not only their schools but of the city as a whole. The anti-democratic principles of these rationalities do not allow for the masses to genuinely participate, let alone create, maintain, and exist in political spaces for dissensus to happen.

Framing public education in a state of crisis, a relatively recent development, not only undergirds neoliberal and neoconservative rationalities, but also the basis for the implemented anti-democratic education policies. *A Nation at Risk* ushered in a new era of education and education policy,[73] an era in which public education was and still is consistently portrayed as a failure. Both neoliberal and neoconservative education discourse executes a common sense of public education's perpetual state of being in crisis, pairing this crisis with catchy claims for "change" and "reform"[74] that seem common sense and necessary to believe. The purpose of manufactured crisis is to enact or create the conditions for social change. Though initially created, the crisis of public education is now quite real, illustrated through the starving of schools of necessary resources to open up opportunities for venture philanthropy and privatization schemes, two cornerstones of Chicago's education landscape.

Chicago's educational policies over the last decade exemplify both the fusion of neoliberal and neoconservative rationalities in practice, as well as the dire impact of these rationalities upon masses' capacity to truly participate in gaining access to public education and in the formation of these decisions that dictate their own access to educational opportunities. To best understand the case of Chicago, it is important to provide some background on the city's role as a breeding ground for neoconservative and neoliberal policies. This framing results from understanding not just Chicago's schools, but public education more generally, as in a perpetual state of crisis. As we will see in the case of Chicago, privatization and venture philanthropy and landmark education reforms resulting in mayoral control of the Chicago Public Schools (or CPS) reveal the performative nature of masses' albeit minimal participation in any aspect of coordinating, drafting, and executing educational policy.

72. Apple, *Educating the "Right" Way.*

73. National Commission on Excellence in Education, *A Nation at Risk: The Imperative for School Reform: A Report to the Nation and the Secretary of Education*, (United States Department of Education, Washington, D.C., 1983).

74. Diane Ravitch, *Reign of Error*, (New York, Vintage Books, 2013).

Venture Philanthropy

We often find examples of venture philanthropy in disenfranchised communities. The early 2000s marked the beginning of a period in which corporate actors viewed education as the next big investment opportunity, pouring obscene amounts of money into education reforms nationwide. According to Diane Ravitch, venture philanthropy involves investments in reform initiatives, in this case, in education reform. It builds on corporate, market-based concepts of competition, and deregulation and implements these concepts into the education sector.[75] In addition, these corporate actors consistently cite the alleged low performance of public schools to tout the necessity of their education reforms. Venture philanthropists encompass corporate figures, companies, and foundations. The Gates, Broad, and Walton foundations—powerhouse venture philanthropists—have and still pave the way for corporate-focused, de-professionalized education agendas that drastically shift the goals and practices of public education closer toward an unfettered education marketplace. These entities understand that cash-strapped school districts can hardly return any discretionary funds upon receipt of a foundation's grant. Therefore, corporate actors view their "gifts as investments, [with the expectation of] measurable results" in exchange.[76] As a result, school districts across the country readily shift their positions in order to accommodate stipulations attached to generous foundation-based grants to appease the grants' benefactors.

In education, market ideology manifests itself through practices of venture philanthropy. Venture philanthropy frames education as an investment opportunity, in which economic elites capitalize on areas of disaster or disenfranchisement in order to privatize public education opportunities in those areas.[77] Venture philanthropy projects promote a grants culture, where venture philanthropists and corporate actors become the gracious saviors of education by endowing private funds to schools that agree to adopt their vision for education. In addition, this grants-culture allows for funds at the neighborhood schools to dwindle significantly, while insulating corporate actors from backlash of constituency groups.[78] Moreover, the corporate actors' visions for education often illustrate neoliberal and neoconservative anti-democratic, consumer-driven conceptions of the successful student. The practice of giving toward schools as investment in exchange for control solidifies the corporate role in shaping education. Venture philanthropy maximizes influence of elites on the education landscape, which has the capacity to shape the public's conception of what public education should be.

School choice illustrates one concrete example of venture philanthropy found in urban school districts. Lipman draws connections between the assault on urban education through privatization and the "economic polarization" of urban cities.[79] Privatization is framed as a plausible solution to the allegedly ineffective public sector, but also serves as a welcomed solution for those dissatisfied with the public sector and its institutions and absolves the state's responsibility in providing equitable education opportunities. Non-affluent and non-white communities are the first to experience privatization schemes that result in loss of funding for neighborhood schools. Some of the privatization schemes such as closing allegedly failing schools, expanding school "choice,"

75. Diane Ravitch, *The Death and Life of the Great American School System: How Testing and Choice are Undermining Education,* (New York, Basic Books, 2010).

76. Ibid., p. 210.

77. Kenneth Zeichner and César Peña-Sandoval, "Venture Philanthropy and Teacher Education Policy in the U.S.: The Role of the New Schools Venture Fund," *Teachers College Record* 117, no. 5, (2015).

78. Ravitch, *The Death and Life,* p. 214.

79. Lipman, *The New Political Economy*, p. 2.

and implementing top-down accountability measures can be found within urban environments. Here, choice implies quality and creates a veneer of empowerment in making individualized decisions and appeals to upward mobility, college access, and agency. However, these options are not egalitarian in nature; and despite their appearance to the masses, are not equitable. As a result, the masses struggle with the choice of the underfunded neighborhood school and the well-resourced privatized option, illustrating the inequitable nature of these choices.

Chicago is not just one example, but rather *the* example of venture philanthropy and privatization of education in cities as manifested in the recent increase in the district's granting of charters as public schools slowly starve. Charter schools illustrate both privatization of public education and the expansion of school choice. They are marketed as a solution to failing public education. Conversion of socially, economically, and politically-produced problems into consumerized fixes in the form of brand-new privately-run schools diminishes historical disenfranchisement. Eroding public marginalization into a choice between schools forces the public to navigate dire conditions and to craft individualized solutions.[80] The existence of charters exacerbates competition with already scarce resources. Despite its seemingly well-intentioned philosophy, privatization of disenfranchised neighborhoods and their schools reflect a deficit frame of thinking about allegedly "deficient" populations[81] in need of allegedly better school options in place of the resource-starved neighborhood schools. Charters and education reforms more broadly reflect attempts to weaken resistance to privatization. As a result, the masses have also adopted a similar crisis mindset in seeking consumerized "solutions" to allegedly failing public education, inadvertently ensuring elites' control of public education.[82]

Despite the reforms' capacity to directly impact the masses, the lack of public input in these reforms illustrates the performative nature of politics in neoliberal and neoconservative education rationalities. These anti-democratic education reforms create a reality in which the masses must operate within a zero-sum game when accessing educational opportunities. Policymakers are able to "see like a state," by having no connection to the constituents their decisions readily impact[83] and execute policies that, for them, will produce the greatest return. Education reforms in disenfranchised communities impact how the masses understand equitable resources within examples of selective disinvestment. Both neoliberals and neoconservatives view the federal government and the people as "untrustworthy" and lacking expertise in education,[84] and the increase in businesses and state governors writing and enacting centralized and "intrusive"[85] education policy reflects this viewpoint that public education is "obsolete."[86] Such sources are portrayed as both objective and rational and therefore prioritized and elevated in the policy-making process. The sense of urgency in crafting and executing what are allegedly solutions to the crises within public education cloud the capacity to understand the origin of these proposed solutions, and who these solutions actually benefit.

Chicago illustrates an example of coercive and the well-orchestrated fusion of neoliberal and neoconservative rationalities in education, all at the expense of the public and their ability to

80. Brown, "American Nightmare," p. 704.

81. Lipman, *The New Political Economy.*

82. Peter Taubman, *Teaching by Numbers: Deconstructing the Discourse of Standards and Accountability in Education,* (New York, Routledge, 2009).

83. Ravitch, *The Death and Life,* p. 11.

84. Taubman, *Teaching by Numbers.*

85. Heybach & Sheffield, "Creating Citizens."

86. Ravitch, *The Death and Life,* p. 10.

access equitable education. Its recent education reforms span beyond just school choice schemes: mayoral control of the school district in conjunction with the shifting influence toward elites and venture philanthropists serve as catalysts for historical disenfranchisement over decades. This accumulation by dispossession allows both power and capital to be gradually shifted away from the masses toward the elite, all while these same actors employ rhetoric championing equality in education for all students. Two examples illustrate Chicago's role as an exemplary case of education reform: adopting mayoral control of its school district and Renaissance 2010, each initiative dealing an enormous blow to equitable public education and public power in education still felt today. These examples illustrate Rancière's political theory in practice and the anti-democratic nature and formation of these reforms directly impacting educational opportunities for Chicago's masses.

1995: Mayoral Control

Two Chicago education reforms—one in 1995, and the other in the early 2000s—illustrate the city's role as a model for neoliberal and neoconservative, anti-democratic education reform. These sweeping reforms, deemed largely ineffective in preserving public education, served as efforts to increase accountability of schools and practitioners. In 1995, the state handed control of CPS over to the mayor as an effort to increase school and personnel accountability, a frequent cry of the Chicago elite over subsequent decades instituting sweeping education reforms. In addition, the mayor was now able to take control of the school board and the district's CEO. The school board reflected corporate and business figures, prominent within Chicago's financial sector, a statement that still applies to the current school board. Moreover, the school board and CEO were an extension of the mayor and his prospective policies, none of which were elected or illustrated a genuine representation of the masses in the enactment of these policies. Thus, the mayor has the capacity to push through an unencumbered education agenda without public input.

Richard M. Daley, the mayor during 1995, hand-picked a CEO who became responsible for immense top-down accountability of schools, teachers, and students. These practices resulted in the probationary classification of non-white, non-affluent schools, which resonated with families dissatisfied with the "ineffective" nature of the public school system in Chicago. These top-down policies created the conditions for future top-down education reforms and their agents to further undermine public schools, their teachers and the Chicago Teacher's Union in order to implement privatized educational options and instrumental pedagogy. Neoliberal and neoconservative rationalities manifest decreased collective public power and input in decisions and policies within public education. This is especially evident in the elite governance of Chicago through the mayoral control of the district, despite the lack of empirical evidence in support of a singular form of governance.[87] With the transfer to mayoral control, so began the explicit public suppression in Chicago's education sector.

In continuation of Chicago's suppression of the public in education, Lipman paints the picture of a school board meeting, arguably a place where both politics and dissensus can occur. We are reminded in this scenario that genuine democracy, per Rancière, does not exist, saved instead as a luxury for the elite[88] and meant to mock the masses it should intend to serve. In a Chicago school board meeting, board members meet with community members, practitioners, students, and active citizens to discuss policies directly impacting schools, students, teachers, and

87. Ravitch, *The Death and Life,* p. 97.
88. Lipman, *The New Political Economy.*

communities within Chicago. These, on the surface, seem to be places in which dissensus could happen: where the rulers and the ruled must make attempts to understand each other, and where the latter attempts to legitimize their arguments and gain visibility within the reconfigured political space. The individual member of the demos who attempts to gain visibility in the public space reflects the identity of the demos themselves, speaking up for constituents now "counted" as a result of being in the presence of others.

However, each person endeavoring to speak is limited to just a few minutes, and a conclusive closed-door session illustrates "where all decisions are made" without public input.[89] In any space in which there is something to discuss, all subjects engaged are tested in their capacity to be seen and understood.[90] However, because the masses are viewed as uncounted consumers, rather than citizens, they must have no part in what they are believed to not understand.[91] Elites then, serve as not just a stable source of governance, but also the *only* legitimate source of governance within the space of education, as the uncounted lack speech, or rather, a frame of reference to be viewed as legitimate within the political space. The closing off of democratic participation not only illustrates consensus democracy—further discouraging collective participation—but it also illustrates the neoliberal and neoconservative distrust of citizens in the decision-making process in education and that public participation is ultimately just a performance as a result of district mayoral control.

2004: Renaissance 2010

Instituted in 2004, Renaissance 2010 illustrated a "market solution for failing schools."[92] Pushed by the city of Chicago, for-profit corporations, and Chicago Public School leaders, Renaissance 2010 hoped to establish 100 new schools by the year 2010. However, while advocating for new and seemingly equal educational options, the district closed 60 neighborhood Chicago public schools and opened 100 new ones—a mix of charters, contract schools, and public schools subjected to performance contracts mandated by the district. Originally, the reform meant to close what the district deemed to be "failing schools," since all schools were held to a performance standard based upon test scores. Instead, the agenda was constantly reworked to appease significant protest to the policy in practice. The reform later included the "turnaround" policy, where the district would fire all adults in a school building and rehire a completely new staff. Each school would have a specialist that would ensure the implementation of this agenda on a school-wide basis.

What resulted from Renaissance 2010 involved the deepening division between the district and its officials, championing the increased school choice and alleged bump in student achievement. As a result of the division between the district leaders and the people, the parents, students, teachers, and community members argued that such a measure increased gentrification and destabilized black and Latino communities, citing the inequitable educational opportunities for particular areas of the city, and the inequitable treatment of the existing educational options in non-affluent neighborhoods in comparison to options for more affluent ones. Little proof surfaced to indicate measurable successes of the schools targeted for change. The student displacement as a

89. Ibid., p. 63.
90. Rancière, *Disagreement,* p. 55.
91. Rancière, "Ten Theses."
92. Lipman, *The new Political Economy*, p. 51.

result of the school closures (not unlike the outcome of the 2013 school closures in Chicago—the largest in the nation) increased the levels of violence and instability within these communities, jeopardizing the capacity to provide stable and adequate educational options and resources.

Such practices contradict the supposed objectivity of education reforms, as certain communities are prioritized over others when gaining equitable public educational opportunities, and the decision to implement Renaissance 2010 passed without public input. Moreover, the idea of egalitarian educational opportunities is merely a farce: in order to appease the corporate actors, CPS needed to close already-existing and already-starved neighborhood schools to make way for—to be fair, some new neighborhood schools—but for many charter and contract schools. Therefore, the opening of privatized, privately-run school options were meant to appease the elite, rather than the public, the latter of whom had little to no say in the process or implementation of the initiative.

For the police, injustice functions as a mistake, where the "experts" qualified to rule construct the almost indistinguishable law and subsequent alleged fact.[93] Egalitarianism loses its meaning; and in this particular case, the masses are forced to shift their understanding of educational equity to one grounded in inequitable choices. Coupled with, again, the lack of public input regarding the formation and execution of this reform, and the enormous influence of corporate actors in the educational process, Chicago exemplifies a district and a city more broadly grounded in experimentation. The "false analogies" created between business and education that unite both political, anti-democratic rationalities promote a top-down structured means of governance while further suppressing the public's agency and understanding of equitable education.[94] Education becomes an investment opportunity where the students, practitioners, and the public more generally matter little in the decision-making and policy-crafting processes. As a result, the public has little choice but to concede to the conditions created for them as governance closes off opportunities for dissensus.

Conclusion

Despite Chicago's dependence upon governance and public suppression in education policy, I wonder how long this model will last. Some years after the fruits of Renaissance 2010 were to have taken effect, I participated in one of the largest teachers' strikes in the country. The moment I stepped off the blue line train at Washington and was enveloped into a sea of red amongst my union brothers and sisters, amidst thunderous applause from other train-riders, will be forever etched in my memory. As a young twenty-something, it was the greatest manifestation of public power I had ever seen, the greatest moment of dissensus. As years passed however, it became harder to see our progress between the mass school closures of 2013, the revolving door for district leaders, and the increased presence of financial actors and their measures of accountability in the educational decision-making process, in addition to the suppression of public workers and unions.

It took years for me to realize that all hope wasn't lost yet. Witnessing collective power in Kentucky, Oklahoma, West Virginia, and other places made me realize we lit an important fuse back in 2012. Politics—dissensus—exists when the uncounted disrupt the social order. As teachers, practitioners, and community members, we are innovative: if a space for dissensus closes, we create another. These are becoming more prevalent, and span beyond education. However,

93. Rancière, *Disagreement*, p. 112.
94. Ravitch, *The Death and Life*, p. 12.

Rancière reminds us that in order for politics to occur, a constructed time and space for mutual understanding must exist. In addition, Ravitch reminds us that there are no "shortcuts" or "utopias" in education,[95] a sector that beckons both hard work on-the-ground, and evidence to support our practices. Efforts to assert collective agency in light of anti-democratic policies and rationalities in education illustrate powerful examples of making our voices and our expertise known, heard, and part of the greater conversation, cementing rights to our cities.[96] It is our duty to challenge policies, reforms, and decisions that seek to undercut the true democratic nature of public education and to continue creating opportunities for dissensus.

References

Apple, Michael. *Education and Power*. New York: Routledge, 1995.

-----. *Educating the "Right" Way: Markets, Standards, God, and Inequality*. 2nd ed. New York: Routledge, 2006.

Brown, Wendy. "American Nightmare: Neoliberalism, Neoconservatism, and De-Democratization." *Political Theory, 34*, no. 6 (2006): 690-714.

Dewey, John. *Democracy and Education*. 3rd ed. New York: Simon & Brown, 2012.

Giroux, Henry. *The Terror of Neoliberalism: Authoritarianism and the Eclipse of Democracy*. Herndon, VA: Paradigm Publishers, 2004.

Gramsci, Antonio. *Selections from the Prison Notebooks*. (Q. Hoare & G. N. Smith, Trans.). London: Lawrence & Wishart, 1971.

Harvey, David. *Social justice and the City*. London: Arnold, 1973.

-----. *A Brief History of Neoliberalism*. New York: Oxford University Press, 2005.

Heybach, Jessica A. & Eric C. Sheffield. "Creating Citizens in a Capitalistic Democracy: A Struggle for the Soul of American Citizenship Education." In *Citizenship Education Around the World*, 1st edition, edited by John E. Petrovic & Aaron M. Kuntz, 66-83. New York: Routledge, 2014.

Lefebvre, Henri. *Le Droit à la Ville*. Paris: Anthropos, 1968.

Lipman, Pauline. *The New Political Economy of Urban Education: Neoliberalism, Race, and the Right to the City*. New York: Routledge, 2011.

National Commission on Excellence in Education, ed. *A Nation at Risk: The Imperative for School Reform: A Report to the Nation and the Secretary of Education*. Washington D.C.: U.S. Department of Education, 1983.

Ravitch, Diane. *The Death and Life of the Great American School System: How Testing and Choice are Undermining Education*. New York: Basic Books, 2010.

-----. *Reign of Error*. New York: Vintage Books, 2013.

Rancière, Jacques. *Disagreement: Politics and Philosophy*. Minneapolis: University of Minnesota Press, 1999.

-----. "Who is the Subject of the Rights of Man?" *The South Atlantic Quarterly 103*, no. 2/3 (2004): 297-310.

Rancière, Jacques, Davide Panagia, & Rachel Bowlby. "Ten Thesis on Politics." *Theory and Event 5*, no. 3 (2001) https://muse.jhu.edu/ (accessed October 9, 2018).

95. Ravitch, *The Death and Life*, p. 3.

96. Lipman, *The New Political Economy*.

Taubman, Peter. *Teaching by Numbers: Deconstructing the Discourse of Standards and Accountability in Education*. New York: Routledge, 2009.
Zeichner, Kenneth, & César Peña-Sandoval. "Venture Philanthropy and Teacher Education Policy in the U.S.: The Role of the New Schools Venture Fund." *Teachers College Record 117*, no. 5 (2013).

Why Chicago Students Fight and How We Can Teach Others to Fight

Ashley Paige Allen

Abstract

Chicago is not alone in its struggle to properly and equitably educate a diverse student population, while keeping teachers happy and staying within budget. Chicago, however, has been in the national spotlight for its struggles, including teacher strikes and massive school closings. In a democratic society the fight towards a quality educational system seems to be a never ending social justice issue. However, Chicago students have not shied away from the fight for a better education and better communities. Their commitment to activism and civic engagement can be traced from Freedom Day 1963, to as recently as November 2016 with several walkouts in protest of Donald Trump's election. This paper argues that because Chicago Public School students are often subjected to injustices, especially in regards to their education, they are forced into socially just activism in the form of protests, sit-ins, walkouts and marches. This may not be the case for students from more privileged backgrounds and school districts. The literature states civic education is not promoting socially just citizens, but simply "good people" through participatory and responsibility citizenship education. These civic education models prevent students from critiquing the faulty democratic systems of the United States, therefore never addressing the root causes of social injustices. Though implementing a strong justice-oriented citizenship curriculum into civic education, students can learn skills teaching them to be socially just citizens engaging in democracy in a way that creates solutions to social ills.

Keywords: *Civic Education, Deliberative Democracy, Social Justice-Oriented Citizenship, Responsibility Citizenship, Participatory Citizenship*

Segregation, school closings, budget cuts and teacher strikes. These are just a few issues that have plagued the Chicago Public Schools (CPS) system for decades. Chicago is not alone in its struggle to properly and equitably educate a diverse student population, while keeping teachers happy and remaining within budget. Chicago, however, has been in the national spotlight countless times for its struggles. In the United States, the fight towards a quality educational system seems to be a never-ending social justice issue. Chicago students have not shied away from the fight for a better education and better communities.

One of the most significant actions taken by Chicago students was Freedom Day 1963. On October 22, 1963, almost 225,000 students organized a massive boycott and marched against the Chicago Board of Education to force school integration policies and address overcrowded schools

(Danns, 2003). Benjamin Willis was the Superintendent of CPS during the 1960's. Willis continued a segregated school system, despite federal legislation that opposed segregation. Black students were confined to schools in their communities, and due to the ever-growing population of Black residents within the city, their schools became extremely overcrowded. Instead of dispersing the students among other schools, including those attended by majority White students, Willis instituted mobile classrooms known as Willis Wagons. The Willis Wagons were small aluminum trailers that were placed throughout the grounds of the overcrowded Black schools and nearby vacant lots.

In addition to the mobile classrooms, Willis instituted a double shift schedule where some students went to school first shift, in the morning and some went to school in the afternoon. The city also rented commercial space to alleviate the overcrowding of Black schools, all to prevent integrating the school system (Danns, 2003). Students knew these segregationist tactics were wrong, as did parents and community organizations. They knew money was being wasted on rent and trailers to uphold the unjust system of racial segregation. Black students also knew that in addition to being overcrowded, their schools were under-resourced compared to schools attended by their White peers. The disparities encouraged students to act, in an effort to correct the system that wronged them. Unfortunately, the students were not successful in their request to meet with then Superintendent Willis to present their solution to overcrowding. Segregation continued under the Willis administration and many years after Freedom Day.

Chicago students' fight for social justice has continued since Freedom Day 1963, as recently as November 2016 in protest of Donald Trump's election. Student voices appear to be loud despite the continued injustices within CPS, the city of Chicago and beyond, even when they are not victorious in getting what they are fighting for. This paper seeks to examine why and how Chicago students have historically been involved in social justice movements and actions such as protests, walkouts and sit-ins. The more pressing question is how a more justice-oriented civics education curriculum taught within schools can encourage students to act against injustice, not just within education but within the broader society, eventually eliminating the need to fight against institutions and systems.

CPS students, who are overwhelmingly minority and low to middle income, are often faced with unjust actions regarding their education and within their communities. They are forced to take action as a way to show their displeasure. Their more affluent, White peers are less likely to engage in social justice actions, which is hardly surprising as they are not as likely to be affected by injustice. Yet all citizens should aim for a socially just society for all people. This paper highlights how schools fail to promote social justice by deterring students from critiquing current systems, instead promoting more passive forms of service to improve society. I draw on critical social theory and deliberative democracy as a framework for creating K-12 civics education programs that will develop civically engaged students and adults who are in pursuit of social justice and solutions to injustice. When deliberative democracy is followed by social actions, effective social change happens. I conclude, through implementing a social-justice oriented civics education, students will work to create systems and services that are more socially just and equitable for all citizens, eliminating the need for those oppressed by systems and services to fight against them.

Critical Social Theory

The goal of critical social theory is to critique institutions and systems that result in injustice, followed up by action to achieve liberation from dominating practices of injustice (Hansen, Berente & Lyytinen, 2009). Critical social theory is the foundation for the empowerment needed for youth to engage in socially just actions resulting in improvements in their education systems and communities (Jennings, Parra-Medina, Hilfinger-Messias & Kerry McLoughlin, 2006). "Empowerment refers to individuals, families, organizations, and communities gaining control and mastery, within the social, economic, and political contexts of their lives, in order to improve equity and quality of life" (Jennings, Parra-Medina, Hilfinger-Messias & Kerry McLoughlin, 2006, p. 33). The first step in developing young people equipped to change unjust systems is ensuring they are empowered. Empowerment occurs when youth are encouraged and supported in critiquing systems, such as educational systems. All students must be free to call out unjust treatment they are directly experiencing, but those students who do not directly experience injustice should also understand the root causes of injustice and be willing to call it out. Once open dialogue occurs about these injustices, there must be an ability to act with the purpose of eliminating the unjust system.

Chicago students are directly impacted by unjust systems in their schools and within their communities. Even if they are not encouraged to discuss these injustices, the conversations are happening around them. They are bombarded with news stories about their failing schools, communities plagued by violence and budget cuts for essential social service programs. High school students in the Englewood community on Chicago's south side witnessed the school board vote to close every high school in their community, sending a message that they cannot be properly educated in their own community (Fitzpatrick, 2018). The students hear and see their teachers discuss striking and the never-ending fight between teachers and the Mayor's office; consequently, impacting their instructional time. Chicago students feel the anxiety as they fight through an overly complex high school application system to gain access to a quality school, while their suburban peers can simply attend their neighborhood school. Chicago students are fearful when their schools close and are forced to attend new schools in neighborhoods where they are not always welcomed and are possibly met with violence. It is difficult not to critique a system that too often works against them in so many ways. The students of Freedom Day 1963 not only critiqued Superintendent Willis's decisions, but also sought out reasons why the superintendent would not use integration as a solution to alleviate their overcrowded schools. Even though they did not know it, those students by seeking rationale for Willis's decision not to integrate were participating in deliberative democracy, which was then followed up by action when their demands were all but ignored. Engaging in deliberative democracy can contribute to socially just solutions to society's problems when paired with socially just actions.

Deliberative Democracy and Citizenship

Studies have found that deliberative democracy tends to produce outcomes and solutions superior to those in other forms of democracy (Elster, 1998).

> Deliberative democracy produces less partisanship and more sympathy with opposing views; more respect for evidence based reasoning rather than opinion; a greater commitment to the decisions taken by those involved; and a greater chance for widely shared consensus to emerge, thus promoting social cohesion between people from different backgrounds. (Fishkin, 2011, p. 70)

Social cohesion is a step within the deliberative democracy process and essential when discussing issues such as education where disparities are so great. Chicago Public School students are 85% students of color and majority low-income (Klein, 2016). They are constantly faced with less than ideal educational environments. They are able to critique the system as they are oppressed by the system. What incentive does a White student in a high-performing, high resourced suburban school, have to critique an educational system that is benefitting them? However, regardless of not being directly impacted by an unjust school system, there should be an acknowledgement and cohesion among both groups on the idea that a quality education should be accessible to all students and acknowledge that a quality education is not accessible to everyone. If civic education adopted the concepts of deliberative democracy, the students who as voting citizens will shape our nation might learn to meet disparities within education not with indifference or along party lines but instead with a shared commitment to social justice.

More affluent students who may not be impacted by failing school systems would understand that having any segment of the population subjected to an inadequate education is detrimental not just to those students, but to society as a whole. When two different groups can agree that everyone is impacted by failing schools, those from different backgrounds could join forces fighting towards more just educational systems for all students. Social cohesion allows for more discourse between varying views, prompts justifications for decisions and is a way to ensure that everyone is involved in the decision making.

In addition to social cohesion, deliberative democracy encourages those engaged in discourse to respond to reasons to justify a law or action, and/or demand their representatives to provide reasons as well (Gutmann & Thompson, 2002). Deliberative democracy also requires the reason be accessible to all citizens and the reason is what is best for society as a whole and in general good will (Gutmann & Thompson, 2002). Gutmann and Thompson capture these demands with their notions of non-discrimination and non-repression. Based on these characteristics, a student in a more affluent suburban school should question the root causes and reasons students of color and those from low socio-economic communities often do not have access to a comparable education system. In addition to questioning an unjust educational system, they should seek solutions to obtain equity within education as it the best for society. The quest for justice should not fall solely on those oppressed by the system. Solutions should not fall solely on those not impacted by unjust systems. In the case of the school closings in Englewood, very few Englewood residents were involved in the decision that directly affected them.

In the same vein as critical social theory, deliberative democracy encourages critique of ideologies, systems and institutions followed by action resulting in solutions (Hansen, Berente & Lyytinen, 2009). Unfortunately, we are not teaching students to critique systems working in their favor, even if they are harming large segments of society. We are not developing citizens seeking solutions to problems, but more so citizens that tend to the symptoms of social problems. Our educational system develops citizens to be "good people" that want to feed the hungry, house the homeless and heal the sick, but not citizens that question or critique systems that allow someone

to be hungry, homeless or sick. So how are we developing "good" citizens, but not socially just citizens?

How Are We Producing Citizens?

Westheimer and Kahne categorizes citizenship into three categories (2004). Most civic education promotes one of the three categories, each with their pros and cons. The three categories include personal responsibility citizenship, participatory citizenship and justice-oriented citizenship (Westheimer & Kahne, 2004). Most students receive their ideas of citizenship, democracy and political affiliation from their parents (Kiesa &Levine, 2016). They take on these beliefs without much questioning or critique, therefore whatever citizenship category your parent falls into, most likely that is where you will fall unless you are exposed to other options. School would be the most likely place a student would have access to other types of citizenship, especially when some believe a school's purpose is to produce productive citizens. Regardless of the category, research finds civic education at school constructs how students see the strength and weaknesses of society and the ways they act as a citizen in democracy (Westheimer & Kahne, 2004). Based on the type of education a student receives, dictates to them what it means to have a voice within society.

The personal responsibility concept of citizenship most closely aligns with politically conservative values. This concept connects citizenship with moral character. Instead of addressing social changes, personal responsibility addresses personal deficit of things that need to be changed (Westheimer & Kahne, 2004). In this concept a voice might simply be having the power to address a social issue through passive volunteerism. Westheimer and Kahne use the example of a food drive to illustrate the three concepts. Donating to a food drive demonstrates personal responsibility. Donating, while passive, is still an opportunity to have a voice in addressing the issue of hunger and poverty.

Participatory citizenship comprises more active behaviors and falls in the middle of the political spectrum. Planning a food drive would exhibit participatory citizenship (Westheimer & Kahne, 2004). Using your voice in this manner results in addressing a social issue on a large scale, but like personal responsibility citizenship, participatory citizenship does not seek to eliminate the issue. Lastly, social-justice oriented citizenship seeks to change the system that caused the need for a food drive in the first place. The socially just citizen wants to understand the social, political and economic causes of hunger as this is the first step to developing a solution to hunger (Westheimer & Kahne, 2004). As Westheimer and Kahne argue, the goal should be eliminating the need for food drives all together. The critics of personal responsibility and participatory citizenship argue that they detract from the collective and public-sector initiatives (2004). Solving the issue of hunger is not going to be done through individual good deeds of donating food when policies are in place continuing economic disparities that limit food access. It is the systems and policies widening disparities that must be challenged and critiqued.

Westheimer argues that students are not encouraged to challenge traditions, widely accepted ideas and values. Teachers are unable to speak about injustice, thus hindering justice-oriented citizenship (2015 p.12). Solutions to injustice are based in critiquing faulty systems, ideologies, and beliefs, as well as seeking the reasons and root causes of injustice. When students are taught about injustices such as slavery, voting rights and the Holocaust, discussions regarding injustice arise. However, most students learn of injustice in the historical sense and can easily leave

school believing most injustices are satisfactorily resolved. There is a failure to relate injustice to modern day events. This sends a message that one, injustices are a thing of the past and two, injustice is something that can be overcome with a single action such as passing legislation or winning a war (Westheimer, 2015). If students are taught that all major instances of injustice are in the past, there is no need to challenge the system as it eventually works out.

With all the current injustices happening in the United States and abroad, there is no reason to limit discussions of injustice and democracy to those injustices that can be viewed through a historical lens. Westheimer highlights several examples of school districts putting policies in place limiting and restricting the teaching of history and the democratic process as a means of not critiquing the United States and its policies and traditions. In Connecticut, students were banned from putting on a play about the Iraq War. The students conducted extensive research using reliable sources, however the play contradicted the local school board's preferred patriotic narrative about the war (Westheimer, 2015 p.15). Arizona passed SB1108 in April 2008 stating districts that taught on topics "that denigrate or encourage dissent from American values" would not receive funding (Westheimer, 2015, p.15). In 2006, Florida became the first state to ban historical interpretation, encouraging only "genuine history," meaning only the testable facts could be taught such as dates, people and places (Westheimer, 2015, p.15). A Florida State Representative asked whose facts were going to be used pointing out that Florida textbooks referred to Christopher Columbus and the colonization afterwards as the "period of discovery" (Westheimer, 2015 p.16.). These are just a few examples, but the overarching message is that promoting nationalism is more valuable and important than promoting justice and democracy. Events including the Iraq War, colonization and even slavery have been sugar-coated as not to expose injustice and social issues tarnishing the exceptionalism of the United States. Rorty and other supporters of social justice-oriented citizenship in civic education would argue that you can be proud of America and critique America simultaneously. The critiques will encourage action that fixes the issues being critiqued (Rorty, 1998).

Keisa and Levine's research led them to the same conclusion. Too often public schools' civic education is reduced to learning history and testable information about governmental processes. Students learn significantly more historical information about wars and individual people than skills that can teach them to solve problems through civic engagement or involvement within the democratic process (2016). Instead of learning simply that slavery, voting rights and the Holocaust happened, teachers could take the curriculum a step further and discuss the root causes, the social, economic and psychological factors that caused these tragedies to occur. Teachers should go one step further still and relate these events to the social structures that are in place today as a result of these historical events. Integrating civic education into history curriculum is one way for students to learn their role in using their voice and civic rights to address and prevent injustices.

Most textbooks highlight the end of slavery with the Emancipation Proclamation, skim over Jim Crow which is a direct result of slavery and often ignores the racial injustices happening today which are all connected to beliefs stemming from slavery. Students are often taught the Holocaust is halted with the end of World War II, but teachers often fail to address the oppression that continued with the development of East and West Germany, or the connection to more recent acts of genocide as in Rwanda. Discussing these injustices at home and abroad does not support the nationalism, patriotic and American exceptionalism narrative and as a result young people are at best indifferent about what justice and democracy really looks like in modern day. How do we encourage people in affluent suburbs to understand or care about the challenges of the students in

Chicago and in communities with similar challenges when the educational system teaches them to be unaware of injustice or indifferent in moving towards justice?

Most students are required to take a civics course whether it is encompassed within a history, social studies or government title. There are some teachers and schools that make concerted efforts to move beyond simple testable facts, but federal education policy has not supported this effort in recent decades. There are schools and districts encouraging civic action in conjunction with their civic education. Unfortunately, those choosing to incorporate civic action into the curriculum do so in a way that often promotes personal responsibility and not necessarily democracy or socially just civic engagement. Community service graduation requirements are an example of this practice. Westheimer argues, "volunteering and providing services for those in need is important but providing services without looking at the root of the problem makes no sense" (Westheimer, 2015, p. 44).

Chicago Public School students are required to complete forty community service hours to graduate. For some students, this service requirement may spark a sense of civic engagement, but for most it is simply a means to an end for graduation. Community service activities usually allows students to help minimize a social problem, but not to solve the problem. These behaviors of volunteerism (personal responsibility citizenship) without promoting actual social change (justice-oriented citizenship) will continue into adulthood. Chicago students have historically been involved in social justice movements, however they are reacting to the unjust treatment they face. By ensuring all students understand their ability and responsibility to create social change through implementing a justice-oriented curriculum, they could become proactive in their movements to maintain socially just systems instead of always having to fight against them.

Chicago Public Schools is guilty of participatory citizenship with their 40-hour community service graduation requirement. Only about a quarter of CPS high schools offer a course that implement a civics curriculum (Rado, 2015). Only a few schools provide civic education and even fewer teach civics with a justice-oriented lens. Community-based organizations in Chicago provide a way for students to receive justice-oriented civic education and engagement opportunities. Voices of Youth in Chicago Education (VOYCE), Mikva Challenge as well as youth councils of advocacy organizations such as the Chicago Coalition for the Homeless and Center on Halsted are examples of organizations teaching students about democracy and creating social change. VOYCE's mission reads "VOYCE is a youth organizing alliance for education and racial justice led by students of color from across the city of Chicago." There website uses terms such as "youth-driven research and organizing" "participatory action research" "root causes" "advance district-level policies" (www.voyceproject.org, 2016). Mikva Challenge (2016) aims to

> develop youth to be informed, empowered and active citizens and community leaders. We do this by engaging youth in action civics, an authentic and transformative learning process built on youth voice and youth expertise. (www.mikvachallenge.org)

The Chicago Coalition for the Homeless is an advocacy organization but involves young people in their social justice campaigns such as preventing budget cuts for support programs for homeless students and medical care for unaccompanied youth, by allowing students to testify in front of legislators in Springfield, participate in letter writing campaigns and meet with local elected officials and policymakers. Similar to VOYCE; Mikva Challenge, Chicago Coalition for the Homeless and Center on Halsted use social-justice oriented terminology to describe their programs aligning

more with the type of civic education research deemed as most effective in creating citizens focused on solving social problems. Chicago students are effective in identifying issues that impact them and organizing around those issues in a social justice-oriented manner. However, Chicago is also home to organizations that promote justice-oriented civic education and fill the void left by public schools.

There is a small glimmer of hope on the horizon in an effort to increase civic education, at least in Illinois. In 2015 the Governor, Bruce Rauner signed House Bill 4025 requiring a semester long civics course for high school graduation. The "civics course content shall focus on government institutions, the discussion of current controversial issues, service learning and simulations of the democratic process" (Rado, 2015). This is an attempt to expand civics-based courses such as history and government beyond testable facts and "memorization of the three branches of government and the Bill of Rights" (Rado, 2015). While this is a move in the right direction, the "state law also requires public schools to teach American patriotism, principles of representative government, as well as proper use of the American flag" (Rado, 2015). This could still result in the previously mentioned issues within current civic education curriculum, preventing students from openly critiquing systems that perpetuate the controversial issues they will be prompted to discuss. Within the new curriculum, students are still required to participate in some type of service learning, which usually falls within the category of personal responsibility and participatory citizenship. The Illinois Board of Education allows schools currently offering government related courses to opt out of offering a civics course, as long as they add the curriculum components outlined in the new bill to their current course offerings. The bill also states, "districts are free to determine how to incorporate civics education into their current curricula in a way that best meets the needs of their students" (Rado, 2015). Opposition from various educational groups and districts claim this new bill is an unfunded mandate and that addressing controversial topics is forcing teachers out of their comfort zone, posing additional challenges in creating a civics course-let alone one that is justice-oriented.

Why Chicago Students Fight for Justice

Community organizations, students and parents worked together to conduct the walkouts during Freedom Day. Unfortunately, the students did not get the result they wanted, but the boycott inspired similar protests against segregation and other discriminatory practices promoted by Superintendent Willis (Danns, 2003). Freedom Day became a significant event within the Civil Rights Movement (Danns, 2003). In addition to Freedom Day, social actions by Chicago students include the Equal Rights Walkouts of 1968 and prompted students in other cities to take action against segregation among other educational issues.

Today, Chicago is still one of the most segregated school systems in the country. While there have been improvements, Rosie Simpson, a Freedom Day protestor said that her peers got lax and gave up too soon "We thought the battle was over we had a little success and thought things would keep going up and changing for the better. Of course that didn't happen" (Klein, 2016). Deliberative democracy and social justice movements must continue, even when there are gains. As political administrations change and social structures change, what is best for the greater good, will also change. Therefore, citizens must always be working towards the goal of achieving justice for the greater good, engaging in discourse and ensuring everyone maintains access to participate in democracy.

Despite the lack of progress in some areas, Chicago students have never stopped their social action. While they engaged in protests and sit-ins in reaction to what they felt were national injustices such as the Anti-Immigration Law Walkouts of 1995, Iraq War Walkouts of 2003 and Donald Trump Election protests in 2016, Chicago students were also demonstrating against injustices within their own schools. The Social Justice High School protest and King High School student sit-in in 2012 and the Lane Tech student protest in 2013 were all in reaction to harsh treatment by administration, lack of resources and funding in their schools (Steiber, 2013). This does not even include the numerous marches and protests held in response to the 50 school closings in predominately, low-income and minority communities in 2013 and student support of the teacher strike in 2012. Most recently, we saw student-centered social action in reaction to the Stoneman Douglas school shooting in Parkland, Florida. Unlike Freedom Day these actions were organized and carried out with little to no adult support. The students did not get everything they wanted, but their actions brought attention to their needs resulting in small gains, such as a change in administration and the retention of support programs in some schools. Social Justice High School is a rarity as it does implement justice-oriented civic education in their curriculum, which students utilized in 2012. The district decided to fire two Social Justice High teachers without warning or reason. When the students demanded a rationale for the popular teachers' termination, they received unacceptable answers from the district. The students used their justice-oriented education to organize actions in protest of the decision and put pressure on the district. Ultimately, the teachers were reinstated and given back pay (Steiber, 2013).

Freedom Day did not result in a "quick win" as in the case of Social Justice High School protest, however the voice of students and their families were heard, and their message was spread all over the country. During a student protest against the Iraq War, Claire Wullner stated, "Maybe it (protest) won't make Mr. Bush change his mind but at least our community will know what we think" In this case, the protest was not about "winning," the protest was about making their voice heard against something they believed was wrong (Steiber, 2013). During a March 2015 CPS board meeting a student questioned, "Do the things we have to say not matter? In my eyes, that's exactly what I see. I see a man [Mayor Rahm Emanuel] who only devotes his time to schools with money and doesn't take students like us into consideration". In regards to "students like us" they were implying that students from lower-socio-economic backgrounds had a voice but it did not matter to those with the power to make decisions. In this case the student questions whether the Mayor values their voice and yet speaks up anyway. The previously mentioned instances were examples of deliberative democracy actions and supports the idea all citizens should have their voices heard and taken into account regarding decisions that impact society.

Through my work as a Program Director at a Chicago educational non -profit and my volunteer work with various youth programs, I had the opportunity to interview 10 Chicago students and ask them if they had been involved in any justice-oriented activities and if so, why they believed it was important to be engaged. The students had varying levels of civic education through school and/or through a community-based organization. Four of the students had been engaged in a justice-oriented program, class or training. The common theme in their responses for engaging in civic action was that they have nothing lose by trying, but everything to lose if they do not. The idea of possible progress keeps them motivated to keep fighting. They stated:

> Sometimes we do win, but we would never know if we didn't try.

Even if you don't win you can still help others achieve their goal with what you have gained from your experience.

I am affected whether I speak up or not so I might as well try to help myself and others.

You have to use your voice to let people know where you stand or you are giving them permission to walk all over you.

We have a long way to go and we may never get there, but we should keep going because any improvement is better than nothing. Try to get as close as possible.

Conclusion

Chicago students will continue to be leaders in the fight for social justice. They continue to follow in the footsteps of those before them in social actions such as protest, sit-in, walkouts and marches. Ultimately, they have nothing to lose by at least trying to create change and have their voices heard. Students from more privileged backgrounds do not often face injustices that directly affect them and therefore they are not as engaged in critiquing systems, ideologies and beliefs they do not understand or in which they are unaware. The literature highlights the lack of civic education and how the civic education incorporated into history classes does not develop socially just citizens, but simply "good people" with a sense of patriotism and nationalism that prevents them from critiquing the faulty democratic systems of the United States. The literature states, to develop citizens seeking to solve social problems, they must engage in justice-oriented civic engagement and education. I argue this engagement and education should be rooted in deliberative democracy.

Chicago students are often reactive to injustice and also suffer from the lack of justice-oriented education to learn the need to be proactive in the fight for a more just society. While Chicago students have access to programs aimed at social justice versus personal responsibility citizenship and participatory citizenship, these organizations do not have the capacity to reach most students in the city. Also, these organizations rarely exist in more affluent, White communities. Chicago students believe in using their voice in spite of not gaining a socially just outcome with every fight. They are not idealistic that change will come quickly, but Chicago students remain hopeful that eventually they will indeed "win." We must continue to empower and teach them and other students to keep fighting towards a more socially just society. At a time when public goods and services in Illinois are under attack, empowering students through civics education will allow a greater understanding of the systems and policies that create public goods and services. They will also be encouraged to use their knowledge to create and change systems, so they work for all citizens. Lastly, when majority of citizens are civically-engaged and systems benefit all groups the need to fight against a system is diminished.

To create active civically engaged citizens from all backgrounds committed to achieving a just society and dismantling oppressive systems for all citizens, students should be required to participate in civics education and must:

- Be taught and encouraged to participate in deliberative democracy by requiring reason for the way systems function whether it is beneficial to them or not. This is not

to say everyone must be involved in protests and marches, to be a justice-oriented citizen. What it does mean is seeking the root cause of social problems and not just the symptoms, critiquing systems and how they can be changed to benefit the greatest number of people in society.

- Be justice-oriented, meaning they should connect justice to participation in the democratic process when voting and holding officials accountable through political action.
- Receive these lessons of deliberative democracy and justice-oriented actions through K-12 education. Teachers should be trained to incorporate these teachings throughout the current curriculum ensuring most students gain the skills to remain engaged citizens into adulthood.

Ultimately, the goal is to create a society where fighting is not necessary. Civic education should be grounded in deliberative democracy, so discourse is encouraged, opposing views are received with a request for rationale and justification and not dismissed due to partisan beliefs. Deliberative democracy should create cohesion amongst all citizens to address issues of injustice and provide all citizens the access to participate in democracy. By developing students that will ultimately become adults who are actively engaged in democratic practices and act with a justice-oriented lens, systems can become less oppressive to some citizens. Over time all citizens will feel comfortable participating in a socially just system instead of fighting against the system.

References

Danns, D. (2003). *Something better for our children: Black organizing in Chicago Public Schools.* Routledge. New York, NY.

Elster, J. (editor) (1998). *Deliberative Democracy (Cambridge Studies in the Theory of Democracy).* Cambridge University Press. Cambridge, United Kingdom

Fishkin, James (2011). When the People Speak: deliberative democracy and public consultation. Oxford University Press. New York, NY. Fitzpatrick, L. (2018, Febraury, 28). CPS board votes to close Englewood high schools, elementary school in South Loop. *Chicago Sun Times*. Retrieved from http://www.chicagotribune.comHansen, S., Berente, N., & Lyytinen, K. (2009). Wikipedia, critical social theory, and the possibility of rational discourse. *The Information Society* 25(1), 38-59.

Jennings, L.B., Parra-Medina, M.D., Hilfinger-Messias , D.K., & McLoughlin, K. (2006) Toward a critical social theory of youth empowerment. *Journal of Community Practice*, 14(1), 31-55.

Kiesa, A., Levine, P. 2016, October, 31). Why America Urgently Needs to Improve K-12 Civic Education. *Huffington Post*. Retrieved from http://www.huffingtonpost.com

Klein, R. (2016, February, 29). Chicago shools were racist 50 years ago:This documentary shows how little has changed. *Huffington Post* Retrieved from http://www.huffingtonpost.com

Rado, D. (2015, September 7). Civics class required for high school graduation will push the envelope. *Chicago Tribune*. Retrieved from http://www.chicagotribune.com

Rorty, R. (1998). *Achieving our country: Leftist thought in twentieth-century America*. Harvard University Press. Cambridge, MA

Steiber, D. (2013, May 10). Chicago students always lead the way. *Huffington Post*. Retrieved from http://www.huffingtonpost.com

Westheimer, J., Kahne, J. (2004). What Kind of Citizen? The Politics of Educating for Democracy. *American Education Research Journal* 41(2).

Westheimer, J. (2015). *What kind of citizen? Educating our children for the common Good.* Teacher College Press, New York, NY.

The Death Spiral of Contemporary Public Higher Education

Chris Higgins

Abstract

The recent funding crisis in Illinois is but one part of a larger national problem, a decades long retreat from the very idea of public higher education. Even as we fight to keep the doors open, the enterprise itself is shifting. As tuition races past state support as a percentage of their operating budgets, public universities increasingly frame their contribution as a return on investment. As the university becomes more vocationalized, we see an attenuation of the arts, humanities, and general education, further exacerbating the credential mindset. This only cements the notion that a college education is a private, consumer good, further sapping public support for higher education. Caught in this negative feedback loop, we are rapidly returning to a system that fully tracks social class into educational, vocational, and existential outcomes. That state universities continue to operate is no guarantee that a truly higher education will be offered to a genuinely inclusive public. It is time to stop hitting the snooze button.

Keywords: *higher education, political-economy, public university, tuition, general education, humanities, public goods*

> ...All I could do then would be to curse myself and say, "why didn't I wake up when the alarm-clock rang?"[1]

Introduction

This fall, for the first time in four years, Illinois' public universities received a full-year budget before the start of the school year. Not only is the 793-day state budget impasse behind us but its instigator, Governor Bruce Rauner, has just been voted out of office. The new budget even includes a modest 2% increase for operations, which will mean that Governor's State University can fix its

Acknowledgements

I presented this paper twice in the Spring of 2016. I am grateful to CC Wharram for the opportunity to present at the Humanities Center of Eastern Illinois University in the midst of the growing budget crisis. Thanks to Jeff Behrends, Gina Schouten, Harry Brighouse, Randy Curren, and others for feedback at the Education, Justice, and Democracy Workshop at Illinois State University. And I also want to thank Jennifer Burns, Ethan Hutt, and Amy Shuffelton for reading drafts, and Jess Heybach and Eric Sheffield for their editorial feedback.

1. Letter from Rabbi Hyman Katz to his mother (Madrid, 11/25/1937) concerning his decision to join the Abraham Lincoln Brigade and fight against Franco. Katz was killed in action 4 months later. See Cary Nelson and Jefferson Hendriks (eds), *Madrid 1937: Letters of Abraham Lincoln Brigade from the Spanish Civil War* (London: Routledge, 1996), p. 32.

roofs and Northern Illinois University can replace its boilers.[2] However, we are awakening from the "nightmare of total uncertainty" only to find ourselves in the "new normal" of austerity.[3] Even with this year's increase, funding is down 8.2% relative to pre-Rauner levels, in a system stressed to its limits: Eastern Illinois University was forced to lay off nearly one quarter of its employees; fully one third of the staff was let go at nearly shuttered Chicago State University, Illinois' leading minority-serving public university, where enrollment is still only half what it once was; after spending down its $80 million reserves, Southern Illinois University Carbondale (SIUC) was forced to borrow $30 million from its sister school in Edwardsville; such spend-downs led Moody's to downgrade seven Illinois universities, five of them to junk status.[4] In 2016-17 alone, 168,000 low-income students were denied MAP grants.[5] According to "the democratic idea in education," John Dewey wrote, "higher education…is of and for the people, and not for some cultivated classes."[6] On January 1, 2017, the lights were turned off at SIUC's Center for Dewey Studies, the world's central repository of scholarly resources related to the life and work of John Dewey. Relief that the worst may be over must not obscure the damage done.

We also must not let the crisis in Illinois distract us from the bigger picture. The "Illinois problem" is but one part of a larger national story, and these sharper crises tend to mask what is a steady decline of public higher education in the United States over several decades. Even as literal disintegration is staved off by directing overdue monies to the physical plant, the public university is losing its integrity. Public higher education may well continue indefinitely in name but will such universities remain public in substance? And will the education they offer be properly described as "higher?" There is reason to believe that we are living through the gradual abandonment of the very idea that there are public goods of higher education.

In seeking to understand this slower process of decline and disintegration, this essay is a contribution to what we might call "educational axiology." This dusty term, "axiology," offers a useful reminder that the study of value encompasses domains usually treated in isolation, domains such as economics, education, politics, ethics, aesthetics, and religion. The phrase "educational axiology" is meant to stand for three methodological propositions. First, we must refuse the idealization of studying educational aims in abstraction from the mechanics of institutions and the machinations of societies. These spheres of value are interconnected. Second, we must simultaneously resist the impulse to reduce educational questions to political or economic ones. Those who would attend to the material conditions of education must be wary of the tendency to collapse

2. Dawn Rhodes, "Illinois College Leaders Relieved at Quick State Budget Resolution," *Chicago Tribune*, June 2, 2018, https://www.chicagotribune.com/news/ct-met-illinois-universities-budget-reaction-20180601-story.html.

3. These are both quotes from Elaine Maimon, president of Governors State University. For the former, see Sarah Brown, "As Illinois Budget Impasse Ends, So Does a 'Nightmare of Total Uncertainty' for Its Public Colleges," *The Chronicle of Higher Education*, July 6, 2017, https://www.chronicle.com/article/As-Illinois-Budget-Impasse/240553. For the latter, see Rhodes, "Illinois College Leaders Relieved at Quick State Budget Resolution."

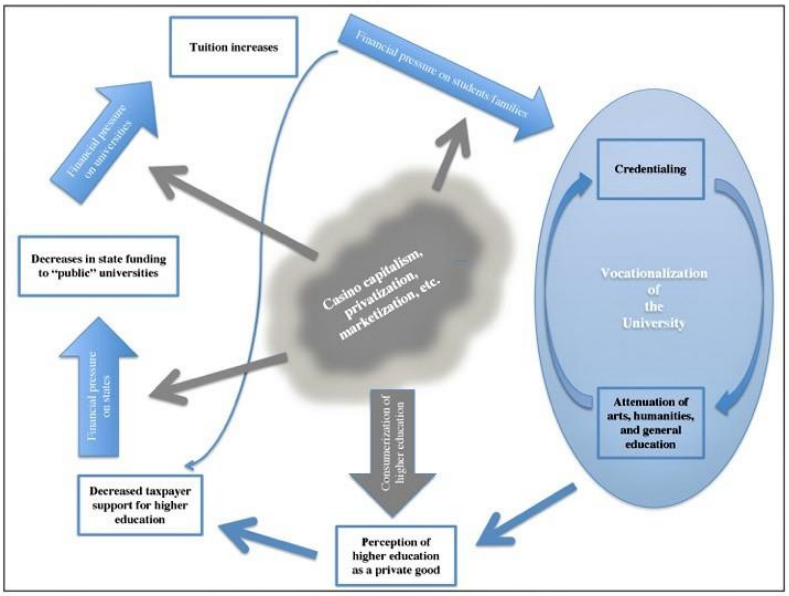
4. Rick Seltzer, "Picking up the Pieces in Illinois," *Inside Higher Ed*, July 10, 2017, https://www.insidehighered.com /news/2017/07/10/illinois-leaders-re-evaluate-higher-education-after-first-state-budget-two-years. Two of the City Colleges of Chicago, Kennedy-King and Daley, have an even higher percentage of students who are neither White nor Asian, but Chicago State University has by far the highest percentage of under-represented minorities among four-year Illinois publics. The next closest to Chicago State (92.4%) is Governor's State University (58.4%). To calculate this, I used the Fall 2014 IPEDS data at http://nces.ed.gov/ipeds/datacenter/Default.aspx.

5. Meredith Kolodner, "Eligible for Financial Aid, Nearly a Million Students Never Get It," *The Hechinger Report*, May 23, 2018, https://hechingerreport.org/eligible-for-financial-aid-almost-one-third-of-students-never-get-it/.

6. John Dewey, "Professorial Freedom" in *The Middle Works of John Dewey, 1899-1924. Volume 8: 1915, Essays, German Philosophy and Politics, Schools of Tomorrow*, ed. Jo Anne Boydston, The Collected Works of John Dewey, 1882-1953, the Electronic Edition (Charlottesville, VA: Intelex Corp., 1996). First published as a letter to the editor in The New York Times, October 22, 1915.

questions of value to questions of justice, questions of justice to questions of distribution, and questions of distribution to questions about markets. The second proposition, then, is that the study of value is enriched by attention to processes of teaching and learning, where we find distinctively educational goods. And for those of us interested in public educational goods, we must reject the central conceit of contemporary economics that value is created by individual preferences, leaving economists safe to ignore ethical and political questions to focus on the causal dynamics of markets. Notably, for all of the differences between Adam Smith and Karl Marx, they shared the view that economics is inseparable from moral and political questions.[7] Third, adding education into the axiological mix not only offers us another distinct if interconnected species of value: it also enriches the questions we ask of valuation across the spheres. The educational axiologist is interested in the lifespan of values, their birth and development, withering and renewal. While the term "axiology" may have fallen out of favor, some of the best contemporary work in moral and political theory adheres to these three methodological principles. Thinkers such as Alasdair MacIntyre, Michael Walzer, and Michael Sandel help us think about value pluralism, the integrity and interdependence of spheres and practices of valuation, and the processes that conflate, corrupt, and counterfeit values.[8]

Figure 1



My own contribution, in what follows, is to offer a model of the interaction of political-economic and educational values resulting in the slow death of US public universities. Contemporary public higher education, I will suggest, is caught in a negative feedback loop (Figure 1) in which: (1) decreases in state funding of higher education put financial pressure on public universities, driving (2) tuition *increases* that put financial pressure on students and families, fueling (3) the vocationalization of the university (a process that contains its own internal negative cycle of credentialization and the attenuation of general education), breeeding (4) skepticism of the very idea of higher education as a public good, and sapping (5) taxpayer support for higher education putting financial pressure on states, leading us back to where we began with decreasing state funding for public universities.

7 . For a recent defense of the continuity between the Smith of *Theory of Moral Sentiments* and *The Wealth of Nations*, see Jack Russell Weinstein, *Adam Smith's Pluralism: Rationality, Education, and Moral Sentiments* (New Haven: Yale University Press, 2013).

8. Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, 3rd ed., with a new prologue ed. (South Bend, IN: University of Notre Dame Press, [1981] 2007); Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983); Michael J. Sandel, *What Money Can't Buy: The Moral Limits of Markets* (New York: Farrar, Straus and Giroux, 2012).

Before exploring this cycle in detail, let me offer two caveats. First, because my focus is on the system as a whole, I will have to bracket off many of the intricacies of what Sheila Slaughter and colleagues call "academic capitalism," let alone of capitalism itself.[9] Second, my intent is solely diagnostic. I will offer no grand solutions, though there is always the hope that getting clearer about the nature of the disease might help in the search for a cure. If the patient proves to be terminal, knowing that will allow us to put our energies into seeding the next Black Mountain College or Open University.[10]

The Algebra of Access

What are public universities and why do we need them? Here is an answer that gets right to the point: "If college opportunities are restricted to those in the higher income brackets, the way is open to the creation of and perpetuation of a class society which has no place in the American way of life."[11] This comes not from some leftist manifesto but from a bureaucratic, centrist document: Harry Truman's *Commission on Higher Education*. Indeed, there should be nothing radical about rejecting a system that tracks family wealth into corresponding levels of educational and economic opportunity for the next generation. The question, though, is what we mean by "college opportunities." There are lower-cost options in U.S. higher education, but community colleges and technical schools do not seem to produce the skills and credentials translatable into the social mobility envisioned by the Truman Commission. Better candidates for this job are public research universities which educate one third of US undergraduates, and especially the R1 flagships.[12] Compared with even the most selective privates, universities such as UC Berkeley, Michigan, or the University of Virginia (UVA) represent a real parity of educational opportunity. In theory, as public universities, they distribute these opportunities to the masses.

In practice, this is far from the case. At UVA, annual in-state costs (tuition, fees, and expenses) vary by program from thirty to forty thousand dollars.[13] At the University of Michigan, freshmen and sophomores get a discounted rate of $30,298 per year.[14] The University of California Berkeley estimates $34,502 for students living in the dorms, with an additional $2,830 for students who need health insurance.[15] Out-of-state costs at these institutions range from $64,250 (Berkeley, without health insurance) to a breathtaking $73,180 (for UVA business majors). While it is true that there is no in-state discount at privates such s UVA's regional neighbor, Duke ($75,370), their

9. Sheila Slaughter and Larry L. Leslie, *Academic Capitalism: Politics, Policies, and the Entrepreneurial University* (Baltimore: Johns Hopkins University Press, 1997); Sheila Slaughter and Gary Rhoades, *Academic Capitalism and the New Economy: Markets, State, and Higher Education* (Baltimore: Johns Hopkins University Press, 2004).

10. Black Mountain College of North Carolina, 1933-1957, RIP. Here flourished brightly if briefly an intentional community devoted to the arts of freedom, whose profound experiments in fusing Bauhaus modes of aesthetic education with Socratic liberal arts seminars in a Deweyan democratic living/learning community continue to resonate. For a contrast between the conception of general education at Black Mountain College and that embodied in typical breadth requirements, see Chris Higgins, "From the Editor: Undeclared," *Educational Theory* 67, no. 3 (2017).

11. President's Commission on Higher Education, *Higher Education for American Democracy*, vol. 2 (New York: Harper, 1947), 23, quoted in Nancy Folbre, *Saving State U: Fixing Public Higher Education* (New York: The New Press, 2010), 38.

12. Over 40% of US undergraduates attend 4-year public universities. The 157 Public research universities (RI and RII) enroll one third of US undergraduates. In what follows, I focus on R1 Publics (of which there are 81) and especially on elite flagships (37 of the 50 State Flagships are R1).

13. See https://sfs.virginia.edu/cost/18-19. These are UVA's estimated figures for 2018-19. In what follows, unless otherwise stated, I am referring to the sum of tuition, fees, and living expenses for in-state students.

14. See http://finaid.umich.edu/cost-of-attendance/.

15. See https://financialaid.berkeley.edu/cost-attendance.

needs-blind admissions policy creates a sliding scale.[16] Average aid is $50,000 per year for students from families with incomes between $80,000 and $100,000, and Duke is free for students from families with incomes under $60,000.[17] There may be good reasons for attending elite public universities such as UVA, but affordability and access do not seem to be among them.

It is not only Public Ivies such as UVA, Berkeley, and Michigan with skyrocketing costs. The University of Washington, which touts its *Wall Street Journal* ranking as the "#3 best value,"[18] costs $27,638 for in-state students.[19] Even the more affordable flagships are not very affordable: Wyoming ($20,140), Montana ($20,964), Florida ($21,210), Idaho ($21,350), Iowa ($24,464).[20] To determine what it will cost to attend the University of Kansas requires careful exegesis of their 23-page Comprehensive Fee Schedule. After factoring in their per-credit premium, it appears that "Social Welfare" majors will pay $27,675 per year.[21]

Anticipating the sticker shock faced by students and families, state universities resort to shameless spin.[22] On their costs webpage, the University of Illinois hides the word "tuition" in a small, low-contrast font while directing our eyes to a large, bolded headline, "invest with confidence."[23] Indiana ($24,778) adopts a similar strategy, heading their tuition and fees page with "IU Bloomington's costs are just one part of the equation," explaining that they "do a lot to manage costs and keep your return on investment high."[24] "Return on investment" is a hyperlink taking you to a page stating that "95% of IU seniors feel they've acquired job- or work-related knowledge and skills."[25] My favorite may be the University of Maryland "Costs" webpage which is adorned with an algebraic graffito showing how one would solve X^2-4X+4=0 in five steps.[26] This could suggest that the point of the neighboring table is not the $26,796 price tag[27] but rather the mathematical knowledge your $108K bachelors will yield. I prefer another reading: only with moderately advanced mathematics can one understand how such a large figure was ever derived.

In short, the cost of attending today's state universities is exorbitant. Inflation-adjusted tuition across all publics tripled between 1980 and 2011.[28] Between 2009 and 2014, tuition increases in Arizona, Georgia, and Washington topped 70%.[29] Even with these dramatic increases, many publics now charge premiums for professional majors. Iowa charges its Pharmacy majors a

16. See https://financialaid.duke.edu/undergraduate-applicants/cost..

17. See https://admissions.duke.edu/application/aid.

18. See https://admit.washington.edu/costs/.

19. See https://admit.washington.edu/costs/coa/.

20. See http://www.uwyo.edu/sfa/cost-of-attendance/; http://www.umt.edu/finaid/cost-of-attendance/bachelors-deg-COA/default.php; https://www.uidaho.edu/financial-aid/cost-of-attendance; http://www.sfa.ufl.edu/cost/; https://admissions.uiowa.edu/finances/estimated-costs-attendance.

21. See http://affordability.ku.edu/costs for estimates of expenses. I used the high figure for board. And see http://registrar.ku.edu/comprehensive-fee-schedule-2017-18 for the fee schedule. I used the recommended 30-credit-hour load to calculate tuition.

22. Universities are constantly revising their cost and fees pages, and this particular sampling of rhetoric comes from the fall of 2015. Where pages have changed, I cite the page in the Wayback Machine.

23. See https://web.archive.org/web/20150920021512/https://admissions.illinois.edu/Invest/tuition. "'Tuition' is in a yellow, all-caps font, approximately 10-point. 'Invest with confidence' is in a white, all-caps font, approximately 48-point, with 'confidence' bolded."

24. See http://admissions.indiana.edu/cost-financial-aid/tuition-fees.html.

25. See https://web.archive.org/web/20150930123638/http://admissions.indiana.edu:80/cost-financial-aid/roi.html.

26. See https://web.archive.org/web/20151008031116/https://www.admissions.umd.edu/costs/.

27. See https://www.admissions.umd.edu/costs/.

28. Benjamin Ginsberg, "Administrators Ate My Tuition," *Washington Monthly*, Sept./Oct., 2011. See http://www.washingtonmonthly.com/magazine/septemberoctober_2011/features/administrators_ate_my_tuition031641.php?page=all.

29. Claudio Sanchez, "How The Cost Of College Went From Affordable To Sky-High," NPR, March 18, 2014. See http://www.npr.org/2014/03/18/290868013/how-the-cost-of-college-went-from-affordable-to-sky-high.

premium; Nursing majors pay more than liberal arts majors at UVA; and, it costs in-state students $36,016 per year to study Engineering at the University of Illinois in Urbana-Champaign.[30] The argument for these variable tuition rates is that these professions pay well but, as we noted, this was precisely the promise of our state universities: that even people of humble means could aspire to such professions and improve their lot. With tuition this high at flagship state universities, we seem to have almost fully reverted to a two-tier system. Poor and working class kids will be routed to community colleges, vo-tech institutes, and online credential mills, and from there into the lower tiers of the job market. Privileged kids will attend elite universities, whether "public" or "private," preparing them for well-paid and well-respected positions calling for creativity and thought, autonomy and leadership.[31] The idea of the public university is that it is not just another track in our stratified system but a kind of a switching yard where the full range of social outcomes are available to the full range of society.[32]

Rising tuition has multiple causes, including the recently discussed problem of administrative bloat.[33] While faculty-to-student ratio has remained constant, there has been a marked growth in the number of administrative and semi-administrative positions and a ballooning of top administrative salaries. In 1976, faculty nearly doubled administrators as a percentage of overall staff

30. See https://admissions.illinois.edu/invest/tuition. Annual in-state costs for students in non-premium majors total $31,012. UIUC not only costs more for out-of-state students ($47,922-$52,926, depending on one's major) but charges a further premium to international students who pay $58,144 per year to study engineering.

31. As the R1 flagships make their bid to join the elite privates, this leaves the "directionals" (Northern, Eastern, etc.), many of which began as normal schools and then became state teachers colleges before becoming state universities, bravely occupying this middle ground, offering true educational experiences (and not mere credentialization) to working class students. It is precisely these institutions that are hit the hardest in the current climate of privatization, anti-unionization, and decreased state support to higher education. I do not mean to deny the obvious fact that there is a range of public options from more to less accessible and affordable. My point is that as accessibility increases the caché of the degree decreases so that it is very difficult to find a point on this spectrum that delivers genuinely higher education (enriching self-understanding, increasing social awareness and civic agency, and giving access to social mobility and meaningful work) to a genuinely broad and diverse segment of the population. And this is the promise of public higher education.

32. Construed in this way, the primary goods of higher education are private (individual educational/economic opportunity) but we have a second-order public interest in distributing these primary goods justly. Later, I will explore the idea of primary public goods in higher education. In response to an earlier version of this argument, Harry Brighouse contested the idea that public universities ever really aimed at even this second-order public good, countering that the rhetoric of opportunity is just window dressing while the actual function of universities, public and private, has always been social closure. Brighouse was referring to a concept in sociology, originally growing out of the work of Max Weber, and developed by Frank Parkin, Randall Collins, and Raymond Murphy. [See, for example, Frank Parkin, "Strategies of Social Closure in Class Formation" in *The Social Analysis of Class Structure*, ed. Frank Parkin (London: Tavistock, 1974; reprint, Abingdon: Routledge, 2001); Randall Collins, *The Credential Society: An Historical Sociology of Education and Stratification* (New York: Academic Press, 1979); and, Raymond Murphy, *Social Closure: The Theory of Monopolization and Exclusion* (Oxford: Clarendon Press, 1988).] The best work in education, drawing on this tradition, is that of David Labaree. Labaree shows how our paradoxical, twin commitment to access and advantage, to delivering to everyone the private good of relative social mobility, drives the creation of ever more educational strata in the form of intra-institutional tracking, cross-institutional ranking, and credential deflation requiring ever more seat time and degree levels for the same advantage. [See, for example, David F. Labaree, "Consuming the Public School," *Educational Theory* 61, no. 4 (2011): 390-94.] Whereas Labaree sees, in the history of US K-12 education, a general drift from public to private rationales, and from cultural imperatives to market logics, his new work on higher education tells a different story. The "perfect mess" of U.S. higher education evolved from the beginning according to market logics, only much later stumbling into an accidental golden age of public purposiveness driven by roughly three decades of Cold-War-inspired federal funding. [See David F. Labaree, "Learning to Love the Bomb," in *A Perfect Mess: The Unlikely Ascendancy of American Higher Education* (Chicago: University of Chicago Press, 2017, 141-158)]. Thus, on Labaree's view, while we should not speak of a new logic of privatization that betrays some public *essence* of state universities, we can still speak of this era, from Reagan on, as one in which we are turning our backs on the idea, as recent and contingent as our embrace of it may have been, that our universities are animated by public goods.

33. For an extended version of the argument offered in Ginsberg's *Washington Monthly* article, see Benjamin Ginsberg, *The Fall of the Faculty: The Rise of the All Administrative Faculty and Why It Matters* (New York: Oxford University Press, 2011).

(32.5% to 17%); by 2011, the ratio was almost one-to-one (34.6% faculty; 33.1% administration).[34] Meanwhile, from 2009 to 2012, in the aftermath of the worst recession since the Great Depression, average pay for public university presidents increased 14% to $544,554. The gains were even more obscene at the 25 highest-paying publics where presidential pay increased 34% to an average of $974,006.[35]

Without denying this and other secondary causes of rising tuition, the main culprit appears to be the waning of state funding.[36] Former University of Michigan President James Duderstadt's dark humor sums it up nicely: "we used to be state-supported, then state-assisted, and now we are state-located."[37] From 2008-2012, states cut inflation adjusted, per-pupil (FTE) higher education funding 26.7% on average.[38] Ten states cut per-pupil funding more than 28% between 2008 and 2015. But this is simply an acceleration of a longer national decline, with per pupil funding dropping 30% between 2000 and 2009.[39] According to one recent analysis (excluding Wyoming and North Dakota, which held their support constant) decreases in inflation-adjusted, per-pupil state appropriations to higher education from 1980 to 2011 ranged from 15% in some states to as much as 69% others.[40] Extrapolating each state's rate of decline into the future yields startling results: Alaska and Colorado are on pace to zero out their higher education funding within the next decade, 16 more states would hit zero by 2040, 5 more by 2050, and 23 others reaching their nadir sometime between 2050 and 2100.[41] In 2012, for the first time, tuition surpassed state appropriations as a percentage of the operating budgets of public colleges and universities.[42] Four-year public universities reached this tipping point even sooner, in 2003.[43] At flagship state universities state appropriations now make up between an eighth and a quarter of the overall operating budget. For example: Maryland (25%), Rutgers (21%); North Carolina (20%), Kansas (20%), Wisconsin

34. These numbers are drawn from the National Center for Educational Statistics (1995 Digest of Educational Statistics, Table 314.10) as compiled by Rudy Fichtenbaum and blogged by Martin Kich. See Martin Kich, "A Real Numbers-Cruncher Weighs in on the Campos Article," *The Academe Blog* (http://wp.me/p1KBNi-3fl).

35. Data from "Executive Compensation at Public and Private Colleges" (updated June 8, 2015), Facts and Figures, *Chronicle of Higher Education* (Chronicle.com) as analyzed by Andrew Irwin and Marjorie Wood for the Institute for Policy Studies (see http://www.ips-dc.org/one_percent_universities/ and reported in The New York Times (see http://www.nytimes.com/2014/05/24/opinion/fat-cat-administrators-at-the-top-25.html?ref=topics).

36. Even Labaree, who (see note 31) views federal funding as the key catalyst of US universities finding a public purpose, sees the effects of the 1970s tax revolt on state appropriations as the chief culprit, citing decreases in federal funding as a secondary cause. [See Labaree, *A Perfect Mess*, 150-55.] I discuss the importance of federal funding below, building on the account of Christopher Newfield.

37. Quoted in Folbre, *Saving State U: Fixing Public Higher Education*, 46. This was a favorite remark of Duderstadt's, quoted in various forms. Folbre cites James J. Duderstadt, *The View from the Helm: Leading the American University During an Era of Change* (Ann Arbor: University of Michigan Press, 2007), 145. Here, though, Duderstadt paraphrases his own oft-quoted remark somewhat differently, adding two more stages of the devolution of State U, inserting "state-related" in the progression from state-assisted to state-located, and citing approvingly a colleague's quip that while no longer state-supported, publics are still "state-molested" by "opportunistic state politicians."

38. See http://blog.upswing.io/college-costs-rise-as-state-funding-declines/.

39. See http://www.cbpp.org/topics/state-budget-and-tax; and John Quintero, "The Great Cost Shift," Demos, March 2012, figure 6 (http://www.demos.org/publication/great-cost-shift-how-higher-education-cuts-undermine-future-middle-class).

40. Thomas G. Mortenson, "State Funding: A Race to the Bottom, Budget and Appropriations," American Council on Education, Winter 2012. See http://www.acenet.edu/the-presidency/columns-and-features/Pages/state-funding-a-race-to-the-bottom.aspx.

41. Mortenson, "State Funding." 7 of the 15 states scheduled to zero out by 2050 started their decline later than 1980 and Mortenson adopted these later starting points to calculate his extrapolation.

42. According to the Government Accounting Office, in 2012, 25% of public college revenue came from tuition, 23% from state funds. See http://www.gao.gov/assets/670/667557.pdf.

43. Kich, "A Real Numbers-Cruncher Weighs in on the Campos Article."

(17%), Penn State (14%), Texas (13%).[44] At UVA, state appropriations constitute only 10.6% of the operating budget, compared to 32.9% funded by tuition.[45] At Duderstadt's Michigan, the ratio is similar (9% from state appropriations; 31% from tuition).[46]

It is not to hard to figure out that this pattern of declining state support and soaring tuition puts great stress on students and families. During the same period, 1973-2013, in which inflation-adjusted public college tuition rose 270%, median household income rose a mere 5%.[47] This has exacerbated the class bias in college choices: "among the most highly qualified students (the top testing 25 percent), the kids from the top socioeconomic group go to four-year colleges at almost twice the rate of equally qualified kids from the bottom socioeconomic quartile."[48] And it has led to absurd new levels of indebtedness—with student debt recently surpassing credit card debt as it tops the 1 trillion dollar mark—leading David Blacker to speak of student debt, whose collateral is after all our own unreclaimable knowledge and skills, as a late capitalist form of serfdom.[49] If families are now devoting a much greater share of their resources to college, and students are accruing ever higher levels of debt, how does this shape what students and families expect from higher education and how universities frame themselves?

The Hungry Little Caterpillar

In one of the U.S. Presidential election debates in 2000, the candidates were asked to name their favorite book. Al Gore chose a page turner, if a 19th c. French one, in Stendahl's *The Red and the Black*. George W. Bush countered with *The Hungry Little Caterpillar*. We elected Bush and then reelected him in 2004, offering a vivid addendum to Richard Hofstadter's *Anti-Intellectualism in American Life*.[50] Put more positively, Americans think of ourselves as a practical people. We are suspicious of those who read French novels and of majors with no clear practical payoff. Notwithstanding this long familiar practical mindset, there is something new about the extent and forms of vocationalization in contemporary U.S. higher education. After all, there is something quite practical about figuring out who you are, where you are in history, and for what you stand. As Michael Oakeshott puts it, what could be more impractical than sending someone out into the world having never revised, expanded, or even just consciously affirmed the ways of thinking, feeling, and judging they happen to have inherited in their "corner of the earth," graduating "rickety constructions of impulses ready to fall apart in what is called an 'identity crisis'"?[51]

---

44. See http://universityrelations.unc.edu/budget/content/FAQ.php; https://www.vc.wisc.edu/documents/Budget-in-Brief.pdf; http://budget.psu.edu/BudgetPresentation/2013-14/default.aspx; http://otcads.umd.edu/bfa/FY14%20Working%20Budget/Web/FY14%20REVENUE%20TOTAL%20OP%20BUDGET.pdf; https://www.utsystem.edu/cont/Reports_Publications/summaries/2016/FY2016BudgetSummaries.pdf; and http://budgetfacts.rutgers.edu/sites/budgetfacts/files/revenue_sources_pie_12_2013.pdf.

45. See http://www.virginia.edu/budget/Docs/2013-14%20Budget%20Summary.All%20Divisions.pdf.

46. See http://www.finance.umich.edu/reports/2013/.

47. See http://www.cbpp.org/research/state-budget-and-tax/years-of-cuts-threaten-to-put-college-out-of-reach-for-more-students.

48. Anthony P. Carnavale, "A Real Analysis of Real Education," *Liberal Education*, Fall 2008, p. 57. The fact that college access is so highly determined by SES, even when we control for academic qualifications, is especially troubling given how closely SAT scores track race and class (see Figure 2).

49. Claudio Sanchez, "How The Cost Of College Went From Affordable To Sky-High"; David Blacker, *The Falling Rate of Learning and the Neoliberal Endgame* (Winchester, UK: Zero Books, 2013), chap. 4.

50. Richard Hofstadter, *Anti-Intellectualism in American Life* (NY: Knopf, 1963).

51. Michael Oakeshott, "A Place of Learning" (1975), in *The Voice of Liberal Learning*, ed. Timothy Fuller (New Haven: Yale University Press, 2001), pp. 24, 28.

Despite our practical temper, or perhaps even because of it, we used to value this existential dimension of higher education. For the past fifty years, the University of California Los Angeles (UCLA) has surveyed US freshmen about their family and school backgrounds and about their goals for college and life. In a section on personal values, the freshman are asked to rate the importance of various items such as "becoming an authority in my field," "raising a family," "keeping up to date with political affairs," and "improving my understanding of other... cultures."[52] Given the perennial debate over liberal and vocational aims in higher education, two items on this question are of particular interest: "developing a meaningful philosophy of life" and "becoming very well-off financially." The history of the last half century is encapsulated in the changing responses to these two items. In 1968, 85% of respondents indicated that developing a meaningful philosophy of life was either "very important" or "essential" while fewer than 40% attributed the same importance to becoming very well-off financially. Over the five decades of the survey, we see a complete reversal of these priorities. While the importance of money has grown steadily, with over 82% of incoming freshmen now according it the highest levels of importance, the meaning of life has been wallowing in the low forties since the last year of the Reagan administration.[53]

Having already traced the decline in funding and rise of tuition, this gives a glimpse into another sort of decline. By most accounts, U.S. public higher education was just beginning to realize its democratic potential in the late Sixties and early Seventies. In 1944, the GI Bill brought a decade of fiscal stimulus and a widening of access (in terms of class, if not yet race and gender). The following decade saw a wave of new, increasingly progressive, federal funding and legislation. Federal funding rose from 655 Million in 1956 to 3.5 Billion in 1965.[54] In 1964, the Civil Rights Act was passed, and in 1965, the Higher Education Act extended need-based aid to the general population. Adding to these fiscal and legislative supports was the social stimulus of the feminist, civil rights, and post-colonial movements, and public universities truly began to live up to their democratic mandate. If Christopher Newfield is right, it was precisely public higher education's success in producing a diverse, independently minded middle class—a democratic public—that triggered the neo-liberal reaction of the Eighties and the push toward privatization ever since.[55] For our purposes, it is enough to see that when public universities were flusher, they not only managed more democratic access, but also gave access to a truly higher education, one that foregrounded questions of meaning, going beyond credentialing or even training, to prepare students for meaningful work and lives.

52. The Cooperative Institutional Research Program (CIRP) survey is run out of UCLA's Higher Education Research Institute (HERI). The results are published annually in *The American Freshman* (See http://www.heri.ucla.edu/tfsPublications.php). In 2014, 153,000 freshmen were surveyed at 342 baccalaureate-granting institutions. Half of the respondents were enrolled in public institutions, half in private; 2/3 at 4-year colleges, 1/3 at universities; Some 5200 of the respondents attended HBCUs. The values question featured a four level scale: "not important," "somewhat important," "very important," and "essential." The data is reported by the number of students who rated an item at either of the two top levels of importance.

53. The highpoint on the meaning item was the first-year it was included, 1967 (85.8%); its lowpoint was 2003 (39.3%). The lowpoint for the money item was 1970 (36.2%); its highpoint was 2014 (82.4%). The two slopes crossed in 1979. From Vietnam through the end of the Reagan administration, we see a 46% decrease in the percentage of freshmen rating the development of a meaningful philosophy of life at least "very important" while the corresponding figure for "becoming very well off financially" increases at a rate of 105%.

54. See https://www.princeton.edu/futureofchildren/publications/journals/article/index.xml?journalid=72&articleid=523&sectionid=3589.

55. Christopher Newfield, *Unmaking the Public University: The Forty-Year Assault on the Middle Class* (Cambridge, MA: Harvard University Press, 2008). In a book appearing after I completed this paper, Newfield develops his own account of the negative feedback loop in which US public universities are caught. [Compare Christopher Newfield, *The Great Mistake: How We Wrecked Public Universities and How We Can Fix Them* (Baltimore, MD: Johns Hopkins University Press, 2016).]

What I am calling the vocationalization of the university can be seen both as one stage in the vicious cycle of the disintegration of the public university, and itself a vicious cycle of credentialization and the attenuation of general education. The credentializing mindset is fueled by the financial pressures detailed in the last section. Confronted with today's sticker prices, you cannot blame students and families for expecting a "return on investment" and universities have been happy to adopt this language. Berkeley's admissions webpage informs potential applicants that "A Berkeley education earns our graduates an additional $26,333 each year in income over those who did not go to college."[56] This may be true and it may, from Berkeley's perspective, be necessary marketing of an education that will cost around $132,000, but it also reinforces the mildly cynical idea that college is nothing more than pre-professional training. I call this view mild because it suggests at least that college yields a use-value, if a limited one, for its graduates. When we consider that it is not until after college, in one's actual apprenticeship to a practice, that one acquires the majority of the knowledge and skills needed to succeed in one's specific line of work, we confront an even more depressing possibility. College is not about use-values at all, but operates on a crudely circular, exchange-value logic: the highest ranked universities attract the most applicants and thus can be the most selective, this selectivity being the chief factor in their high rankings.[57] The value of the credential is less about acquired knowledge and skills and more about the winnowing that occurs in the college admissions process. On this view, colleges function as deluxe head-hunting firms conducting a national search and elaborate, four-year prescreening (by passing courses the candidates prove that they can meet deadlines and absorb new information).

If students and families view college as credentialing, this impacts the choice of majors. Programs with a clear link to a salaried position will attract the most interest. This leads universities themselves to devote more resources to such majors and to starve the arts and humanities, those fields whose primary rationale was tied to educational aims such as imagination, self-understanding, criticality, and the cultivation of intellectual, existential-ethical, and social-political freedom. According to the National Center for Educational Statistics, only 12,651 students earned bachelors in 2013 with a major in philosophy or religious studies. Compare this with "Parks, recreation, leisure, and fitness studies" (38,993), Homeland security, law enforcement, & firefighting (53,767), or of course Business (366,815).

Or, consider the recent tragicomedy at UVA with the near ouster of President Teresa Sullivan in 2012. Sullivan is no rabid humanist mind you. She is a quantitative demographer by training, whose leadership style has been described as "technocratic."[58] Nonetheless, Sullivan had apparently refused to close the German and Classics Departments. It was this, coupled with her cautious approach to launching Jefferson's University into cyberspace, that convinced the UVA Rector at the time, the real estate Developer Helen Dragas, that Sullivan would never embrace the "strategic dynamism" and "disruptive innovation" touted by her hedge-fund-billionaire consigliere, Peter Kiernan.[59] Kiernan had been introduced to Dragas by his billionaire buddy from Greenwich, UVA mega-donor Paul Tudor Jones. Jones supported Dragas's attempted coup with an OpEd

56. See https://admissions.berkeley.edu/cost-of-attendance.

57. For an analysis of the *prestige market*, see Frank Donoghue, *The Last Professors: The Corporate University and the Fate of the Humanities* (Fordham University Press, 2008), Chapter 5.

58. Andrew Rice, "Anatomy of a Campus Coup," *The New York Times Magazine* (The Education Issue), September 11, 2012: http://nyti.ms/1zYNWi4.

59. For the full text of Kiernan's leaked email describing his role and the importance of "strategic dynamism" see https://www.dailyprogress.com/news/full-text-of-darden-foundation-board-chair-s-email/article_8abcfabc-a59c-5013-a190-a75408f22d8a.html. "Disruptive innovation" is the watchword of Clayton Christensen and his followers, first developed in *The*

that branded Jefferson as the original "change agent," applauded the Board's "bold action," and hoped for a new president who could "chart an innovative path" for UVA in the "world of academia" as it might be in 2032. "Why be good," Jones asked, "when there is outstanding to be had?"[60] In the same year that German and Classics were on the chopping block, UVA was cultivating another $100 million gift from Jones who had already given that much, including $35 million to build the new John Paul Jones Basketball Facility.[61] UVA had already acceded to a request by Jones and his wife, a devotee of Ashtanga Yoga, to launch a Yoga-related center. Though a $15 million gift was secured and the new *Contemplative Sciences Center* was born, the rest of the nine-figure ask was apparently shelved after the backlash suffered by Dragas and the reinstatement of Sullivan.[62]

I have no doubt that Classics is currently undersubscribed. Let us also concede that we academics sometimes fall prey to magical thinking (no matter what I do, the lights will stay on), pork barreling (my specialty is always deserving of more resources) and knee-jerk, counter-dependency (all concerns about the bottom line are Machiavellian moves by "the man"), and that budgets do need to be balanced and everyone needs to pull their weight. But there is a difference between acknowledging the material conditions of learning and reducing universities to retail outfits, constantly updating their "merch" to reflect shifting tastes and trends. To be clear, a fixed curriculum is a bad curriclum since teaching always involves the hermeneutic task of mediating past and present, of bridging formal disciplines and student lifeworlds. Subjects will expand and evolve over time, and some disciplines will die off. Unlike the education retailer, however, a university with integrity must embody an (evolving) answer to the question, what is worth knowing?[63] Which authors and texts, languages and modes, methods and disciplines can best help us to understand, clearly and fully, ourselves and our social and natural worlds? Students do not come to university only to pursue an already chosen field: they also come for guidance about what is worth studying and why.

It may well be that the study of Greek and Latin was overrated for several centuries, but we do not simply drop it now because hotel management or genomic biology is the new black. Certainly, as the young Nietzsche eloquently testified, in the modern research university classics

---

Innovator's Dilemma and later extended, in a series of co-authored books, to schooling, health care, and higher education. See Clayton Christensen, *The Innovator's Dilemma: When New Technologies Cause Great Firms to Fail* (Cambridge, MA: Harvard Business School Press, 1997); Clayton Christensen, Michael B. Hill, and Curtis W. Johnson, *Disrupting Class: How Disruptive Innovation Will Change the Way the World Learns* (New York: McGrawHill, 2008); Clayton Christensen, Jerome H. Grossman, and Jason Hwang, *The Innovator's Prescription: A Disruptive Solution For Health Care* (NY: Mcgraw-Hill, 2008); and Clayton Christensen and Henry J. Eyring, *The Innovative University: Changing The DNA Of Higher Education* (San Francisco: Jossey Bass, 2011). Dragas herself admits to being being influenced by Christensen [see Rice, "Anatomy of a Campus Coup"]. For a nice critique of Christiansen's thesis and especially of the bankrupt worldview for which his work has provided academic cover, see Jill Lepore, "The Disruption Machine: What the gospel of innovation gets wrong," The New Yorker, June 23, 2014: http://www.newyorker.com/magazine/2014/06/23/the-disruption-machine. Lepore exposes Christiansen's "hand-picked" and "murky" cases, "dubious" sources, and "questionable" logic, showing how the proofiness of the Christiansen school only increases as it seeks to spread its Hobbesian moral, "disrupt or be disrupted," from the manufacture of "drygoods" to practices such as medicine, education, and journalism devoted to complex social goods.

60. The *Daily Progress* (*Sunday, June 17). Available online at:* http://www.readthehook.com/oped-paul-tudor-jones-endorsing-sullivans-ouster.

61. Donna St. George, "U-Va.: A donor in the crisis," Washington Post (Education), August 4, 2012. http://www.washingtonpost.com/local/education/u-va-a-donor-in-the-crisis/2012/08/04/b9e0e146-ce86-11e1-aa14-708bac2c7ee9_story.html.

62. While German and Classics have 26 faculty between the two departments, the Contemplative Sciences Center boasts 12 Instructors, 11 Teaching Interns, 2 Coordinators, a Web Developer, an in-house Contemplative Sciences Writer, and no fewer than 12 Directors [see http://csc.virginia.edu/about/staff#staffdiv].

63. For an instructive example on this point, see Ginsberg, *The Fall of the Faculty*, p. 85.

can easily devolve into a fussy antiquarianism.[64] Assuming, though, that we have not abandoned the hermeneutic-pedagogical imperative of which I just spoke—that we still turn to Plato, Sappho, and Varro to learn not only about them but also about our own limitations and possibilities—then there is an argument for teaching Classics even when no 18-year-olds are phoning admissions with requests for more Aristotle. As Hutchins memorably remarked:

> These books are the means of understanding our society and ourselves. They contain the great ideas that dominate us without knowing it. There is no comparable repository of our tradition.
>
> To put an end to the spirit of inquiry that has characterized the West it is not necessary to burn the books. All we have to do is to leave them unread for a few generations.[65]

In short, the ideal university is neither out-of-date nor up-to-date, but *untimely*: preserving—as live possibilities, not in aspic—begged questions, forgotten angles of perception, alternative weights and measures, needed stratagems of leading a half-way decent life.

The clear implication of this is that cross-subsidization is crucial to the mission of the university. We don't ask Classics and Chemistry to fight it out in a budgetary cage match because "hot yoga" is hot. Or perhaps we do, in the brave new world of RCM, Responsibility Center Management.[66] Half Dilbert, half Orwell, this phrase dresses up the abandonment of cross-subsidization and the chasing of trends in the garb of common sense. Apologists for RCM say that universities have always been better at decentralizing authority than responsibility, whereas we can reward effort, incentivize innovation, and cultivate fiscal responsibility by insisting that "each tub stand on its own bottom."[67] Harvard, which has used this homely phrase to describe its version of RCM since 1817, recently offered a dramatic illustration of what this common sense approach looks like in practice. To help with their budgetary deficit, the Faculty of Arts and Sciences was forced to sell Massachusetts Hall—the oldest surviving building at Harvard and one that quartered hundreds of Continental Army soldiers during the siege of Boston—to the university's central administration.[68]

---

64. Friedrich Nietzsche, "We Classicists" (1874-5), in *Unmodern Observations: Unzeitgemässe Betrachtungen*, trans. William Arrowsmith, ed. William Arrowsmith (New Haven: Yale University Press, 1990).

65. Robert M. Hutchins, *The Great Conversation: The Substance of a Liberal Education* (Chicago: Encyclopedia Britannica, 1952), 2.

66. The phenomenon of decentralized budgeting has spawned different monikers. At Penn, RCM meant "Responsibility Center Management"; at USC it meant "Revenue Center Management." Another pioneer of this budgetary approach, Indiana, called it "Responsibility Center Budgeting" (RCB). It is also sometimes referred to as "Revenue Responsibility Budgeting" (RRB). According to Deering and Lang ("From Practical to Theoretical: Exploring the Bounded Use of Responsibility Center Budgeting and Management in Public University Finance," unpublished ms.), RCM is practiced by between 50 and 60 major universities in North America and in more than half of the North American public universities in the top 50 of the Times Higher Education Supplement league table.

67. See, for example, Jon C. Strauss & John R. Curry, John R., "Responsibility Center Management: Lessons from 25 Years of Decentralized Management" (Report) (Washington, DC., National Association of Colleges and University Business Officers, 2002), v. For a critique, see David L. Kirp, *Shakespeare, Einstein, and the Bottom Line: The Marketing of Higher Education* (Cambridge: Harvard University Press, 2003), Chaps. 6-7. Chapter 7 focuses on RCM in the context of UVA and the Privatization of Darden, thus forming a prologue to the Kiernan-Dragas-Sullivan fiasco. Darden, which won its fiscal autonomy in 2003 pays UVA a 10% franchise fee. The McIntyre School of Commerce, UVA's undergraduate business program turned 2nd business school when it added three masters programs, has since followed suit.

68. Zachary M. Seward, "For Sale by Owner: Historic Colonial: FAS sells Massachusetts Hall to central administration for planned office expansion," *Harvard Crimson*, January 22, 2006. http://www.thecrimson.com/article/2006/1/22/for-sale-by-owner-historic-colonial/. Built in 1720, Mass. Hall is second oldest surviving U.S. academic building after William & Mary's Wren Building.

The university, I have been arguing, cannot cater to market forces if it is to maintain its integrity. If a discipline has become moribund or incoherent or has come to seem a trivial part of the experience of an educated person, then we have good reasons to debate its future. However, we should not eliminate programs simply because students have voted with their feet. Indeed, the very positing of such market forces, independent of the universities' own actions, is spurious. After all, the putative market in majors is shaped in part by how universities themselves frame their curriculum. Case in point is the attenuation of the idea of general education. At my own institution, general education is treated not as a substantive value but as a bureaucratic requirement, not as an invitation but as a hurdle: "The General Education (GenEd) requirements describe the core courses all students must take in order to graduate."[69] The student then selects from an arcane grid of courses each of which meets one or more of the eight required categories. In just one of these categories, Social and Behavioral Sciences, there are 185 approved courses. You don't have to be Robert Maynard Hutchins to think that something has gone wrong here. Somewhere the conversation concerning what it means to be an educated person has devolved into a departmental arms race over instructional units. Faced with the difficult task of reaching consensus on how to educate a whole person, the faculty punted, leaving the students to select according to another principle: convenience. Grimm's Fairy Tales is a triple dipper (Advanced Comp; Humanities and the Arts; Western/Comparative Cultures) that meets on Thursdays from 11-12:20: Grimm's it is. Indeed, many students simply opt out of the whole system, meeting the requirement through summer courses at their local community college or online.

Thus, we see both how the increased financial pressure on parents, aided by the university's own adoption of internal and external market logics, drives a small-scale vicious cycle of credentialization and attenuation of the liberal arts and general education. If college is a way to secure a well-paying job, why support the arts and humanities or offer a robust invitation to general education? But as the university becomes little more than a mall of majors, selling career advantage, how can we blame parents for emphasizing the bottom-line or students for *Paying for the Party*?[70]

Even Milton Friedman Admitted as Much

I have shown how decreases in state funding have led to tuition increases, fueling the vocationalization of universities. This result only makes more difficult that with which Americans already struggle, namely to perceive higher education as a public good. Indeed, in recent years, we have even found it hard to maintain support for the project of investing in the education of each other's children. We have come to think of schooling, even at early grades, primarily as a private investment in the future of our own children. For an antidote to this mindset we turn not to Che Guevera but to Milton Friedman who, despite his interest in questioning the idea that institutions that deal with public goods must be government run, freely admitted that education is rife with positive and negative "externalities" or "neighborhood effects."[71] This is economists' jargon for the kinds of goods it makes sense to pursue collectively since their effects cannot be localized to individuals (they are neither "rivalrous" nor "excludable"). When we teach a kindergartener to

69. See https://web.archive.org/web/20150218222514/https://courses.illinois.edu/gened/DEFAULT/DEFAULT.

70. I refer to the recent, chilling ethnography showing how the informal curriculum of the dorms and Greek system at a public flagship works to track student outcomes by social class. See Elizabeth Armstrong and Laura Hamilton, *Paying for the Party: How College Maintains Inequality* (Cambridge, Massachusetts: Harvard UP, 2013).

71. Milton Friedman, "The Role of Government in Education" in *Economics and the Public Interest*, ed. R. A. Solo (New Brunswick, NJ: Rutgers University Press, 1955).

care about others, this educational good will be reaped by all those whom he or she later comes in contact. Similarly, when we fail to educate the young, we all pay for their ignorance. Such educational goods then are non-privative. Nonetheless, let us follow Charles Taylor in distinguishing these "overlapping goods," as he calls them, from those goods which only exist when pursued in common.[72] Are there public educational goods in this strong sense? I have argued elsewhere that there are, noting at least three different varieties of such goods. First, there is the good of preparing students for public life. Second, there is the good of realizing a public in our schools and classrooms (which some but not all see as a necessary condition of preparing students for public life). Third, schools become sites around which a public coheres. The common pursuit of our overlapping private interests can grow into a genuine public engagement in which we expand our sense of what our interests are and form a sense of "we" in the process of working out how to educate our children.

It is not clear that we ever believed in this robust version of the common school project. And as I noted, even the mutual self-interest, externalities argument seems to be rapidly losing traction in this era of increasing privatization. This is especially worrisome given that the younger the student, the more such neighborhood effects are pronounced. It is easier to see why we all benefit by teaching a young child to read. It is harder to see our mutual interest in the teaching of AP Physics to a kid gunning for MIT. It is harder still to make the case that I stand to benefit by helping to defray the costs so that your kid can study Marketing at Michigan State University. If educational externalities are harder to perceive at higher levels of education, when the student appears closer to cashing in on what he or she has learned, then the vocationalization of the contemporary university greatly exacerbates this problem.

With the attenuation of general education and the predominance of a credentializing mindset, the goods of higher education appear entirely rivalrous and privative. We might better see our way to funding collectively higher education as a space where intellectual, moral, aesthetic, and civic dispositions are formed. College as a party-punctuated, professional pathway is a much harder sell. In an era in which the Right has spun taxation as "class warfare" and a lazy way of feeding a spending habit rather than as way to pay for such luxuries as food inspection, roads, and courts, it is very unlikely that state politicians will make any case for raising taxes, let alone one linked to higher education.[73] Add to this fact that families dealing with tuition increases and student loan payments are all the more receptive to such spin (even though that further feeds the cycle leading to even higher tuition).

And so we have come full circle. With higher education vocationalized and viewed primarily as a private investment in future earnings, the ground on which we might argue for greater

72. Charles Taylor, "Cross Purposes: The Liberal-Communitarian Debate" in *Philosophical Arguments* (Cambridge, MA: Harvard University Press, 1995).

73. In this discussion, I have set to the side the important process of marketization. This is tendency to assume that markets are the best way to distribute goods, based on illusions about their autonomy and efficiency and denial about the fact that logics of distribution and modes of valuation are intertwined. Across an increasingly broad swath of private and social life, we have inserted market logics only to see the distinctive goods we sought to distribute corrupted, turning into market values. On the integrity of spheres of valuation and the danger when one species of good ascends to dominance concentrating the danger of monopolization, see Walzer, *Spheres of Justice*. For a critique of contemporary marketization, see Sandel, *What Money Can't Buy*. An analysis of the marketization of higher education would surely deserve a place in a longer treatment of the decline of the public university. Over the last few decades, universities have more and more come to view themselves as competing for market share, leading to the adoption of supply and demand type metrics and a league table mentality. This intensifies the tendency to treat the education one offers as a consumer and thus as a private good.

collective investment crumbles. State appropriations to higher education will continue to decline in such a climate and we are back to where we began.

The cycle I have described is hardly freestanding. In attempting to isolate some of the key gears in the machine that is ratcheting ever tighter around the crucial middle ground that is public higher education, I did not mean to deny the impact of broader social and political-economic forces on the cycle I describe. One obvious accelerant is what has aptly been called "casino capitalism."[74] The financial sector has metastasized to become an absurdly large portion of our economy as a flood of leveraged capital flows into bubble-fueling meta-meta commodities (aided by financial deregulation and regulatory capture) feeding a dangerous gambling habit on Wall Street. Among the casualties of the crash of the housing bubble in 2008 were the states whose pension funds provided some of the initial chips for the gamblers and whose tax bases showed a sharp downturn. While the decline in state support to higher education, as I have shown, long predates the great recession, cuts to state university budgets since 2008 have been more pronounced.

Another important accelerant is the general trend toward marketization in US society, well documented by Michael Sandel and Michael Walzer. Marketization refers to the spread of market mechanisms and the concomitant loss of rival logics of distribution and valuation. Walzer famously defended the thesis that the diversity of human goods depends on maintaining the boundaries between and integrity of separate spheres of valuation, pointing out the danger of compounding ordinary monopolization with dominance of one species of good over others.[75] More recently, Sandel has documented how market logic has penetrated ever deeper into private and public life replacing complex goods with sellable commodities.[76] Marketization relies on faulty assumptions about the autonomy and efficiency of markets and on a denial of the fact that logics of distribution and modes of valuation are intertwined. An analysis of the marketization of higher education would surely deserve a place in a longer treatment of the decline of the public university. Over the last few decades, universities have more and more come to view themselves as competing for market share, leading to the adoption of supply and demand type metrics and a league-table mentality. I maintain that the process of vocationalization is a key factor in framing education as a consumer good, and thus as a private one, but so too is *US News and World Reports*. Long before students and parents encounter the self-descriptions of this or that university, they have been led to view higher education as a fungible commodity.

If the downward spiral of public higher education is not only self-reinforcing but accelerated by general trends in political-economy is there is nothing that can be done? Before addressing this question, it is worth getting clear on what is being asked. In the United States, education is our great source of social hope, our imagined lever of change.[77] This leads to the expectation that writing on education will have a happy ending. And insofar as the change we target is economic, it leads us to imagine education as independent, as shaping rather than shaped by economic forces. My analysis explicitly rejects that premise. It will not do to declare that higher education is a public good or extol once again the virtues of liberal learning. If we want to recover education as an autonomous sphere of valuation (albeit one with semi-permeable membranes as with all spheres),

74. The term was coined by Susan Strange. Another early, important critic of financialization was Hyman Minsky. See Susan Strange, *Casino Capitalism* (Manchester University Press, [1986] 2016); and, Hyman Minsky, *Can "It" Happen Again? Essays in Instability and Finance* (Armonk, NY: M.E. Sharpe, 1982).

75. See Michael Walzer, *Spheres of Justice*.

76. See Michael J. Sandel, *What Money Can't Buy*.

77. On this point, see David Labaree's very helpful, "The Winning Ways of a Losing Strategy: Educationalizing Social Problems in the United States," *Educational Theory* 58, no. 4 (2008), pp. 447-460.

we must join common cause with critics of privatization, marketization, and commodification even while we work to create small-scale spaces in which to demonstrate how higher education might be seen as yielding (existential) use values rather than mere exchange values. To the critic who says that an essay whose only positive recommendation is to combat the corrosive effects of late capitalism is absurd or irrresponsible, we reply that the real sham is adding to the deluge of educational writing that reinforces the mystifying notion that education represents an outside to political-economy, an Archimedean point from which to leverage a happy ending. That said, it cannot hurt to make the case on our own campuses, and wherever we may find a larger platform, that education is more than credentialization, that democracy is incompatible with a system that tracks family background to future life chances, and that "public" means more than bureaucracy and taxes. And it is worth remembering that genuine hope sometimes only emerges when false hope has been cleared away.[78]

78. I recommend David Blacker's provocative and insightful exploration of this question in *The Falling Rate of Learning and the Neoliberal Endgame*.

Public Transparency, Student Privacy, and Technological Persuasion in Education: Refining Some Concerns of Opt Out

Becky L. Noël Smith*

Abstract

Resistance to high-stakes testing was spurred by the signing of No Child Left Behind and grew rapidly with the implementation of Race to the Top and then Common Core State Standards. This paper provides a brief history for the emergence of the opt out movement in the U.S. during this era, and it explains some of the complexities that both fueled and constrained its growth. Finally, it examines some of the overarching concerns expressed by leaders in the movement, which include problems inherent to a reductionistic belief about human learning, as well as its connection to public transparency, student privacy, and technological persuasion.

Keywords: *opt out movement; student privacy; technological persuasion; high-stakes testing; student data mining; United Opt Out; competency-based education*

Introduction

Public frustration with education reforms in the U.S. has grown significantly since the signing of the *No Child Left Behind Act* (NCLB) in 2002. Not only did the policy bring on the era of high-stakes testing and oversimplified views of human learning in the public's schools, but many teachers, families, students, academics, and community activists have witnessed innumerable ways that their state and local school districts have used the data from those tests to implement increasingly inhumane policies and practices. Depending on one's locale, testing data has been used for the purposes of mandatory retention; diploma denial; punitive sanctions and cuts to school funding; school closures and turnarounds; student tracking and exclusion from vital enrichment programs; determining value added measures and teacher pay; narrowing the curricula; incessant test preparation; and many other problematic practices in schools. Critical commentators and scholars have consistently argued that the detrimental manifestations of high-stakes testing not only yield social, emotional, and intellectual consequences for children and their communities; these harms disproportionately impact students of color, English language learners, students with disabilities, and those tortured by the effects of poverty.[1]

*The author is incredibly grateful to Cindy Hamilton, Morna McDermott, and Sandy Stenoff for their thoughtful feedback during the writing of this article.

1. Wayne Au, *Unequal By Design: High-stakes Testing and the Standardization of Inequality* (New York: Routledge, 2009); David Berliner, "Our Impoverished View of Education Reform," *Teachers College Record* 108, no. 6 (2006) 949-995; Jessica

Although the effects of high-stakes testing have caused concern among many, the introduction of *Race to the Top* (RTTT) in 2009 and then the *Common Core State Standards* (CCSS) in 2010 elicited public protest as well. Through RTTT, the Department of Education not only introduced a series of unprecedented, and questionable, incentives that would soon goad states into enacting federal reforms like CCSS and the construction of data systems; it provided funding to the business leaders and corporations that were interested in implementing them in the public's schools.[2] Of course, the opposition to Obama-era reforms has been fueled in part by arguments that the federal government overstepped the constitutional boundaries of the Tenth Amendment,[3] which had historically ensured state control of public education and prohibited the adoption of a federal curriculum. At the same time, questions have been raised about the developmental inappropriateness of the standards themselves and the backgrounds and expertise of the individuals who created them.[4] Still other critics have expressed angst about the funneling of precious public tax dollars into private corporations for expenditures related to the preparation, execution, and grading of high-stakes tests.[5] In short, the education reforms of the last decade and a half have incited enormous frustration among the public and along all reaches of the political spectrum.

It could be said that NCLB's focus on accountability first directed an exorbitant emphasis toward the traditional paper test, its bubble sheets, and number two pencils. Then, the implementation of Common Core raised concerns about state's rights, local control, and the use of public funds for private profit. In the last couple of years, however, public schools have taken part in a rapid move from analogue to digital assessment.[6] This development, which is symptomatic of the "digital turn"[7] in education, has been accompanied by the proliferation of hardware (e.g. student laptops, computer labs, etc.) and commercial software programs dedicated to curricula, test prep, and behavior management. Such infrastructural changes have been spurred by the inherently dehumanizing rationale of neoliberalism and, of course, have simultaneously incurred the problem of exorbitant expenditures for states and local districts.[8]

Heybach and Eric Sheffield, eds. *Dystopia and Education: Insights into Theory, Praxis, and Policy in an Age of Utopia-gone Wrong* (Charlotte: Information Age Publishing, 2013); Jonathan Kozol, *The Shame of the Nation: The Restoration of Apartheid Schooling in America* (New York: Crown Publishers, 2005); Sharon Nichols and David Berliner, *Collateral Damage: How High-stakes Testing Corrupts America's Schools* (Cambridge: Harvard Education Press, 2007); Diane Ravitch, *Reign of Error: The Hoax of the Privatization Movement and the Danger to America's Public Schools* (New York: Basic Books, 2013).

2. Deborah Duncan Owens, *The Origins of Common Core: How the Free Market Became Public Education Policy* (New York: Palgrave Macmillan, 2015), 172-182.

3. Lyndsey Layton, "Louisiana Gov. Bobby Jindal Sues Obama Over Common Core State Standards," *The Washington Post*, August 27, 2014, https://www.washingtonpost.com/local/education/louisiana-gov-bobby-jindal-sues-obama-over-common-core-state-standards/2014/08/27/34d98102-2dfb-11e4-bb9b-997ae96fad33_story.html?utm_term=.a357976c2b52.

4. Edward Miller and Nancy Carlsson-Paige, "A Tough Critique of Common Core on Early Childhood Education," *The Washington Post*, January 29, 2013, https://www.washingtonpost.com/news/answer-sheet/wp/2013/01/29/a-tough-critique-of-common-core-on-early-childhood-education/?utm_term=.efc3da1ea7fe; Duncan Owens, *The Origins of Common Core*.

5. Morna McDermott, Peggy Robertson, Rosemarie Jensen, and Ceresta Smith, eds., *An Activist Handbook for the Education Revolution: United Opt Out's Test of Courage* (Charlotte: Information Age, 2015).

6. Ben Williamson, "Digital Education Governance: An Introduction," *European Education Research Journal* 15, no. 1 (2016): 6.

7. Manuel Souto-Otero & Roser Beneito-Montagut, "From Governing Through Data to Governmentality Through Data: Artefacts, Strategies, and the Digital Turn," *European Education Research Journal* 15, no. 1 (2016).

8. Dian Schaffhauser, "Report: Education Tech Spending on the Rise," *THE Journal*, January 19, 2016, https://thejournal.com/Articles/2016/01/19/Report-Education-Tech-Spending-on-the-Rise.aspx?Page=1. In 2015, it was estimated that technology expenditures in K-12 schools was approximately $4.7 billion nationwide. Julia McCandless, "U.S. Education Institutions Spend $6.6 Billion on IT in 2015," *Center for Digital Education*, May 22, 2015, http://www.centerdigitaled.com/higher-ed/US-Education-Institutions-Spend-66-Billion-on-IT-in-2015.html. Another industry association reported that those expenditures increased to $11.7 in 2016. Justine Brown, "IT Spending is on the Rise—But Where Will the Money Go?" *e.Republic*, March 24, 2016, http://www.erepublic.com/blog/IT-spending-is-on-the-rise--but-where-will-the-money-go.html.

In light of these factors, it is apparent that the intersection of high-stakes testing and increased technological use in public schools has not only agitated existing concerns about the institutional, political, and financial changes of post-NCLB education reforms; it has added to this complicated mix a series of ethical questions regarding the use of these technologies, how they stand to benefit us, and where they are likely to pose harm. One specific concern—though there are so many—is in regard to the harvesting and warehousing of students' personal data by government and corporate entities. The technological extraction of student data has drawn scrutiny because the practice often occurs without the genuinely informed consent of parents, students, and in many cases, even the teachers. Furthermore, the companies that create the technological platforms are not required to provide disclosure regarding 1) how that data will be utilized and safeguarded for student protection and 2) how it can be accessed, reviewed, and questioned by students and their families.[9]

Grassroots movements are nourished by the tumult of their time and thereby grow out of necessity. The opt out movement in the U.S. emerged from a landscape of rapidly changing education reforms that included an influx of high-stakes testing and technological implementations. The first concerted boycott of a state mandated test occurred in Scarsdale, New York in 2001. It was coordinated in one of the nation's highest scoring districts and was in protest to unremitting test prep and the smothering of creativity.[10] This action eventually became known as *opting out* and inspired a national movement that emerged in 2011.[11] In 2015, however, after the signing of the *Every Student Succeeds Act* (ESSA), it became obvious that a new set of reforms were altering if not jeopardizing the sustainability of this specific grassroots action. If the movement was to continue offering a viable and powerful critique of unjust educational practices and reforms, then it would need to adjust as well.

In this paper, I consider some of the salient concerns and arguments that I have both witnessed and grappled with throughout my work in the opt out movement. In doing so, I clarify what might be conceived of as slightly different, but certainly related, problems inherent to current education reform: the need for public transparency and defined boundaries regarding student privacy and technological persuasion. In bringing some clarity to these underlying problems, I hope that today's grassroots organizations might be able to proceed in this evolving political and educational landscape in the only way that they ever have: through courageous, compassionate, and creative communal action.

A Very Brief History of Opt Out

Opt Out is Born

Discontent about the ramifications of high-stakes testing and wariness about the potentially harmful implications of student data collection have, of course, led to varied responses on the part of the public. One such tactic employed by families and grassroots organizations is an action that is commonly known as *opting out*. This is where networks of individuals across the country share

9. Jules Polonetsky & Omer Tene, "Who is Reading Whom Now: Privacy in Education from Books to MOOCs," *Vanderbilt Journal of Entertainment and Technology Law* 17, no. 4 (2015); Omer Tene and Jules Polonetsky, "Judged By the Tin Man: Individual Rights in the Age of Big Data," *Journal on Telecommunications and High Technology Law* 11 (2013).

10. Kate Zernike, "In High-scoring Scarsdale, A Revolt Against State Test," *The New York Times*, April 13, 2001, http://www.nytimes.com/2001/04/13/nyregion/in-high-scoring-scarsdale-a-revolt-against-state-tests.html.

11. Morna McDermott, email message to author, August 6, 2017.

their varied forms of knowledge about state and district education policies in order to teach one another how to *refuse* taking and/or administering state- and district-mandated tests that do not help teachers improve the instruction of students. In effect, opting out is considered by many proponents to be a form of civil disobedience that aims at counteracting the reforms and types of harm discussed in the introduction. While this article focuses on the opt out movement in the U.S. specifically, it is important to note that similar movements have been organized in Chile and Canada as well.[12]

The idea that opting out could become a viable grassroots strategy throughout the U.S. emerged in 2011 through the pioneering efforts of an organization called United Opt Out National (UOO). Peggy Robertson, Morna McDermott, Ceresta Smith, Tim Slekar, Shaun Johnson, and Laurie Murphy each resided in different parts of the country, but they met one another through the social networks that grew out of the Save Our Schools March that took place earlier that summer in Washington D.C.[13] According to Robertson's account, "We came together as a result of change, timing, and necessity…We were simply a group of six who clicked, who enjoyed one another's quirkiness, and who felt incredibly passionate about doing what is right for all children."[14] Once the co-founders formed UOO, they started creating state-by-state opt out guides to help individuals begin navigating through their own local policies and school bureaucracy. The state guides were posted on their website and shared throughout social media, thereby serving as an inspiration to, and in some cases the impetus for, other grassroots groups and actions. Also, the co-founders of UOO blogged profusely[15] and created a weekly internet radio show called *@ The Chalk Face* to share insights and critiques about testing, curricula, state and federal education policy, and the corporate and philanthropic interests behind those policies. UOO's first concerted action was called Occupy the DOE, which was a four-day long teach-in and protest that took place outside the Department of Education in the spring of 2012.[16] They repeated this particular action the following year—called Occupy DOE 2.0—and then followed it with an annual conference format, which they would continue to host for the next three years.[17]

The movement gained traction throughout the course of a few years. Not only were localized opt out groups increasingly springing up across the country, but discontent with Common Core was building as well.[18] By the spring of 2015 the grassroots efforts had finally yielded a

12. Javier Campos-Martinez, Maria Beatriz Fernandez Cofre, Jorge Luis Inzunza, Andrea Lira, Mauricio Pino-Yancovic, Serigo Alejandro Saldivia, & Ivan Salinas, "Alto al SIMCE Campaign: Challenging the Common Sense of Standardized Testing," (paper presented at the American Educational Research Association, Chicago, April 2015); Colin Keess, "What Testing I Hiding: The Saskatchewan Teachers' Struggle," (paper presented at the American Educational Research Association, Chicago, April 2015).

13. Valerie Strauss, "The Save Our Schools March," *Washington Post*, July 30, 2011, https://www.washingtonpost.com/blogs/answer-sheet/post/the-save-our-schools-march/2011/07/30/gIQAhf71jI_blog.html?utm_term=.9732ed6be6a7.

14. McDermott, et. al., *An Activist Handbook*, xvii.

15. Peggy Robertson, *Peg with Pen* (blog), http://www.pegwithpen.com/; Morna McDermott, *Education Alchemy* (blog), https://educationalchemy.com/; Tim Slekar, *Busted Pencils* (blog), http://bustedpencils.com/.

16. Valerie Strauss, "'Occupy' the Ed Department Starts Friday," *Washington Post*, March 24, 2012, https://www.washingtonpost.com/blogs/answer-sheet/post/occupy-the-ed-department-starts-friday/2012/03/21/gIQAHcFrXS_blog.html?utm_term=.b7549ce45d8e.

17. UOO hosted their 2014 conference in Denver, Colorado. The following year, the *Standing Up for Action* was conference was held in Ft. Lauderdale, Florida. The *Transcending Resistance, Igniting Revolution* conference was hosted in Philadelphia, Pennsylvania during 2016. Nicholas Garcia, "Activists Gather in Denver to Discuss Opt-out Strategy," *Chalkbeat*, March 29, 2014, http://www.chalkbeat.org/posts/co/2014/03/29/live-dozens-gathered-in-denver-to-discuss-opt-out-strategy/; Liana Heitin, "Activists Share Strategies for 'Opting Out' of Tests," *Education Week*, January 27, 2015, http://www.edweek.org/ew/articles/2015/01/28/activists-share-strategies-for-opting-out-of.html.

18. National Public Radio, "The Common Core FAQ," *NPR Ed*, May 27, 2014, http://www.npr.org/blogs/ed/2014/05/27/307755798/the-common-core-faq.

significant number of testing opt outs across the country. For example, Florida saw an estimated 6,000 opt outs in 2014, but that number jumped to over 20,000 in 2015.[19] Across the state of Illinois, estimates suggest that there were 2,000 refusals in 2014[20] but as many as 44,000 the following year.[21] Approximately 9,600 of those in 2015 were from Chicago Public Schools,[22] and much of the statewide resistance was a protest against the rollout of the Partnership for Assessment of Readiness for College and Careers (PARCC) test, a Common Core-aligned assessment created by Pearson.[23] In New York, where the grassroots mobilization had been particularly effective, the number of testing refusals quadrupled in one year to exceed 200,000.[24] On a national scale, it was estimated that over 670,000 students in fourteen states had opted out of high-stakes tests during the spring of 2015.[25] After four years of dedication and organizing, the movement had indeed garnered noticeable momentum and national attention.

There are two extraneous points about the movement's growth in 2015, however, which warrant mention. First, it should be noted that during this particularly successful opt out season, the news media—and hence the blogosphere and social media—was awash with stories about Congress' deliberations over how to proceed with the reauthorization of NCLB.[26] The attention paid to these political debates very likely helped fuel the engagement in the movement that year. The second point, however, is that a problematic belief had started to develop during this same time. That is, amid the reauthorization debates and the reports about the rising number of opt outs, policymakers and the news media began expressing the idea that the post-NCLB discontent was rooted in the feeling that there was too much testing.[27] Though excessive testing was certainly *a* problem for opt out communities, it was not what many in the movement considered to be *the* problem. Instead, this was merely a symptom.

UOO remained keenly aware of this shift in discourse, and Peggy Robertson prophetically attributed it to the "co-optation" of the movement's message and energy.[28] By that fall, the belief

19. Leslie Postal, "More FSA Tests Could Not Be Scored in 2015 Compared to FCAT Last Year," *Orlando Sentinel*, October 9, 2015, http://www.orlandosentinel.com/features/education/school-zone/os-fsa-scores-no-score-opt-out-post.html.

20. Lisa Guisbond, Monty Neil, & Bob Schaeffer, *Testing Reform Victories 2015: Growing Grassroots Movement Rolls Back Testing Overkill* (Boston: FairTest, 2015), accessed October 8, 2018, http://www.fairtest.org/sites/default/files/2015-Resistance-Wins-Report-Final.pdf, 15.

21. FairTest, "More Than 670,000 Refused Tests in 2015" (webpage), December 12, 2015, http://www.fairtest.org/more-500000-refused-tests-2015.

22. Guisbond, Neil, & Shaeffer, *Testing Reform Victories*, 15.

23. Dusty Rhodes, "Education Desk: Should Kids Be Allowed to Skip Testing?" *All Things Considered*, May 10, 2016, http://www.nprillinois.org/post/education-desk-should-kids-be-allowed-skip-testing#stream/0. PARCC stands for the Partnership for Assessment of Readiness for College and Careers.

24. Elizabeth Harris, "20% of New York State Students Opted Out of Standardized Tests This Year," *New York Times*, August 12, 2015, http://www.nytimes.com/2015/08/13/nyregion/new-york-state-students-standardized-tests.html?_r=0.

25. FairTest, "More Than 670,000 Refused."

26. Maggie Severns, "The Plot to Overhaul No Child Left Behind," *Politico*, January 2, 2015, http://www.politico.com/story/2015/01/the-plot-to-overhaul-no-child-left-behind-113857; Valerie Strauss, "Diane Ravitch, Former Adviser to Lamar Alexander, Sends Him New NCLB Advice," *Washington Post*, January 21, 2015, https://www.washingtonpost.com/news/answer-sheet/wp/2015/01/21/diane-ravitch-former-adviser-to-lamar-alexander-sends-him-new-nclb-advice/?utm_term=.23c0676f0447; Diane Ravitch, "The Lost Purpose of School Reform," *New York Review of Books*, April 2, 2015, http://www.nybooks.com/daily/2015/04/02/lost-purpose-no-child-left-behind/.

27. Kimberly Hefling, "Do Students Take Too Many Tests? Congress to Weigh Question," *PBS NewsHour*, January 17, 2015, http://www.pbs.org/newshour/rundown/congress-decide-testing-schools/.

28. Peggy Robertson, "Regaining Our Humanity and Co-optation," *Peg With Pen* (blog), March 7, 2015, http://www.pegwithpen.com/2015/03/regaining-our-humanity-and-co-optation.html; Peggy Robertson, "So Here We Stand: Opt Out in Dangerous Times," *Peg With Pen* (blog), September 26, 2015, http://www.pegwithpen.com/2015/09/so-here-we-stand-opt-out-in-dangerous.html; Peggy Robertson, "Opt Out Revolution: The Next Wave," *Peg With Pen* (blog), October 27, 2015, http://www.pegwithpen.com/2015/10/opt-out-revolution-next-wave.html.

about testing quantity had finally permeated the Obama administration's rhetoric,[29] and the U.S. Department of Education released the following statement: "In too many schools, there is unnecessary testing and not enough clarity of purpose applied to the task of assessing students, consuming too much instructional time and creating undue stress for educators and students."[30] A few short months after this statement, the yearlong debates over the reauthorization of NCLB culminated into the signing of the *Every Student Succeeds Act* (ESSA).

By the spring of 2016, the co-optation Robertson warned of had manifested in one of the most paradoxical, if not insulting, places. Pearson—the megacorporation that has lobbied for testing policies and profited immensely off curricula, testing materials, and teacher preparation programs since 2000[31]—posted the following statement on its website:

> The nation is unhappy with educational assessment, at least in its current form…Test critics claim that the burdens of testing are great and include instructional time loss, anxiety for students, and resources spent on the process…Test advocates claim that we need feedback on student progress, feedback that is fair across schools. They argue that a systematic evaluation of student learning against education goals is important for monitoring and improving education in the US. Frankly, both sides have legitimate arguments and as is often the case, the truth is somewhere in the middle.[32]

In many ways, their statement constituted a market-based sleight of hand that is consistent with both corporate and neoliberal rationales. That is, Pearson read the angst of swaths of irate communities and then conflated them with "customers" who were merely unhappy with their company's "products." The statement then pitted the federal and state governments, foundations, and corporations (i.e. test advocates) against families, students, and teachers (i.e. test critics). In doing so, Pearson not only cast itself as the mediator of assessment discontent; it simultaneously misconstrued the resistance and the underlying concerns of the opt out movement, just as the news media and policymakers had done a few months earlier.

Opt Out is Dead

Under NCLB, the process of opting out was not overly complicated because many states tended to offer their tests annually, in a series, on paper, and during a finite testing window. The characteristics of analogue assessment allowed families and communities to anticipate and then organize their social media campaigns, teach-ins, community forums, and support networks around their annual school calendars. By 2015, however, the numbers of students taking paper

29. Kate Zernike, "Obama Administration Calls for Limits on Testing in Schools," *New York Times*, October 24, 2015, https://www.nytimes.com/2015/10/25/us/obama-administration-calls-for-limits-on-testing-in-schools.html.

30. U.S. Department of Education, "Fact Sheet: Testing Action Plan," press release, October 24, 2015, https://www.ed.gov/news/press-releases/fact-sheet-testing-action-plan.

31. Jennifer Reingold, "Everybody Hates Pearson," *FORTUNE Magazine*, January 21, 2015, http://fortune.com/2015/01/21/everybody-hates-pearson/. According to one estimation from 2015, the testing industry alone was a $2.5 billion industry, and much of the market has been dominated by Pearson. Another estimation suggests, "Half its $8 billion in annual global sales comes from its North American education division." Stephanie Simon, "No Profit Left Behind," *Politico*, February 10, 2015, http://www.politico.com/story/2015/02/pearson-education-115026.

32. Kimberly O'Malley, "The Every Student Succeeds Act: Balancing Assessment's Burdens and Benefits," *Pearson* (website), March 8, 2016, http://www.pearsoned.com/education-blog/the-every-student-succeeds-act-balancing-assessments-burdens-and-benefits/.

tests in public schools was rapidly declining.[33] This change is primarily owed to the rollout of adaptive digital assessments that were aligned with Common Core State Standards. These tests were developed under the SMARTER Balanced Assessment Consortium (SBAC) and the Partnership for Assessment of PARCC. Both groups were awarded federal funding to develop the assessments in 2010 through President Obama's *Race to the Top* initiative,[34] but it took a few years to develop and deploy these technologies. As they made their way into the schools, localized opt out groups adapted their strategies accordingly. But when the signing of ESSA followed this influx of technological transitions, it became apparent that the movement's primary strategy would have to change.

Opt out communities across the country were taken aback in September of 2016 when Robertson, one of UOO's visionary co-founders, declared in her blunt and thought-provoking blog post that "opt out is dead." Her essay immediately incited a gust of dialogues and critiques among educational activists, which then spread rapidly throughout the underworld of social media networks. She reiterated her concerns from earlier blog posts, arguing that the movement's direct action—testing refusal—had been co-opted into more problematic policies and, hence, *by* the very same corporations that have reaped immense financial benefits from test-based reforms. She explained her realization as follows:

> The end goal—all along—was daily online testing—via online modules that break down learning into discrete skills that must be mastered—all under the guise of personalizing learning to better meet the needs of individual learners. Not only did they plan to personalize the academic skills per child, they also planned to tap into a child's emotions and behaviors to further tailor the learning to the child's needs (look up SEL/social-emotional learning)—all with the end goal to create more profit for the .01%.[35]

To readers who may be unfamiliar with the field of learning analytics or the research on social-emotional learning, this statement might seem as though it were referring to the dark depths of a dystopian novel. But in effect, Robertson explained that many of the most problematic components of post-NCLB reforms had fused together in the federal and corporate push for a *competency-based education model* (CBE), a component written into ESSA.[36]

In order to understand the alarm Robertson was raising about CBE and to clarify what might be some of the foundational problems critiqued by the opt out movement in general, it is necessary to unpack this. To do so, I turn to the issue of CBE, its ties to the fields of educational data mining and learning analytics, and a problem that *private R&D* in *public institutions* poses for public transparency. I then address how recent changes to *Family Educational Rights and Privacy Act of 1974* (FERPA) and the use of *technological persuasion* raise a series of vital philosophical questions about student privacy, data security, and end use of student data.

33. Hefling, "Do Students Take Too Many Tests?"

34. U.S. Department of Education, "U.S. Secretary of Education Duncan Announces Winners of Competition to Improve Student Assessments," press release, September 2, 2010, https://www.ed.gov/news/press-releases/us-secretary-education-duncan-announces-winners-competition-improve-student-asse.

35. Peggy Robertson, "Opt Out is Dead," *Busted Pencils* (blog), September 15, 2016, http://bustedpencils.com/2016/09/opt-out-is-dead/.

36. *Every Student Succeeds Act of 2015*, Public Law 114-95, *U.S. Statutes at Large* (2015): 1801-2192. https://www2.ed.gov/documents/essa-act-of-1965.pdf.

The Problems of Student Data Mining and Transparency via CBE

Over the last several years, developments in cloud technologies and *data science* (a field that is also commonly referred to as *big data*) have undoubtedly influenced teaching, learning, and education research. These changes have been exemplified by the post-NCLB overproduction of student data,[37] but also by the emergence of two particular areas of research. According to Roy Pea, the field of *educational data mining*[38] became a cohesive international discipline in 2008, and then three years later the more interdisciplinary field of *learning analytics* followed suit.[39] Since 2011, both fields have been part of a concerted effort—one that has been convened and funded by the Bill & Melinda Gates Foundation—to alter educational practice by merging teaching and learning with data science.[40]

Needless to say, these two disciplines are not only interrelated, they are incredibly similar and both deeply informed by a neoliberal rationale that human beings can be measured and understood in economic terms. Educational data mining is informed by machine learning and statistics. It examines the discrete details of learning behaviors, seeks to define the "differences between successful and unsuccessful students,"[41] and "emphasizes system-generated and automated responses to students" through technological applications (i.e. software programs, websites, online course platforms, etc.). Learning analytics, on the other hand, is an offshoot from the field of learning science, and through macro analyses of systems and organizations, it "enables human tailoring of responses, such as through adapting instructional content, intervening with at-risk students, and providing feedback."[42] In addition to machine learning and statistics, learning analytics also draws from information science, sociology, and psychology. According to the Department of Education, "a key application" of this field of research "is monitoring and predicting students' learning performance and spotting potential issues early so that interventions can be provided…"[43] By virtue of their emphases on classification and prediction, educational data mining and learning analytics also have in common sets of assumptions about how a student's learning process should function and what it means to be "successful" or "at-risk."

For both fields, this work involves utilizing emergent technological devices, software programs, and their data capturing capabilities in order to extract an array of multimodal information from students about 1) individual learning processes and 2) technologically-constructed learning environments. As its name suggests, multimodal data is taken from a variety of sources, "such as

37. I use the term overproduction here because the interest in merging learning analytics with public education stemmed from the ironic problem that "the growth of data in education surpasse[d] the capacity to make sense of it…" Pea, *The Learning Analytics Workgroup*, 2.

38. Sheila MacNeill, Lorna M. Campbell, & Martin Hawksey, "Analytics for Education," *Journal of Interactive Media in Education*, (2014): 1.

39. K-12 computerized learning programs grew alongside the proliferation of the personal computer, the Internet, and software tutoring systems during in the 1990s. The International Educational Data Mining Society was formed in 2008, and the Society for Learning Analytics Research was created in 2011. See Roy Pea, *The Learning Analytics Workgroup: A Report on Building the Field of Learning Analytics for Personalized Learning at Scale*, (Stanford: Stanford University, 2014), https://ed.stanford.edu/sites/default/files/law_report_complete_09-02-2014.pdf: 8; U.S. Department of Education, *Enhancing Teaching and Learning Through Educational Data Mining and Learning Analytics: An Issue Brief* (Washington, D.C., October 2012), by Marie Bienkowski, Mingyu Feng, Barbar Means, https://tech.ed.gov/wp-content/uploads/2014/03/edm-la-brief.pdf: 9.

40. Pea, *The Learning Analytics Workgroup*, 2.

41. U.S. Department of Education, *Enhancing Teaching and Learning*, 14.

42. Ibid., 13.

43. Ibid., 14.

image, writing, gesture, gaze, speech, posture."[44] With this data in hand, the research then aims to analyze and interpret the impulses, needs, and interests of learners so as to provide them with a technologically personalized,[45] and therefore more efficient, learning experience. To some people, the outcome of a personalized education might sound ideal. But it is the *type* of personalization, and the *means* for creating it, that raise concern.

For example, videography is one such method used to harvest multimodal data. Researchers and reflective practitioners alike often analyze video data in order to understand and improve teaching and learning scenarios. Though this technique has long been used to study classroom dynamics, the development of small digital cameras inside personalized technological devices (i.e. laptops, tablets, phones, etc.) has both altered and complicated this practice in recent years. One specific example that has elicited concern about this conjunction between the technology and the practice of data mining is the case of eye tracking, wherein devices are used to measure "eye fixation times, number of fixations, eye saccades, blink rates, [and] pupil dilation..."[46] Researchers believe eye tracking data not only enables them to interpret the length of users' attention spans during their interactions with programs; it allows them to detect and then refine the types of screen features that best capture and hold a child's interest. Other data mining tools include built-in software analytics that provide information about students' clickstreams (i.e. where they use their mouse to click or hover) during their interactions with learning programs or websites. Finally, one particular tool that has stoked public outrage is biometric bracelets (also called Q sensors and galvanic skin response bracelets). These devices are designed to measure the "skin temperature and conductivity" of students, and with these researchers aim to draw conclusions about the arousal, emotional states, and cognitive engagement of learners.[47]

The examples listed here represent only a few of the innumerable means of data extraction in use today, and of course these are not all being used prolifically in schools. But, public awareness about educational data mining, learning analytics, and the means being employed to research human behavior and learning has grown with the expansion of the opt out movement's communication networks. Of equal value has been the increasing number of people who have inquired into and blogged about the projects pursued by education policy's heaviest influencers (e.g. private foundations, think tanks, corporations, and politicians' ties to them). In light of the increased communication of this knowledge, families and educators have continued to grow critical of the changes they see moving into their schools and, therefore, being forced into the lives of children.

In contrast to the video data of yesteryear that required parental consent, tended to focus on whole classroom interactions, and maintained a reasonable distance from the child, the techno-

44. Carey Jewitt, *The Routledge Handbook of Multimodal Analysis* (New York: Routledge, 2009), 1.

45. Pea, *Learning Analytics Workgroup*, 46.

46. Shakila Shayan, Arthur Bakker, Dor Abrahamson, Carolien A.C. Duijzer, & Marieke van der Schaff, "Eye-Tracking the Emergence of Attentional Anchors in a Mathematics Learning Tablet Activity," in *Eye-Tracking Technology Applications in Educational Research*, eds. Christopher Was, Frank Santosti, & Bradley Morris (Hershey: IGI Global, 2017), 381. This article provides an example for how this technology and others are being used by some researchers in higher education institutions.

47. Pea, *Learning Analytics Workgroup*, 46. See the following for examples of how researchers as well as the Bill & Melinda Gates Foundation have been involved in studies to gauge student attentiveness via the physiological data harvested from devices called Q sensors and galvanic skin response bracelets. Martha Crosby & Curtis Ikehara, "Feedback from Physiological Sensors in the Classroom," in *The Impact of Pen Touch Technology on Education*, eds. Tracy Hammond, Stephanie Valentine, Aaron Adler, & Mark Payton (New York: Springer, 2015); Luisa Kroll, "Gates Foundation Responds to GSR Bracelets Controversy," *Forbes Magazine*, June 13, 2012, https://www.forbes.com/sites/luisakroll/2012/06/13/gates-foundation-responds-to-gsr-bracelets-controversy/#42e0d53d7bb0.

logical changes and research fields inspired by data science have substantially increased the invasiveness of data collection. That is, such tools and methods are used to increasingly focus on the unconscious behaviors and physiological responses of the child. This fact not only gives way to concerns about the issue of surveillance and students' rights to emotional, physical, and cognitive privacy. It also raises questions about the potential for discrimination, manipulation, and the uncritical habituation of children to the technologies and programs being used in their schools. In this age of big data where nothing ever truly disappears, such questions and debates have probably never been more necessary.

Yet with ESSA's push for CBE, Robertson pointed out, this research trajectory and its concerning elements are not likely to yield without substantial public intervention. CBE, which is also referred to as competency-based learning or competency-based assessment, is only mentioned twice throughout the language of ESSA, and in both cases it falls under the section that addresses State Assessment Grants. Here the federal government identifies CBE as the premier "innovative assessment system" of the future because it is capable of providing "an annual summative determination for a student, which may be administered through computer adaptive assessments."[48] This component of ESSA effectively marks the commitment on the part of the federal government to provide funding to those states that are interested in further developing these types of technologized assessments.

One major problem with this arrangement is that, contrary to the wording in the law, the states themselves do not actually *design* these assessments. CBE is considered an "optimization platform," which means the assessments are written into software programs that are designed to "adapt to students' behavior and reactions as they interact with digital content." This creates a scenario where, according to Jules Polonetsky and Omer Tene, the programs are "essentially 'reading' the students as they read their books."[49] Such programs require a programming expertise that is uncommon and, until very recently, has been unnecessary in state and local departments of education. Thus, because of their technological and engineering complexities, CBE programs are in fact designed by educational technology companies (ed tech)[50] that merely work *in conjunction with* state and/or school officials. To clarify, this means that the states and educators are responsible primarily for the *implementation* of CBE programs and not for the design of them.[51]

While this might be a seemingly simple nuance, it has a jostling effect upon the responsibilities of and relationships between the state, ed tech corporations, and the public. That is, the public is required to fund these experimental projects by virtue of its tax dollars; the public's schools are used to provide the institutional infrastructure and the human subjects (i.e. students, teachers, and families) by which to data mine and conduct market testing for CBE and digital curricular programs; and this process results in publically-funded but *privately owned*, ed tech products that can then be sold back to the public.[52] Thus, the public is put in service of the private

48. *Every Student Succeeds Act of 2015*, Public Law 114-95, *U.S. Statutes at Large* (2015): 1801-2192. https://www2.ed.gov/documents/essa-act-of-1965.pdf.

49. Polonetsky & Tene, "Who is Reading Whom Now," 933.

50. I follow Polonetsky & Tene here and assume the simplified term "ed tech."

51. This transition in the management of schools is occurring internationally and transnational organizations like the Organization for Economic Cooperation and Development (OECD) have gained greater influence over national education policies. Souto-Otero & Beneito-Montagut, "From Governing Through Data," 16.

52. This process has reaped enormous financial benefits for ed tech companies. According to one report, "U.S. edtech companies raised an estimated $1.03 billion" in 2016, which it anticipated to rise to "$252 billion globally by 2020." Robin Shulman, "Global EdTech Investments and Outlook: 10 EdTech Companies You Should Know," *Forbes Magazine*, May 17, 2017,

sector while the private mines, manages, and manipulates the data that is then used to drive public education policy.[53]

Ben Williamson has written quite extensively about the use of such technologies for what he calls the "digital governance of education." Through the mobilization of technologies and increased data extraction, he explains, the institution is "managed by actors and manipulated using software technologies that remain hidden and little understood."[54] These points are undoubtedly problematic, but I argue further that digital assessments and CBE programs are not merely hidden. Rather, because they are designed in the private sector, the programs are proprietary, protected as intellectual property, and therefore virtually inaccessible to the public. This conjunction of student data mining with the growing trend of *publicly funded, privately owned programs and means of analysis* has fostered a strong sense of distrust on the part of families, students, and teachers. It simultaneously prevents the type of transparency that is essential for democratic ends.

The Problems of Student Privacy and Persuasion via Private R&D

The problems outlined thus far are owed largely to the fact that the lines between *public institutions* (e.g. government-, school-, and university-based) and *private R&D* (e.g. research conducted by private corporations, foundations, and policy think tanks) have been increasingly blurred in the post-NCLB era. Recall that private corporations were invited to create the analogue assessments of NCLB; they also produced the curricula, digital assessments, and technological infrastructures necessary to implement Common Core. And of course, the most recent example resides in the fact that the State Assessment Grants section of ESSA entices these two sectors—with their significantly different aims and ethical understandings—to collaborate expressly for the purpose of creating and installing CBE models into the public's schools.

This technological crossover of private R&D in the public K-12 setting, Polonetsky and Tene explain, was not always possible in the past. The federal government had long protected sensitive student data under the *Family Educational Rights and Privacy Act of 1974* (FERPA), a law that ensured access to such information could only be attained by families and those individuals who were classified as "school officials." As the push for school-related data and digitized assessments grew in the wake of the NCLB, however, this protective measure for children and families came to be viewed by some as an obstacle. Thus, amendments were made to FERPA in 2009 that redefined the term "school officials" so that it could also include vendors—like ed tech companies and contractors, for instance – as long as they do work *with* district and state officials.[55] With these changes to FERPA and the recent federal incentives for implementing CBE in the public's schools, this crossover between public institutions and private R&D is now as inevitable as it is messy.

Along with concerns about student privacy and the security of their data, this scenario raises crucial questions about end uses of student data. While it is true that no researcher, theorist, or innovator can ever fully predict or control how their findings, ideas, or tools will be used, the

https://www.forbes.com/sites/robynshulman/2017/05/17/global-edtech-investments-and-outlook-10-edtech-companies-you-should-know-about/#293c02865bb3.

53. Gavin Kendall, "What is Neoliberalism?" In *TASA 2003 Conference Proceedings*, 1-7. University of New England, 2003.

54. Ben Williamson, "Governing Software: Networks, Databases and Algorithmic Power in the Digital Governance of Public Education," *Learning Media and Technology* 40, no. 1 (2015): 84; Ben Williamson, "Digital Education Governance." For a similar argument made through a Foulcauldian analysis, see also Souto-Otero & Beneito-Montagut, "From Governing Through Data."

55. Polonetsky & Tene, "Who is Reading Whom Now," 964.

fact remains that there is a distinct moral difference between research that aims at *understanding* and research that aims at *understanding for the purpose of persuasion*. Private R&D, which is perpetually tied to marketing, competition, and consumption for the sake of corporate profit, cannot be absolved from the fact that in some capacity it aims at the latter end.[56] Such a view of private R&D might seem overly harsh to some readers, but the perspective of Tristan Harris, a former technological design ethicist and product philosopher from Silicon Valley,[57] can help clarify this point:

> Just like the food industry manipulates our innate biases for salt, sugar, and fat with perfectly engineered combinations, the tech industry bulldozes our innate biases for Social Reciprocity (we're built to get back to others), Social Approval (we're built to care what others think of us), Social Comparison (how we're doing with respect to our peers) and Novelty-seeking (we're built to seek surprises over the predictable).[58]

In other words, the technology industry is astute at reading mined data against the knowledge from behavioral and psychological sciences. It is through this understanding that the most profitable technology companies utilize the power of suggestion to exploit conscious and unconscious human tendencies in order to gain market share. This practice has, in effect, given way to an era of *technological behaviorism*.

It can be debated whether suggestive and persuasive approaches could indeed be put to good ends, but it must be acknowledged that there are precariously fine lines between persuasion, manipulation, and coercion. The advancement of big data, Tene & Polonetsky point out, "is often driven by entrepreneurs, app developers, or data scientists who seek innovation at any cost." While it may be true that "in many large companies chief privacy officers and legal teams play an oversight role,"[59] that oversight is conceived out of a legal capacity and not in an ethical or philosophical capacity. Thus, in most cases the job of the legal team is to interpret what R&D *can* do according to the law, and not necessarily what they *should* do according to a defined framework of ethical principles.

The technology industry, Harris argues, has yet to define an ethical framework to guide how it might responsibly incorporate the knowledge about human behavior and psychology into

---

56. Consider the influence of neuromarketing and persuasive technology research on business tactics over the last two decades. Similar to practices in educational data mining and learning analytics, the neuromarketing sector utilizes medical technologies (like EEG, MRI, and PET scans) and biometrics like "eye tracking, skin conductance response, electrocardiography [and] facial coding" to make sense of "consumers' unconscious and emotional reactions to marketing messages to better understand the role emotion plays in advertising effectiveness." See Horst Stipp, "The Evolution of Neuromarketing Research: From Novelty to Mainstream, How Neuro Research Tools Improve Our Knowledge About Advertising," *Journal of Advertising Research* (June 2015): 120-122; Yesim Isil Ulman, Tuna Cakar, & Gokcen Yildiz, "Ethical Issues in Neuromarketing: 'I Consume, Therefore I Am!,'" *Science and Engineering Ethics* 21 (2015). Consider also how persuasive technology was used to target voters in the 2016 U.S. presidential election. By using social media data to psychologically profile individuals, the company "serve[d] different ads to different potential voters, aiming to push the exact right buttons for the exact right people at the exact right times." See McKenzie Funk, "The Secret Agenda of a Facebook Quiz," *New York Times*, November 19, 2016, https://www.nytimes.com/2016/11/20/opinion/the-secret-agenda-of-a-facebook-quiz.html?_r=0; Andreas Spahn, "And Lead Us (Not) into Persuasion…? Persuasive Technology and the Ethics of Communication," *Science and Engineering Ethics* 18 (2012).

57. Bianca Bosker, "The Binge Breaker," *The Atlantic*, November 2016, https://www.theatlantic.com/magazine/archive/2016/11/the-binge-breaker/501122/.

58. Tristan Harris, "Tech Companies Design Your Life, Here's Why You Should Care," *Essays* (blog), March 7, 2016, http://www.tristanharris.com/essays/.

59. Tene & Polonetsky, "Judged By the Tin Man," 353.

its product designs.[60] If the industry has yet to take up ethical considerations about the effects of technological persuasion on the general populous, then there is very little reason to suspect it has done so in regard to the well being of children specifically. This problem, along with a lack of debate about the fine line between persuasion and coercion, is one of the greatest reasons that education scholars[61] and many in the opt out movement continue to question whether the aims and rationales of business should ever be welcomed uncritically into the spaces of children. The infusion of private R&D into public institutions is concerning enough. But when this is combined with the proprietary rights of CBE and the alterations to FERPA, it is all the more apparent that there is a gaping hole in the types of safeguards needed to protect students, their psychological and cognitive privacy, and the data that they are unwittingly but persuasively being asked to give up.

Conclusion

As I explained in the introduction, there has been no shortage of reasons for people to be incensed about the direction public education has been taken in the post-NCLB era. High-stakes testing yielded reductionistic views of human learning and abhorrent consequences that disproportionately affected the nation's most underserved youth. The creation and implementation of Common Core drew scrutiny about the federal control of local schools and awareness for the prolific corporate involvement in the public institution. Then the emergence of technological assessments like PARCC, SBAC, and the impending CBE escalated existing levels of distrust among the public. These concerns, as well as many others related to the wellbeing of children and the public's schools, circulated throughout the opt out movement's communication networks and helped shape the work of grassroots organizations.

One of the biggest problems faced by opt out, perhaps, was its timing. When UOO came together in 2011, the framework for Common Core had already been laid, and the development for CBE had also been set into motion (it may not have been called 'competency-based education' at that time, but the concept was certainly being developed via the funding and creation of PARCC and SBAC in 2010, and the notion of a "common core" emerged via UNESCO as early as 1984).[62] In addition, the Gates Foundation had already planned to utilize educational data mining and learning analytics for future education reforms, and the federal government got on board with this concept in 2012. By that point, UOO and local opt out groups had only been working together for a year at best. With so much momentum already forcing the institution into the digital turn, the opt out movement stood little chance of immediately effecting this direction. Given the timing, though, it appeared to some that the greater opt out movement was fighting against analogue testing alone. Of course, this helped open the door to digital testing while simultaneously distracting from the more important arguments the movement was making about discrimination, corporate involvement in school policies, and reductionistic views of children and human learning.

60. Tristan Harris, "About Tristan Harris," *Essays* (webpage), accessed August 3, 2017, http://www.tristanharris.com/.

61. This is related to the problems associated with the commercialization of schools in general. See Alex Molnar, *School Commercialism: From Democratic Ideal to Market Commodity*, (New York: Routledge, 2005); Deron Boyles, ed., *Schools or Markets?: Commercialism, Privatization, and School-Business Partnerships*, (Mahwah: Routledge, 2009); Deron Boyles, *American Education and Corporations: The Free Market Goes to School* (New York: Falmer Press, 2000).

62. The idea, or at least the discourse, for a "common core" might be attributed to United Nations Educational, Scientific and Cultural Organization (UNESCO) as far back as 1984. Morna McDermott, "UNESCO and the Educational Technology Industry: A Recipe for Making Public Education a Profiteering Enterprise Part I," *Education* Alchemy (blog), October 18, 2014, https://educationalchemy.com/2014/10/18/unesco-and-the-education-technology-industry-a-recipe-for-making-public-education-a-profiteering-enterprise-part-i/.

Despite the timing of the movement's emergence, though, not all is lost. Testing refusal may no longer be a viable action, but many opt out groups have continued to work together by paying close attention to local and state politics and partnering with other grassroots organizations on similar causes. Members of the movement have also been actively engaging the philosophical questions that are likely defining the next wave of opt out, which appears to be opting out of digital curriculum. Alison Hawver McDowell, in particular, has done a significant amount of inquiry and writing on this topic.[63] Now, strength lies in the fact that the networks are built, the critiques are just as strong as they have ever been, and the concerns about student privacy and technologized learning are increasingly receiving support by scholarship. Given the changes brought on by the digital turn in education, perhaps the opt out movement and other grassroots organizations might consider pursuing the specific problems of public transparency, student privacy, and technological persuasion.

Software and digital technologies are designed to be seamless. They are supposed to function so smoothly that users barely notice their existence, much less how their code and innerworkings are constructed. Thus, by default, they are not designed to be transparent. This characteristic, needless to say, is not conducive to parental trust, healthy school-home partnerships, or democratic ends. The lack of transparency has led to concerns about what data extraction means for students' rights to emotional, physical, and cognitive privacy. Also, because of the evidence of inhumane data use in the post-NCLB era, concerns about data extraction have caused people to further question the types of damaging ends that could result if legal and ethical safeguards are not intact. In this regard, public transparency about the creation and use of technologies and data in schools can certainly help meliorate some of these problems, but this is not enough.

It would be nice to assume that anyone working with the public's schools should be expected to philosophically interrogate their own aims and question the best *and worst* possible outcomes of their work. But, of course, this is not the case, and it is likely to be less so with the way that private R&D has become so deeply entrenched in schooling. Technology companies could indeed change this, as Tristan Harris suggests, if they engaged in a philosophical exploration into the ethics of technological design. However, it will never be sufficient to rely on industry and government to do this alone, especially when it comes to exploring the safeguards of student privacy and to defining the boundaries for persuasion and technological use. Individuals rarely see their own conflicts of interest, and because of this, the perspectives of students and their families are integral to such debates.

As other scholars have suggested, there is definitely a need to update legislation so that it can better protect students and their schools in the current technological landscape. FERPA would need to be revised in order to restore student and family protection, and it would have to be updated to meet the technological changes being implemented in schools. But before that can happen, I believe grassroots organizations would need to work together and grapple with the philosophical questions pertaining to the needs for public transparency and the boundaries for student privacy and technological persuasion. There is a desperate need to know more about how technologies are being used by local school districts and how they are affecting the individuals within. In order to understand this better, such work would likely include enlisting the partnership of student organizations, local teacher unions, and district personnel. With a better technological understanding in hand and with some clarity about appropriate boundaries, this work might then coalesce around

63. Alison Hawver McDowell, *Wrench in the Gears: A Skeptical Parent's Thoughts on Digital Curriculum* (blog), https://wrenchinthegears.com/.

district-based, privacy councils. To preserve the democratic integrity, the councils would need a broad representation with student, parent, teacher, and district membership. At the very least, this could provide localized, democratic oversight on issues and grievances related to school technology, and it could result in public spaces by which to pursue thoughtful debates and educate the public about the ethical quandaries that will assuredly accompany the changes yet to come.

References

Au, Wayne. *Unequal By Design: High-stakes Testing and the Standardization of Inequality*. New York: Routledge, 2009.

Berliner, David. "Our Impoverished View of Education Reform," *Teachers College Record* 108, no. 6 (2006): 949-995.

Bosker, Bianca. "The Binge Breaker." *The Atlantic*, November 2016. https://www.theatlantic.com/magazine/archive/2016/11/the-binge-breaker/501122/.

Boyles, Deron, ed. *Schools or Markets?: Commercialism, Privatization, and School-Business Partnerships*. Mahwah: Routledge, 2009.

-----. *American Education and Corporations: The Free Market Goes to School*. New York: Falmer Press, 2000.

Brown, Justine. "IT Spending is on the Rise—But Where Will the Money Go?" *e.Republic*, March 24, 2016. http://www.erepublic.com/blog/IT-spending-is-on-the-rise--but-where-will-the-money-go.html.

Campos-Martinez, Javier, Maria Beatriz Fernandez Cofre, Jorge Luis Inzunza, Andrea Lira, Mauricio Pino-Yancovic, Serigo Alejandro Saldivia, & Ivan Salinas. "Alto al SIMCE Campaign: Challenging the Common Sense of Standardized Testing." Paper presented at the American Educational Research Association, Chicago, April 2015.

Crosby, Martha & Curtis Ikehara. "Feedback from Physiological Sensors in the Classroom." In *The Impact of Pen Touch Technology on Education*, edited by Tracy Hammond, Stephanie Valentine, Aaron Adler, and Mark Payton, 381-388. New York: Springer, 2015.

Every Student Succeeds Act of 2015, Public Law 114-95, *U.S. Statutes at Large* (2015): 1801-2192. https://www2.ed.gov/documents/essa-act-of-1965.pdf.

FairTest. "More Than 670,000 Refused Tests in 2015" (webpage). December 12, 2015. http://www.fairtest.org/more-500000-refused-tests-2015.

Funk, McKenzie. "The Secret Agenda of a Facebook Quiz." *New York Times*, November 19, 2016. https://www.nytimes.com/2016/11/20/opinion/the-secret-agenda-of-a-facebook-quiz.html?_r=0.

Garcia, Nicholas. "Activists Gather in Denver to Discuss Opt-out Strategy." *Chalkbeat*, March 29, 2014. http://www.chalkbeat.org/posts/co/2014/03/29/live-dozens-gathered-in-denver-to-discuss-opt-out-strategy/.

Guisbond, Lisa, Monty Neil, & Bob Schaeffer. *Testing Reform Victories 2015: Growing Grassroots Movement Rolls Back Testing Overkill*. Boston: FairTest, 2015. Accessed October 8, 2018. http://www.fairtest.org/sites/default/files/2015-Resistance-Wins-Report-Final.pdf.

Harris, Elizabeth. "20% of New York State Students Opted Out of Standardized Tests This Year." *New York Times*, August 12, 2015. http://www.nytimes.com/2015/08/13/nyregion/new-york-state-students-standardized-tests.html?_r=0.

Harris, Tristan. "About Tristan Harris." *Essays* (webpage), August 3, 2017. http://www.tristanharris.com/.

Harris, Tristan. "Tech Companies Design Your Life, Here's Why You Should Care." *Essays* (blog), March 7, 2016. http://www.tristanharris.com/essays/.

Hawver McDowell, Alison. *Wrench in the Gears: A Skeptical Parent's Thoughts on Digital Curriculum* (blog), https://wrenchinthegears.com/.

Hefling, Kimberly. "Do Students Take Too Many Tests? Congress to Weigh Question." *PBS NewsHour*, January 17, 2015. http://www.pbs.org/newshour/rundown/congress-decide-testing-schools/.

Heitin, Liana. "Activists Share Strategies for 'Opting Out' of Tests." *Education Week*, January 27, 2015. http://www.edweek.org/ew/articles/2015/01/28/activists-share-strategies-for-opting-out-of.html.

Heybach, Jessica A.& Eric C. Sheffield, eds. *Dystopia and Education: Insights into Theory, Praxis, and Policy in an Age of Utopia-gone Wrong*. Charlotte: Information Age Publishing, 2013.

Jewitt, Carey. *The Routledge Handbook of Multimodal Analysis*. New York: Routledge, 2009.

Keess, Colin. "What Testing I Hiding: The Saskatchewan Teachers' Struggle." Paper presented at the American Educational Research Association, Chicago, April 2015.

Kozol, Jonathan. *The Shame of the Nation: The Restoration of Apartheid Schooling in America*. New York: Crown Publishers, 2005.

Kroll, Luisa. "Gates Foundation Responds to GSR Bracelets Controversy." *Forbes Magazine*, June 13, 2012. https://www.forbes.com/sites/luisakroll/2012/06/13/gates-foundation-responds-to-gsr-bracelets-controversy/#42e0d53d7bb0.

Layton, Lyndsey. "Louisiana Gov. Bobby Jindal Sues Obama Over Common Core State Standards." *The Washington Post*, August 27, 2014. https://www.washingtonpost.com/local/education/louisiana-gov-bobby-jindal-sues-obama-over-common-core-state-standards/2014/08/27/34d98102-2dfb-11e4-bb9b-997ae96fad33_story.html?utm_term=.a357976c2b52.

MacNeill, Sheila, Lorna M. Campbell, & Martin Hawksey. "Analytics for Education," *Journal of Interactive Media in Education*, (2014): 1-12.

McCandless, Julia. "U.S. Education Institutions Spend $6.6 Billion on IT in 2015." *Center for Digital Education*, May 22, 2015. http://www.centerdigitaled.com/higher-ed/US-Education-Institutions-Spend-66-Billion-on-IT-in-2015.html.

McDermott, Morna. *Education Alchemy* (blog). https://educationalchemy.com/.

McDermott, Morna, Peggy Robertson, Rosemarie Jensen, & Ceresta Smith, eds. *An Activist Handbook for the Education Revolution: United Opt Out's Test of Courage*. Charlotte: Information Age, 2015.

Miller, Edward & Nancy Carlsson-Paige. "A Tough Critique of Common Core on Early Childhood Education." *The Washington Post*, January 29, 2013. https://www.washingtonpost.com/news/answer-sheet/wp/2013/01/29/a-tough-critique-of-common-core-on-early-childhood-education/?utm_term=.efc3da1ea7fe.

Molnar, Alex. *School Commercialism: From Democratic Ideal to Market Commodity*. New York: Routledge, 2005.

National Public Radio, "The Common Core FAQ," *NPR Ed*, May 27, 2014, http://www.npr.org/blogs/ed/2014/05/27/307755798/the-common-core-faq.

Nichols, Sharon & David Berliner. *Collateral Damage: How High-stakes Testing Corrupts America's Schools*. Cambridge: Harvard Education Press, 2007.

O'Malley, Kimberly. "The Every Student Succeeds Act: Balancing Assessment's Burdens and Benefits," *Pearson* (website), March 8, 2016. http://www.pearsoned.com/education-blog/the-every-student-succeeds-act-balancing-assessments-burdens-and-benefits/.

Pea, Roy. *The Learning Analytics Workgroup: A Report on Building the Field of Learning Analytics for Personalized Learning at Scale*. Stanford: Stanford University, 2014. https://ed.stanford.edu/sites/default/files/law_report_complete_09-02-2014.pdf.

Polonetsky, Jules & Omer Tene. "Who is Reading Whom Now: Privacy in Education from Books to MOOCs." *Vanderbilt Journal of Entertainment and Technology Law* 17, no. 4 (2015): 927-990.

Postal, Leslie. "More FSA Tests Could Not Be Scored in 2015 Compared to FCAT Last Year." *Orlando Sentinel*, October 9, 2015. http://www.orlandosentinel.com/features/education/school-zone/os-fsa-scores-no-score-opt-out-post.html.

Ravitch, Diane. "The Lost Purpose of School Reform." *New York Review of Books*, April 2, 2015. http://www.nybooks.com/daily/2015/04/02/lost-purpose-no-child-left-behind/.

-----. *Reign of Error: The Hoax of the Privatization Movement and the Danger to America's Public Schools*. New York: Basic Books, 2013.

Reingold, Jennifer. "Everybody Hates Pearson." *FORTUNE Magazine*, January 21, 2015. http://fortune.com/2015/01/21/everybody-hates-pearson/.

Rhodes, Dusty. "Education Desk: Should Kids Be Allowed to Skip Testing?" *All Things Considered*. May 10, 2016. http://www.nprillinois.org/post/education-desk-should-kids-be-allowed-skip-testing#stream/0.

Robertson, Peggy. *Peg with Pen* (blog). http://www.pegwithpen.com/.

-----. "Opt Out is Dead." *Busted Pencils* (blog), September 15, 2016. http://bustedpencils.com/2016/09/opt-out-is-dead/.

-----. "Opt Out Revolution: The Next Wave." *Peg With Pen* (blog), October 27, 2015. http://www.pegwithpen.com/2015/10/opt-out-revolution-next-wave.html.

-----. "So Here We Stand: Opt Out in Dangerous Times." *Peg With Pen* (blog), September 26, 2015. http://www.pegwithpen.com/2015/09/so-here-we-stand-opt-out-in-dangerous.html.

-----. "Regaining Our Humanity and Co-optation." *Peg With Pen* (blog), March 7, 2015. http://www.pegwithpen.com/2015/03/regaining-our-humanity-and-co-optation.html.

Schaffhauser, Dian. "Report: Education Tech Spending on the Rise." *THE Journal*, January 19, 2016. https://thejournal.com/Articles/2016/01/19/Report-Education-Tech-Spending-on-the-Rise.aspx?Page=1.

Shulman, Robin. "Global EdTech Investments and Outlook: 10 EdTech Companies You Should Know." *Forbes Magazine*, May 17, 2017. https://www.forbes.com/sites/robynshulman/2017/05/17/global-edtech-investments-and-outlook-10-edtech-companies-you-should-know-about/#293c02865bb3.

Severns, Maggie. "The Plot to Overhaul No Child Left Behind." *Politico*, January 2, 2015. http://www.politico.com/story/2015/01/the-plot-to-overhaul-no-child-left-behind-113857.

Shayan, Shakila, Arthur Bakker, Dor Abrahamson, Carolien A.C. Duijzer, & Marieke van der Schaff. "Eye-Tracking the Emergence of Attentional Anchors in a Mathematics Learning

Tablet Activity." In *Eye-Tracking Technology Applications in Educational Research*, edited by Christopher Was, Frank Santosti, and Bradley Morris, 166-194. Hershey: IGI Global, 2017.

Simon, Stephanie. "No Profit Left Behind." *Politico*, February 10, 2015. http://www.politico.com/story/2015/02/pearson-education-115026.

Slekar, Tim. *Busted Pencils* (blog). http://bustedpencils.com/.

Souto-Otero, Manuel & Roser Beneito-Montagut. "From Governing Through Data to Governmentality Through Data: Artefacts, Strategies, and the Digital Turn." *European Education Research Journal* 15, no. 1 (2016): 14-33.

Spahn, Andreas. "And Lead Us (Not) into Persuasion…? Persuasive Technology and the Ethics of Communication." *Science and Engineering Ethics* 18 (2012): 633-650.

Stipp, Horst. "The Evolution of Neuromarketing Research: From Novelty to Mainstream, How Neuro Research Tools Improve Our Knowledge About Advertising." *Journal of Advertising Research* (June 2015): 120-122.

Strauss, Valerie. "Diane Ravitch, Former Adviser to Lamar Alexander, Sends Him New NCLB Advice." *Washington Post*, January 21, 2015. https://www.washingtonpost.com/news/answer-sheet/wp/2015/01/21/diane-ravitch-former-adviser-to-lamar-alexander-sends-him-new-nclb-advice/?utm_term=.23c0676f0447.

-----. "'Occupy' the Ed Department Starts Friday." *Washington Post*, March 24, 2012. https://www.washingtonpost.com/blogs/answer-sheet/post/occupy-the-ed-department-starts-friday/2012/03/21/gIQAHcFrXS_blog.html?utm_term=.b7549ce45d8e.

-----. "The Save Our Schools March." *Washington Post*, July 30, 2011. https://www.washingtonpost.com/blogs/answer-sheet/post/the-save-our-schools-march/2011/07/30/gIQAhf71jI_blog.html?utm_term=.9732ed6be6a7.

Tene, Omer & Jules Polonetsky. "Judged By the Tin Man: Individual Rights in the Age of Big Data." *Journal on Telecommunications and High Technology Law* 11 (2013): 351-368.

Ulman, Yesim Isil, Tuna Cakar, and Gokcen Yildiz. "Ethical Issues in Neuromarketing: 'I Consume, Therefore I Am!'" *Science and Engineering Ethics* 21 (2015): 1271-1284.

U.S. Department of Education. *Enhancing Teaching and Learning Through Educational Data Mining and Learning Analytics: An Issue Brief.* Washington, D.C., October 2012. By Marie Bienkowski, Mingyu Feng, Barbar Means. https://tech.ed.gov/wp-content/uploads/2014/03/edm-la-brief.pdf.

-----. "Fact Sheet: Testing Action Plan." Press release, October 24, 2015. https://www.ed.gov/news/press-releases/fact-sheet-testing-action-plan.

-----. "U.S. Secretary of Education Duncan Announces Winners of Competition to Improve Student Assessments." Press release, September 2, 2010. https://www.ed.gov/news/press-releases/us-secretary-education-duncan-announces-winners-competition-improve-student-asse.

Williamson, Ben. "Digital Education Governance: An Introduction," *European Education Research Journal* 15, no. 1 (2016): 3-13.

-----. "Governing Software: Networks, Databases and Algorithmic Power in the Digital Governance of Public Education." *Learning Media and Technology* 40, no. 1 (2015): 83-105.

Zernike, Kate. "Obama Administration Calls for Limits on Testing in Schools." *New York Times*, October 24, 2015. https://www.nytimes.com/2015/10/25/us/obama-administration-calls-for-limits-on-testing-in-schools.html.

-----. “In High-scoring Scarsdale, A Revolt Against State Test.” *The New York Times*, April 13, 2001. http://www.nytimes.com/2001/04/13/nyregion/in-high-scoring-scarsdale-a-revolt-against-state-tests.html.

Gaining Ground: Charter Schools and Urban Neoliberalization

Nicholas J. Eastman

Abstract

Charter schools are commonly associated with neoliberalism to the extent that they utilize the market logics, governance structures, organizational norms, and capital of corporations and their attendant philanthropies. Less frequently discussed is the role of charter schools in capital accumulation through the "revitalization" of urban space. This article examines the relationship between charter schools and urban neoliberalization, with special emphasis on St. Louis, Missouri. Property developers in St. Louis saw charter schools as integral to their efforts to revalorize neighborhoods depleted by decades of racial segregation and depopulation. Linked with the end of the nation's largest and longest-running desegregation busing program, the charter school movement in Missouri shifted educational equity efforts away from movement across the suburban/urban divide and toward urban renewal of schools themselves as well as the neighborhoods in which they were located. Having secured a friendly regulatory environment, property developers in St. Louis and Kansas City—the only two Missouri cities in which charter schools were authorized—capitalized on the cities' historic struggles for educational equity. The growth of charters and their exploitative practices in St. Louis and Kansas City have implications for other "Rust Belt" cities whose political economies and public education systems have been ravaged by racial segregation and depopulation during the last half-century.

Keywords: *neoliberalism, charter schools, capital accumulation, depopulation, creative destruction, revitalization*

Opposition to the neoliberalization of U.S. public education often focuses on what happens within schools and with good reason. The reduction of teaching and learning to standardized and measurable "performances," the conflation of *human* development with human *resource* development, the neglect or brutal antagonism of the system toward those for whom capital has no discernable use other than incarceration, and the exploitation of a captive and impressionable audience for commercial purposes are just a few prominent examples how neoliberalism's market idolatry has degraded K-12 education. Declining material support for public institutions and the rise of a market-based policy framework have greatly diminished the capacity for public schools to prioritize democratic or egalitarian principles.

That U.S. public education policy is both unserious and ineffective at advancing democratic and egalitarian principles should surprise few considering how public schools have always

adopted the aims, procedures, and organizational forms of the dominant class. Nevertheless, neoliberalism's reduction of education to human capital development and privileging corporate governance structures have proved to be highly effective ways of exercising class power over public education. A fully commodified public education system understands teaching as adding value and learning as brand development. Corporate reforms and management regimes reconfigure educational institutions for the upward redistribution of public funds. For example, as they more closely resemble corporations, charter schools take on bloated administrative and marketing costs, while spending less on instruction than traditional public schools.[1]

In addition to neoliberalism's ideological commitments and organizational practices, there is a crucial spatial component to its upward redistribution strategy. Recently, considerable attention has been focused on how public schools function within the processes of urban neoliberalization in ways that reach beyond curricular and operational practices and into the development and redevelopment of urban space as well as to what ends such development is directed.[2] The central concern here is whether and to what degree schools, specifically charter schools, are integral not just to neoliberalism's ideological project of human resource development but to capital's perpetual processes of accumulation through spatial depletion and revalorization.

A Brief Note on Neoliberalism

Neoliberalism has become a sort of umbrella concept for various critiques of late capitalism, and clarification, therefore, is necessary. Neoliberalism is at once an ideological project and an exercise of class power through capital's control over the state. In the ideological sense, neoliberalism mythologizes a market-based individualism wherein the entrepreneurial actor, *homo oeconomicus*, is the prime unit of politics and offers a quasi-anthropological account of human nature.[3] In terms of statecraft, neoliberalism advances a schizophrenic mode of governance that at once extols the virtues of limited government and a mythological free market while relying heavily on repressive state violence, regulatory agencies, and public funding as integral components of capital accumulation.[4] David Harvey argues that by importing the tropes of classical liberalism into late capitalist technocracy, neoliberalism offers a "theoretical utopianism" that has "primarily worked as a system of justification and legitimation for whatever needed to be done" to restore and sustain capitalist class power.[5] Through these contradictory impulses, neoliberalism lurches onward through cycles of creation and destruction, a monstrous mode of governance feeding on its own disasters.

Neoliberalism's persistence despite its internal contradictions have forced theorists to look for some sort of unity within the apparent chaos. In the early 1990s, Pierre Bourdieu described an internal incoherence between what he called the left and right hands of the state. The social welfare

1. See, for example, "Charter School Revenues, Expenditures and Transparency" (Pennsylvania School Boards Association), accessed August 4, 2017, https://www.psba.org/wp-content/uploads/2016/08/Charter-School-RtK-08172016.pdf, which claims Pennsylvania charter schools' administrative expenditures are more than twice that of their public school counterparts'.

2. Pauline Lipman, *The New Political Economy of Urban Education: Neoliberalism, Race, and the Right to the City* (New York, NY: Routledge, 2011); Buras, *Charter Schools, Race, and Urban Space: Where the Market Meets Grassroots Resistance*.

3. See Wendy Brown, *Undoing the Demos: Neoliberalism's Stealth Revolution* (Brooklyn: Zone Books, 2015); For an study of neoliberalism's ideological influence on popular music, see Lester K. Spence, *Knocking the Hustle: Against the Neoliberal Turn in Black Politics* (Brooklyn: Punctum Books, 2015).

4. For an authoritative study of how the free market has always been a fiction, see Karl Polanyi, *The Great Transformation* (Boston, MA: Beacon Press, 1954).

5. David Harvey, *A Brief History of Neoliberalism* (New York: Oxford University Press, 2005), 19.

institutions and their workers comprised the state's left hand, while the state's representatives of global finance constituted the right hand. There was a sense on the left, Bourdieu argued, that the state's right hand was ignorant of the purposes and practices of the left or at the very least unwilling to continue its funding.[6] The prevailing sense was that the state was the battlefield where the forces of Keynesian social welfare waged perpetual war with the ministers of finance, the former seeking regulatory protections for the masses and the latter seeking deregulation on behalf of individual and market freedoms.

As neoliberalism has progressed, though, it has become apparent that the left and right hands of the state are part of a coordinated if still unstable accumulation strategy. Nancy Fraser describes the movement from Keynesian liberalism to neoliberalism as the movement from state protections of individuals, especially those from the working class, *against* the ravages of the market to the "liberation" of individuals from all social classes *through* the market.[7] Such a movement required a coordinated transformation of the state itself. The neoliberal state is not the terrain on which fight the forces of social welfare regulation and free-market deregulation. Rather the neoliberal state engages in what Jamie Peck and Adam Tickell call "'metaregulation,' a rule system that paradoxically defines itself as a form of *anti*regulation."[8] Regulation and deregulation are not rival principles under neoliberalism. They are instead integral to the creation, manipulation, and exploitation of crises for accumulation. Metaregulation is particularly useful in illuminating the accumulation strategies of neoliberal education reform. Transforming public education into a marketplace wherein traditional public schools compete with quasi-public charter schools, and private schools for students requires an immense amount of deregulation *and* reregulation. New pro-market quasi-governmental bureaucracies have flourished under neoliberal education reforms despite the mantras of free markets and limited government. Such is the condition of the neoliberal state: ideological flexibility and contradictions find their coherence and unity in upward wealth redistribution and the consolidation of capitalist class power.

Consuming Cities

Examining the dynamics of public education, charter schools, and the political economy of urban revitalization sheds light on both the geographical patterns and distinctions of neoliberalization. This is a crucial point, since "the Illinois problem" described throughout this issue is certainly the product of political and economic conditions unique to that state. Yet at the same time, those conditions, the neoliberal policy solutions, and the effects of public privatization and austerity bear a family resemblance to the national and international problems associated with neoliberal governance. The resemblance is particularly strong in the heavily segregated and deindustrialized cities of the Midwest known as the Rust Belt. In what follows, I discuss how capital moves through and reshapes the built environment of cities as well as some of the consequences issuing from modes neoliberal governance that position cities as commodities themselves rather than mere sites of production and consumption. In the interest of expanding "the Illinois problem" to the regional level, I offer St. Louis, Missouri, as a study in neoliberalism's penchant for disaster capitalism and the role of charter schools in revalorizing urban space ravaged by racism and deindustrialization.

6. Pierre Bourdieu, "The Left Hand and the Right Hand of the State," *Variant*, Summer 2008, 3.

7. Nancy Fraser, "Contradictions of Capital and Care," *New Left Review* 100 (August 2016): 99–117.

8. Jamie Peck & Adam Tickell, "Neoliberalizing Space," in *Spaces of Neoliberalism: Urban Restructuring in North America and Western Europe*, ed. Neil Brenner and Nik Theodore (Malden, MA: Blackwell, 2002), 49.

I do so not to divert attention away from Illinois or to downplay the severity of austerity and neoliberalization within that state. Instead, my aim is to highlight the regional dimensions of the Illinois problem and illustrate how charters can be useful for urban neoliberalization and the upward redistribution of public wealth, especially in Chicago, where as Pauline Lipman claims, "big city mayors go to see how to restructure their school systems."[9] With Chicago enrolling the fourth largest number of charter school students in the nation and serving as a proving ground for national policy under the Obama administration, the spatial politics of charter schooling are a vital concern for public education and those who would resist the continued neoliberalization of public space.

Before addressing charter schools' role in revitalizing urban space, I should put forth a few basic principles of cities pertaining to political economy. The first is that the built environment is the manifestation of class power within a given society's economy. Power so constructed is more than simply access to the most advantageous spaces and the highest quality of goods and services, although such access effectively preserves a city's existing class hierarchies. These are the characteristics, benefits, and methods of reproducing power. They are not its sources. As Harvey reminds us, "From their inception, cities have arisen through geographical and social concentrations of a surplus product. Urbanization has always been, therefore, a class phenomenon, since surpluses are extracted from somewhere and from somebody, while the control over their disbursement typically lies in a few hands."[10] Under capitalism, those hands belong to the capitalists, and they shape the urban environment in the image and likeness of their class. That is, they structure space instrumentally and symbolically as displays of economic hegemony.[11] Examples of the former include organizing the flow of people and goods through transportation systems that maximize efficiency for profitability. Common visual symbols of economic hegemony include the shape of a city's skyline and architectural style of its most prominent buildings.

For much of the twentieth century, the power capital wielded over urbanization was checked, at least in theory, by a Keynesian compromise in which the state mediated the interests of capital and the public for the good of both. Public works, public housing, public hospitals, and public schools were all state provisions drawn from capital's surpluses and deployed, if not always with public flourishing in mind, at least to stabilize life against the vicissitudes of the market. Public projects stabilized physical as well as social space as cities grew in population and capital investment. Non-market spaces and institutions improved the quality of life for the poor and helped to rationalize and scale perennial causes for social unrest such as overcrowding, poor sanitation, and food scarcity. Because of neoliberalization, the role of the state transitioned to facilitator of capital accumulation over and against notions of public goods delivered through non-market mechanisms. It is worth noting that the modern nation-state has always been the facilitator of capital accumulation.[12] To think otherwise is to misunderstand political economy and capitalism. As

9. Lipman, *The New Political Economy of Urban Education: Neoliberalism, Race, and the Right to the City*, 19. For an analysis of the importance of mayoral control to neoliberal education reformers in Chicago, see Pauline Lipman et al., "Should Chicago Have and Elected Representative School Board? A New Review of the Evidence" (University of Illinois at Chicago: Collaborative for Equity & Justice in Education, February 2015), http://ceje.uic.edu/wp-content/uploads/2013/11/CEJE-ERSB-Report-2-16-15.pdf.

10. David Harvey, *Social Justice and the City*, Revised edition (Athens: University of Georgia Press, 2009), 315–16.

11.Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Cambridge, MA: Blackwell, 1991); David Harvey, *Spaces of Global Capitalism: Towards a Theory of Uneven Geographical Development* (New York: Verso, 2006), 141–43. Lefebvre develops three facets to the production of space: material space (sensate), representation of space (ideologically inflected), and spaces of representation (the staging of everyday life). Harvey further develops these concepts into what he calls absolute (material and geographic), relative (circulation of people and commodities, and relational (social and political dynamics).

12. Polanyi, *The Great Transformation*.

finance-intensive capital became more mobile and consolidated power, though, the state shed its regulatory and mediating functions in favor of pro-market interventionism. Instead of shielding the public from the externalities of capitalist accumulation, the neoliberal state makes a market of the public itself while shielding capital from the eventual fallout. By 1979, Robert Goodman had presciently named city governments "the last entrepreneurs" since they were the entities assuming capital's risks to attract the people and industries that had left urban centers for the greener pastures of the suburbs and foreign currency and labor markets.[13]

With policymakers intent on opening up new markets and incentivizing capital's accumulation rather than protecting the public against the market's capacity for intrusion into and devastation of life, urban space, particularly the urban core was transformed again as Henri Lefebvre puts it, to take on the "double role" of "place of consumption and consumption of place."[14] Cities were not just spaces in which capital reproduced itself by providing both workspace and living space. They had become spaces in which urban lifestyles, or to use Lefebvre's phrasing "everyday life," was manufactured for purchase and consumption. Lefebvre's notion that urban space itself is an abstract as well as concrete commodity is forcefully illustrated by the popularity of shows like HBO's *Sex and the City* in which it is not just sex or luxury material goods but urban living itself that is the object of fetishistic consumption.

With the neoliberal state acting as instrument rather than arbiter of capital's interests *vis-a-vis* the public, capitalism's processes of depletion and either abandonment or revalorization, what Schumpeter referred to as "creative destruction," enjoys free rein to shape urban space and urban life in accordance with its desires.[15] Previously stabilizing non-market spaces, goods, and services are reintroduced into the market either directly as commodities or indirectly according to market-based logics of governance or justification. Schools provide ample illustrations for both. Closing traditional public schools and selling or leasing the property to developers is an example of the former. Advocating for universal public goods like early childhood education based on projected returns on investment later in life illustrates the latter. Neoliberalization transforms the job of a city official from one of representative governance of political constituents to entrepreneur competing with other cities to attract capital (commercial and human) to invest.

One contradiction inherent to interurban competition is that the primary means for selling a city to prospective residents and business are sometimes mutually exclusive. For example, a city might wish to attract residents by advertising the quality of its services that contribute to high standards of living such as well-funded schools, public parks or greenspace, clean water and streets, and access to quality healthcare facilities. The city might also wish to attract capital investment by offering a portfolio of tax incentives including abatements, zoning de/reregulation, tax increment financing (TIF), and other upward redistributions of public funds. Overreliance or misuse of capital's incentive package erodes the city's capacity to maintain and develop those services aimed at improving the quality of life for current or prospective residents. Moreover, capital's capture of the political process all but guarantees its primacy of place over quality of life issues for the broader public. The entrepreneurial city's hope is that in attracting capital investment, it will also grow its population and create a virtuous cycle. Sometimes such a strategy is successful in terms of capital investment and population growth. Even successful development though can

13. Robert Goodman, *The Last Entrepreneurs: America's Regional Wars for Jobs and Dollars* (New York: Simon and Schuster, 1979).

14. Henri Lefebvre, *Writings on Cities*, ed. Elizabeth Lebas, trans. Eleonore Kofman (Cambridge, MA: Blackwell, 1996), 73.

15. Joseph A. Schumpeter, *Capitalism, Socialism, and Democracy* (New York: Harper, 1942).

erode the quality of life for lower-income residents who can no longer afford to live in their newly gentrified neighborhoods. Further, capital's increasing mobility in the finance and technology-driven economy makes virtuous growth cycles difficult to sustain. The Fordist economy required massive amounts of fixed capital in the form of factories and infrastructure such as those that dominated Midwestern cities for most of the twentieth century. Businesses were reluctant to leave after having invested so heavily in a given city. When the product is money in its commoditized forms (e.g. stocks, bonds, or mortgages) or the software and geographically dislocated services of the tech industry, capital is less inclined to remain tied to one location and benefits from a race to the bottom as cities are forced to offer greater and longer lasting incentive packages in their efforts to keep capital rooted in place. The same is true of cities that have transitioned to a local economy driven by tourism. Hotels, sports stadia, concert or convention venues soak up massive amounts of public funding on the promises (nearly always overestimated) that their return on public investment will come in the form of jobs and sales tax revenue. However, hospitality and entertainment provide mainly low-income and precarious employment, and public schools' primary source of revenue is property, not sales taxes. The result of marketing urban space as a tourism commodity is speculative incentives starve public goods and services of funds immediately and well into the future. The average length of a TIF agreement and tax abatements is 15-25 years. As Jamie Peck and Adam Tickell put it, "The public subsidy of zero-sum competition at the interurban scale rests on the economic fallacy that every city can win, shored up by the political reality that no city can afford principled noninvolvement in the game."[16] Thus, the threats to democracy, local autonomy, and even the stability of the social space of cities are grave even when they "succeed" and especially when they do not.

The Neoliberal Restructuring of St. Louis Public Schools

St. Louis's story for most of the last six decades has been one of tragic and unrelenting decline. The ravages of deindustrialization and the broadly unsuccessful efforts of the entrepreneurial political class to revitalize the city are baked into the bricks—those of the crumbling townhouses in the impoverished black north side neighborhoods and those of its old downtown factory buildings converted into the chic lofts of the urban professional class. Aided by a surge in wartime industrial manufacturing, St. Louis reached its peak population of over 856,000 in 1950, but postwar suburbanization and the balkanization of suburban St. Louis County led to precipitous declines over subsequent decades.[17] By 2010, St. Louis's population was just under 320,000, a 63 percent decline from 1950. The worst decade for depopulation was 1970-1980 when 170,000 people left the city.[18] The primary beneficiaries of this exodus were the suburbs of St. Louis County, which went from around 400,000 people in 1950 to over 1,000,000 by 2000. The population tailspin made redevelopment projects ineffective at best and, at worst, a blatant cash grab by local developers.

16. Peck & Tickell, "Neoliberalizing Space," 46.

17. Joseph Heathcott, "Modelling the Urban Future: Planning, Slums, and the Seduction of Growth in St. Louis, 1940-1950," *Planning Perspectives* 20, no. 4 (October 2005): 373.

18. Colin Gordon, *Mapping Decline: St. Louis and the Fate of the American City* (Philadelphia: University of Pennsylvania Press, 2008), 25.

St. Louis's public school buildings are emblematic of the city's struggles with race and political economy. During the 1950s and 1960s when the city's population was cresting and beginning its downward decent, the public school system went on a construction spree spurred in part by necessary updates and expansions for buildings constructed during the last half century of rapid growth and part by the desire to ease overcrowding in St. Louis's segregated black schools. By building schools in St. Louis's predominantly black neighborhoods, the district thought it would ease the growing unrest of black parents and community leaders who were protesting their children's concentration in a handful of dilapidated buildings while also placating white parents militating against black students being bused to their spacious and functional school buildings following *Brown*'s desegregation mandate. The city, thus, rebuilt its public education infrastructure out of its desire to avoid desegregating its schools "with all deliberate speed." Thirty-five of the thirty-nine buildings the district constructed between 1954 and 1974 were attended primarily by black students either because they were built in hypersegregated black neighborhoods (as most were) or as a result of whites abandoning public schools in St. Louis's few racially mixed neighborhoods.[19] As the flows of capital and white St. Louisans to the suburbs accelerated during the 1970s and 1980s, the city and the city schools shared the same problem: the massive surplus of fixed capital in the built environment that was unused and rapidly deteriorating combined with diminishing sources of revenue.

The schools' predicament was exacerbated by city officials' entrepreneurialism. Capital's exodus had so thoroughly devoured the city's past prosperity that its neoliberal policymakers decided to sacrifice St. Louis's future to lure the beast back. The political class had been so extravagant with its tax incentives that, by 1998, property taxes for over half of all real estate within city limits were either deeply discounted or nonexistent.[20] During the previous decade alone, the city granted tax abatements for 4,500 parcels or 11 percent of its property tax base.[21] As difficult as it was for the school district to handle the perpetually declining revenues from its plummeting student population and excess real estate holdings, the loss of most of their property tax revenues for the foreseeable future led to a state of perpetual crisis.

Late capitalism's policy to never let a good crisis go to waste, especially those created through its insatiable accumulation thirst, is evident in Missouri's omnibus education reform bill Senate Bill 781 passed in 1998. Without acknowledging the structural instability of deindustrialization and sacrifice of the district's property taxes on the altar of "urban renewal," SB 781 framed the district's problems as fiscal mismanagement by an unruly elected board, a revolving door of superintendents, and a lack of clear accountability for principals and teachers. The bill brought all the tenets of neoliberal education reform under one roof. It instituted a mechanism for transferring control from an elected school board to a three-member "temporary" appointed board upon loss of accreditation resulting from failure to meet standardized testing mandates.[22] It authorized new regimes of teacher and administrator accountability tied to student test scores. It set an end date for the state's financial obligations toward the largest and longest-running school desegregation busing program in U.S. history, obligations that stemmed from a parent-led class action lawsuit brought in 1972 and settled in 1983. And SB 781 made Missouri the 34th state to legalize charter

19. Gerald W. Heaney and Susan Uchitelle, *Unending Struggle: The Long Road to an Equal Education in St. Louis* (St. Louis: Reedy Press, 2004), 85.

20. This includes nontaxable public and charitable (e.g. religious) property.

21. Gordon, *Mapping Decline: St. Louis and the Fate of the American City*, 216.

22. St. Louis Public Schools (SLPS) lost accreditation in 2007. The "temporary" three-member appointed board is now on its fourth three-year term despite the district having scored within the acceptable range for regaining accreditation.

schools; however, it did so with an important provision. The bill limited the authorization of charter schools to cities with populations of 350,000 or more, which meant charters could operate only in St. Louis and Kansas City, the state's only two districts to have operated court-enforced desegregation programs. Policymakers, thus, altered the governance structure of public education to avoid desegregating its schools much like they had altered its physical infrastructure during its post-*Brown* construction boom.

Revalorizing the Rust Belt with Charter Schools

Missouri's legalization of charter schools was more than just a technocratic restructuring of urban public education and a backlash against desegregation's redistribution of public funds to majority-black urban schools. Charters presented a new method for revalorizing property developers had accumulated at rock bottom prices and with the help of the city's lucrative tax incentives. During the lead up to SB 781's passage, the most vocal proponents of the charter portion of the legislation were prominent St. Louis property developers who specialized in using tax incentives and political connections to profit from blighted real estate. Leon Strauss, a well-known St. Louis redeveloper, financed a 501c3 called the Charter School Information Center that collaborated with other redevelopers to promote the inclusion of charters in the education reform bill. These developers saw charters as a way of marketing neighborhoods they had invested in and attracting families into what they hoped would become the object of every slumlord's and neoliberal city official's desire, the mixed-income community. Richard Baron of McCormack, Baron, Salazar, an enormously powerful redevelopment firm headquartered in St. Louis, was also behind the push for charters, which he saw as an opportunity to develop school-centered community development models in St. Louis's poorest neighborhoods his firm could replicate across the country.[23] Baron believed that bypassing local school boards and empowering principals with greater control over the schools' budgets and curricula gave local business interests greater control over the schools. He raised funds from local corporations and lobbied state officials to have his school-centered neighborhood revitalization project serve as a model for Missouri's welfare-to-work program.[24] McCormack, Baron, Salazar now specializes in charter-focused mixed income community redevelopment and is one of the primary recipients of federal HOPE VI grants. The company is so successful at capitalizing on urban poverty that Goldman Sachs bought a 33 percent stake in the company in 2010.[25]

That St. Louis's redevelopers would see unique opportunities in a proposed piece of education reform legislation and launch an advocacy campaign (for the children of course) is not surprising, but St. Louis's charter legislation was an opportunity they crafted, not one they came upon. The principal drafter of the charter portion of SB 781 was William Kuehling, a lawyer in one of St. Louis's most powerful firms who specializes in public-private partnerships and the full spectrum of redevelopment tax incentives. His biography on the firm's website highlights that, in addition to his expertise in negotiating tax abatements and TIF deals, "Clients with unique needs seek Bill's assistance with controversial land use and zoning issues, including obtaining zoning,

23. Linda Tucci, "Strauss, Baron Heading Efforts for City's Alternative Schools," *St. Louis Business Journal*, February 16, 1997, http://www.bizjournals.com/stlouis/stories/1997/02/17/story4.html.

24. Tucci.

25. Lisa R. Brown, "Goldman Sachs Buys Stake in McCormack Baron Salazar," *St. Louis Business Journal*, May 16, 2010, http://www.bizjournals.com/stlouis/stories/2010/05/17/story6.html.

demolition, and building permit approval over significant public opposition."[26] It would be difficult to find a more perfect encapsulation of how neoliberalism, particularly the charter movement, utilizes mastery of the arcane policy webs of urban redevelopment in declining and deindustrialized cities to thwart democratic opposition and remake public policy, public organizational structures, and public spaces in the image and likeness of late capitalism.

Neighborhood "revitalization" is just one way Missouri's charter schools upwardly redistribute public education funding to private developers. The schools themselves can be the vehicles for transferring public assets to private coffers. As I previously stated, St. Louis made massive investments in new school construction near the height of its population and during the earliest decades of its population collapse. The city had built a public education infrastructure for a 1960s population of 800,000 (over 115,000 public school students) that could not be fully utilized by a population of less than half that (around 25,000 students) fifty years later. During the early 2000s, the SLPS Board hired corporate restructuring firm Alvarez & Marsal for a one-year, $5 million contract.[27] Alvarez & Marsal immediately installed one of its own partners, William Roberti, as acting superintendent of St. Louis public schools despite his total lack of experience in educational administration. As the district's "Chief Restructuring Officer," Roberti received $675 an hour to impose austerity on the financially struggling district.[28] In addition to privatizing services and laying off thousands of workers, Roberti closed sixteen schools, twelve of which were in the city's poorest neighborhoods on the north side. These were the very same schools the district had built to avoid desegregation in the 1960s.[29] The district lost its accreditation soon after Roberti departed St. Louis for his new jobs as chief restructuring officer for Orleans Parish schools before and immediately after Hurricane Katrina and later as bankruptcy advisor for Detroit's public debt. The glut of vacant school buildings and the ascendency of the charter school movement made even the district's newly appointed Special Administrative Board (SAB) weary of the existential threat charter schools posed to the crisis-ridden district. As a result, the SAB passed a deed restriction that prohibited prospective buyers from reopening the property as a school for 100 years. The restriction lasted only two years before Missouri's billionaire political power broker and charter school proponent Rex Sinquefield's impending lawsuit convinced the SAB to repeal it.[30] St. Louis's charter schools and their corporate supporters can now count over twenty former public schools among the many vacant buildings from which they can choose.

Even before the district revoked the deed restriction, the nation's largest for-profit charter franchise Imagine Schools, Inc. had managed to get its hands on some vacant SLPS property. Imagine had figured out that school property is one of the most efficient and lucrative ways of extracting profits from public education. The combination of vacant property, a public school district in crisis, and the deregulated flow of neoliberal redevelopment incentives made St. Louis the ideal environment for Imagine's expansion efforts. Samuel Glasser, a local property developer who had been convicted of conspiracy to import cocaine in the 1970s and who pleaded guilty to

26. Thompson Coburn LLP, "William J. Kuehling," accessed April 1, 2016, http://www.thompsoncoburn.com/people/find-a-professional/william-kuehling.aspx.

27. For discussion of Alvarez & Marsal's work in post-Katrina New Orleans, see Kenneth J. Saltman, *Capitalizing on Disaster: Taking and Breaking Public Schools* (Boulder: Paradigm, 2007), 40–44.

28. D.J. Wilson, "Demolition Man," *Riverfront Times*, July 9, 2003, http://www.riverfronttimes.com/stlouis/demolition-man/Content?oid=2465558.

29. Heaney & Uchitelle, *Unending Struggle: The Long Road to an Equal Education in St. Louis*, 207–8.

30. Kelsey Volkmann, "St. Louis Schools Repeal Deed Restriction," *St. Louis Business Journal*, April 17, 2009, http://www.bizjournals.com/stlouis/stories/2009/04/13/daily86.html.

bank fraud in 2011,[31] first got into the charter school property market when in 2003 he leased one of his properties to a charter operator that Imagine would later acquire. When Imagine was expanding rapidly in St. Louis in 2006-2007, Glasser offered two vacant SLPS properties he had acquired by listing non-educational plans on his sales agreements with the district as a way of circumventing the board's policy against selling to charter school operators.[32] Indeed, its dealings with Glasser were what prompted the deed restrictions the board imposed later that year. Glasser flipped the properties to SchoolHouse Finance, a subsidiary and property acquisition arm of Imagine, for $665,000 more than he paid the district a matter of months earlier. As the owner of the general contracting company Samuel & Co., Glasser then made nearly $1 million more in profits and fees for rehabbing Imagine's newly acquired properties. The neoliberal state chipped in its part when the Missouri Department of Economic Development awarded Glasser nearly $500,000 in historic tax credits, which he then charged Imagine an additional $150,000 to apply.[33]

Imagine had no cause for alarm at Glasser's profiteering; it was all part of the plan. The EMO was flush with cash from a real-estate trust funded by Joseph E. Robert, Jr., an investor and "philanthropist" who made billions off distressed properties during the federal government's savings and loans crisis during the 1980s.[34] A Kansas City-based property management corporation called Entertainment Properties Trust owned Robert's trust (JERIT CS Fund I) along with 26 Imagine School, Inc. properties across the country. Acting through its subsidiary SchoolHouse Finance, Imagine sold its St. Louis schools to Entertainment Properties for ten times what it paid Glasser. Entertainment Properties then leased the buildings back to SchoolHouse Finance to extract rental income, which is why Imagine's St. Louis schools spent approximately 15-21 percent of its state revenues on rent. For comparison, a locally run charter, City Garden Montessori, spent less than 4 percent of its revenues on rent during the same year.[35] On top of the rent, Imagine extracts 12 percent of each school's annual revenues as operating costs and imposes a series of additional administrative fees.[36] With so much money meeting the needs of rent-seeking capitalists, comparatively little is left over for actually educating St. Louis's most impoverished students. It should come as no surprise that Imagine's state-mandated performance scores were some of the lowest in the city. I do not wish to suggest that student performance data is at all a reliable indicator of quality public education. It is, nonetheless, significant that Imagine spent so little on educating the 3,800 students in its six St. Louis schools it could not even afford to play the "accountability" game. When the state closed Imagine's St. Louis schools in 2012, it cited their poor performance rather than their property profiteering as the reason, effectively sending the message that the extraction and upward redistribution of millions of public education dollars is fine as long as it produces the "results" demanded by neoliberal public school accountability regimes.

St. Louis is exceptional only in the degree to which it lays bare the motives of neoliberal urban education reform. The notion that neoliberalism's penchant for deregulation and fractured

31. Elisa Crouch, "Imagine Schools Executive Named in Contractor's Bank Payments," *St. Louis Post-Dispatch*, October 30, 2011, http://www.stltoday.com/news/local/education/imagine-schools-executive-named-in-contractor-s-bank-payments/articlec1c363e4-b7fb-5d19-8f12-a592e5f7d3d3.html.

32. Elisa Crouch, "Imagine Schools' Real Estate Deals Fuel Company Growth," *St. Louis Post-Dispatch*, October 30, 2011, http://www.stltoday.com/news/local/education/imagine-schools-real-estate-deals-fuel-company-growth/article_dbf9b959-0c73-586c-97e7-6fca3a729b39.html.

33. Crouch.

34. Diana B. Henriques, "Joseph E. Robert Jr., Investor in Real Estate, Dies at 59," *New York Times*, December 8, 2011, http://www.nytimes.com/2011/12/09/business/joseph-e-robert-jr-investor-in-real-estate-dies-at-59.html.

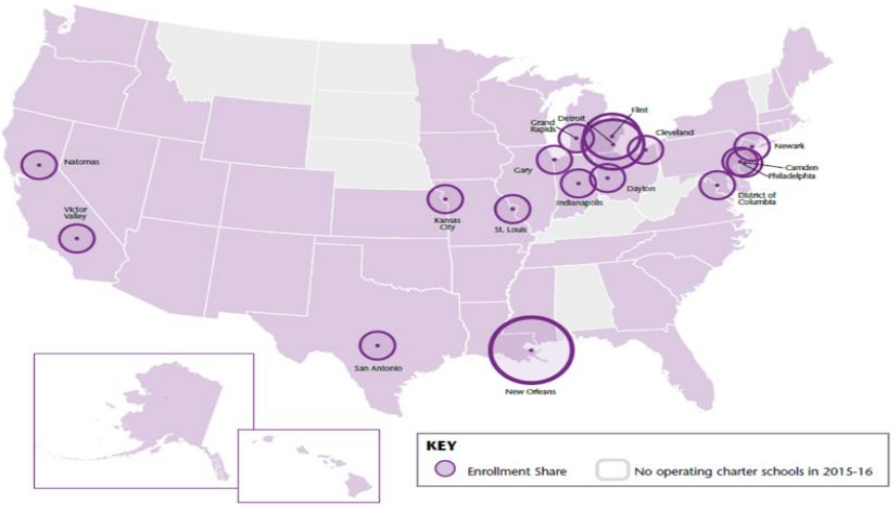
35. Crouch, "Imagine Schools' Real Estate Deals Fuel Company Growth."

36. Crouch.

local governance could combine with the singular interests of corporate capital and property developers to improve education for an impoverished and majority-black urban school district has proven a remarkably potent fantasy in St. Louis and the region. Public schools have always needed reform and are no different today, but neoliberalism has captured the political process to such a degree that the very idea of public education reform has become synonymous with privatization. Moving public education away from market influences will require not just the reformation of public education policy but the complete rejection of neoliberalism.

The political economic conditions that have made St. Louis ripe for plunder by property developers and entrepreneurial city officials resemble many other hypersegregated and deindustrialized Midwestern cities. These cities are also similarly saturated by charter schools. New Orleans is certainly the most drastic and most famous experiment in charter schooling as a function of disaster capitalism, but in terms of regional clustering, New Orleans is an outlier.[37] Of the seventeen cities with 30 percent or more public school students in charters, the Rust Belt claims over half, its regional dominance clearly illustrated in the following figure.[38]

Figure 1: Regional Clustering of Charter-Concentrated Districts



What precisely accounts for such stark clustering is difficult to say. Policy variations from state to state and even at the municipal level. Indiana, for example, is the only state that allows mayoral authorization of charter schools. From the passage of its charter law in 2001 to 2015, Indianapolis mayors alone authorized 25 charter schools.[39] The relative strength of teachers unions also certainly plays a role. With Kentucky and Missouri passing right-to-work legislation in 2017, Illinois is effectively surrounded. A current ballot initiative in Missouri will determine whether the state will implement right-to-work legislation passed in 2017. Anti-labor interests have been pushing

37. Buras, *Charter Schools, Race, and Urban Space: Where the Market Meets Grassroots Resistance*; Saltman, *Capitalizing on Disaster: Taking and Breaking Public Schools*.

38. National Alliance for Public Charter Schools, "A Growing Movement: America's Largest Charter Public School Communities and Their Impact on Student Outcomes," November 3, 2016, 8, http://www.publiccharters.org/get-the-facts/publications-research/.

39. Mark L. Stein, "Public School Choice and Racial Sorting: An Examinatino of Charter Schools in Indianapolis," *American Journal of Education* 121, no. 4 (August 2015): 606.

for years for Ohio to pass statewide right-to-work legislation, with the newest round of that battle expected in 2020. If such a measure passes, Illinois will be lone regional holdout. Despite the large number of charter school students in Chicago, the city's public school system has been able to resist the level of concentration seen in other Rust Belt cities. The strength of the Chicago Teachers Union and their recent history of using the strike effectively have been a factor. In contrast, Missouri law prohibited public sector unions from striking long before the state attempted to disempower workers further with right-to-work legislation. However, the success of Missouri's labor unions to stall and potentially thwart the implementation of Missouri's right-to-work law as well as the numerous examples of wildcat strikes by teachers in other areas of the country suggest the possibility of renewed strength and militancy from labor. As Bruce Baker has demonstrated, many of the Education Management Organizations driving charter school expansion "have been the subject of federal and state investigations and judicial orders regarding conflicts of interest (self-dealing) and financial malfeasance. These operators include Imagine Schools, Inc., White Hat Management, National Heritage Academies, and Concept Schools."[40] These organizations capitalize on favorable state and municipal relationships and exploit low-income, majority-minority urban school districts that have suffered from public disinvestment and political disempowerment for decades. This cycle of disinvestment followed by privatization is characteristic of neoliberalism's so-called socialism for the wealthy, wherein the poor are subject to austerity and the wealthy become the beneficiaries of state aid.

I have argued that "the Illinois problem" is a differentiated example of structural issues inherent to neoliberalism. The Midwest, which is uniquely beset by deindustrialization, suburbanization, and racial segregation, is a landscape ripe for charter school concentration among other means of upwardly redistributing public funds. To be clear, my argument is not that this is the *raison d'être* of all charters. Rather charter schooling's explosive growth is driven, at least in part, by the redistributive market opportunities inherent to this particular form of neoliberal education policy. The potential for charter schools to take on a radical or egalitarian mission certainly exists, but such schools will be isolated instances within a broader neoliberal movement funded and propelled by the dominant class interests and the politics of urbanization. What is necessary, therefore, is a means of taking counter-neoliberal tactics to scale. Strong labor organizing and a commitment to democratic institutions such as is found within the ranks of the Chicago Teachers Union is necessary but not sufficient. Nor is it sufficient to reflexively support traditional public schools as though they too are not sites of neoliberalization and class oppression. The larger and seemingly utopian task is moving urbanization away from capitalist accumulation and toward a form of political economy rooted in economic justice, distributed political power, and a robust notion of the common good. The path toward such a society is unclear. As it becomes easier to escape into consumerist fantasies, and as structural politics becomes increasingly obscured or altogether replaced by politics as spectacle and entertainment, the very concept of a common good or political economic justice becomes ever more elusive. Nonetheless, the necessity of anti-capitalist, anti-austerity politics centered on the universal right to dignity and protections against market forces persists in spite of the obstacles.

40. Bruce Baker, "Exploring the Consequences of Charter School Expansion in U.S. Cities" (Washington, DC: Economic Policy Institute, November 4, 2016), 2, http://www.epi.org/publication/exploring-the-consequences-of-charter-school-expansion-in-u-s-cities/#_ref14.

References

Baker, Bruce. "Exploring the Consequences of Charter School Expansion in U.S. Cities." Washington, DC: Economic Policy Institute, November 4, 2016. http://www.epi.org/publication/exploring-the-consequences-of-charter-school-expansion-in-u-s-cities/#_ref14.

Bourdieu, Pierre. "The Left Hand and the Right Hand of the State." *Variant*, Summer 2008.

Brown, Lisa R. "Goldman Sachs Buys Stake in McCormack Baron Salazar." *St. Louis Business Journal*, May 16, 2010. http://www.bizjournals.com/stlouis/stories/2010/05/17/story6.html.

Brown, Wendy. *Undoing the Demos: Neoliberalism's Stealth Revolution*. Brooklyn: Zone Books, 2015.

Buras, Kristen L. *Charter Schools, Race, and Urban Space: Where the Market Meets Grassroots Resistance*. New York: Routledge, 2015.

"Charter School Revenues, Expenditures and Transparency." Pennsylvania School Boards Association. Accessed August 4, 2017. https://www.psba.org/wp-content/uploads/2016/08/Charter-School-RtK-08172016.pdf.

Crouch, Elisa. "Imagine Schools Executive Named in Contractor's Bank Payments." *St. Louis Post-Dispatch*, October 30, 2011. http://www.stltoday.com/news/local/education/imagine-schools-executive-named-in-contractor-s-bank-payments/article_c1c363e4-b7fb-5d19-8f12-a592e5f7d3d3.html.

-----. "Imagine Schools' Real Estate Deals Fuel Company Growth." *St. Louis Post-Dispatch*, October 30, 2011. http://www.stltoday.com/news/local/education/imagine-schools-real-estate-deals-fuel-company-growth/article_dbf9b959-0c73-586c-97e7-6fca3a729b39.html.

Fraser, Nancy. "Contradictions of Capital and Care." *New Left Review* 100 (August 2016): 99–117.

Goodman, Robert. *The Last Entrepreneurs: America's Regional Wars for Jobs and Dollars*. New York: Simon and Schuster, 1979.

Gordon, Colin. *Mapping Decline: St. Louis and the Fate of the American City*. Philadelphia: University of Pennsylvania Press, 2008.

Harvey, David. *A Brief History of Neoliberalism*. New York: Oxford University Press, 2005.

-----. *Social Justice and the City*. Revised edition. Athens: University of Georgia Press, 2009.

-----. *Spaces of Global Capitalism: Towards a Theory of Uneven Geographical Development*. New York: Verso, 2006.

Heaney, Gerald W., and Susan Uchitelle. *Unending Struggle: The Long Road to an Equal Education in St. Louis*. St. Louis: Reedy Press, 2004.

Heathcott, Joseph. "Modelling the Urban Future: Planning, Slums, and the Seduction of Growth in St. Louis, 1940-1950." *Planning Perspectives* 20, no. 4 (October 2005): 369–87.

Henriques, Diana B. "Joseph E. Robert Jr., Investor in Real Estate, Dies at 59." *New York Times*, December 8, 2011. http://www.nytimes.com/2011/12/09/business/joseph-e-robert-jr-investor-in-real-estate-dies-at-59.html.

Lefebvre, Henri. *The Production of Space*. Translated by Donald Nicholson-Smith. Cambridge, MA: Blackwell, 1991.

-----. *Writings on Cities*. Edited by Elizabeth Lebas. Translated by Eleonore Kofman. Cambridge, MA: Blackwell, 1996.

Lipman, Pauline. *The New Political Economy of Urban Education: Neoliberalism, Race, and the Right to the City*. New York, NY: Routledge, 2011.

Lipman, Pauline, Eric Gutstein, Rhoda Rae Gutierrez, and Tirzah Blanche. "Should Chicago Have and Elected Representative School Board? A New Review of the Evidence." University of Illinois at Chicago: Collaborative for Equity & Justice in Education, February 2015. http://ceje.uic.edu/wp-content/uploads/2013/11/CEJE-ERSB-Report-2-16-15.pdf.

National Alliance for Public Charter Schools. "A Growing Movement: America's Largest Charter Public School Communities and Their Impact on Student Outcomes," November 3, 2016. http://www.publiccharters.org/get-the-facts/publications-research/.

Peck, Jamie, and Adam Tickell. "Neoliberalizing Space." In *Spaces of Neoliberalism: Urban Restructuring in North America and Western Europe*, edited by Neil Brenner and Nik Theodore, 33–57. Malden, MA: Blackwell, 2002.

Polanyi, Karl. *The Great Transformation*. Boston, MA: Beacon Press, 1954.

Saltman, Kenneth J. *Capitalizing on Disaster: Taking and Breaking Public Schools*. Boulder: Paradigm, 2007.

Schumpeter, Joseph A. *Capitalism, Socialism, and Democracy*. New York: Harper, 1942.

Spence, Lester K. *Knocking the Hustle: Against the Neoliberal Turn in Black Politics*. Brooklyn: Punctum Books, 2015.

Stein, Mark L. "Public School Choice and Racial Sorting: An Examinatino of Charter Schools in Indianapolis." *American Journal of Education* 121, no. 4 (August 2015): 597–627.

Thompson Coburn LLP. "William J. Kuehling." Accessed April 1, 2016. http://www.thompsoncoburn.com/people/find-a-professional/william-kuehling.aspx.

Tucci, Linda. "Strauss, Baron Heading Efforts for City's Alternative Schools." *St. Louis Business Journal*, February 16, 1997. http://www.bizjournals.com/stlouis/stories/1997/02/17/story4.html.

Volkmann, Kelsey. "St. Louis Schools Repeal Deed Restriction." *St. Louis Business Journal*, April 17, 2009. http://www.bizjournals.com/stlouis/stories/2009/04/13/daily86.html.

Wilson, D.J. "Demolition Man." *Riverfront Times*, July 9, 2003. http://www.riverfronttimes.com/stlouis/demolition-man/Content?oid=2465558.

Contributors

Ashley Paige Allen is a non-profit consultant with over 13 years of non-profit leadership experience. Her previous work includes serving as the Director of Postsecondary Programs at Horizons for Youth, an educational and social services non-profit in Chicago, IL and developing S.T.E.M education and workforce development programs within the biotech industry. She began her career as a food scientist for a market research company creating products for companies such as Wrigley, Pepsico and Kraft. Ashley has been a community organizer for 10 years advocating around the issues of affordable housing, homelessness and education. She helped draft and pass the Students in Temporary Living Situations policy which now provides educational support to over 20,000 Chicago Public School students. Most recently Ashley served as a consultant with the Barack Obama Foundation where she assisted in the planning and roll-out of the foundation's first major public initiatives and internship program. She holds a B.S. in Food Science from Florida A&M University, an M.P.A from Governors State University and is currently pursuing a Ph.D in Cultural and Educational Policy with a concentration in Sociology at Loyola University Chicago.

T. Jameson Brewer, Ph.D. is an Assistant Professor of Social Foundations of Education at the University of North Georgia. His teaching experience spans from the middle school, high school, undergraduate, masters, and doctoral levels. Broadly conceptualized, his research focuses on the impact of privatization and marketization of public education by way of school vouchers, charter schools, alternative teacher certification, and homeschooling. Follow him on Twitter: @tjamesonbrewer.

Jitu Brown, married and father of one child, is the national director for the Journey for Justice Alliance, a network of 37 grassroots community based organizations in 25 cities organizing for community driven school improvement; and he was formerly the education organizer for the Kenwood Oakland Community Organization (KOCO). In 2015, Jitu was the organizer and participant in the historic Dyett High School Hunger Strike, which lasted for 34 grueling days; and resulted in the re-opening of Dyett as an open-enrollment, neighborhood school with over $16 million in new investments. Follow him on Twitter: @brothajitu.

Nicholas J. Eastman teaches at Ripon College in Ripon, Wisconsin. His teaching and research interests include philosophy of education and political theory.

Michelle Strater Gunderson is a 32-year teaching veteran who teaches first grade in the Chicago Public Schools. An active unionist, she is the co-chair of the Caucus of Rank and File Educators and a trustee for the Chicago Teachers Union. Follow her on Twitter: @MSGunderson

Julian Vasquez Heilig, Ph.D. is an award-winning teacher, researcher, and blogger. He is currently a Professor of Educational Leadership and Policy Studies and the Director of the Doctorate in Educational Leadership at California State University Sacramento. He also serves as the California NAACP Education Chair. He blogs at Cloaking Inequity (which has been read in 192 countries by nearly a million people), consistently rated one of the top 50 education websites in the world by Teach100. Follow him on Twitter: @ProfessorJVH.

Jessica A. Heybach is Associate Professor in the School of Education and Human Performance at Aurora University (AU). She is currently the department chair of the EdD Programs at AU, and teaches graduate courses in educational research, curriculum studies, and ethics and philosophy in education. Her scholarly interests include questions of justice and equity in education, how conceptions of teacher neutrality influence curriculum and instruction, and how visual culture informs human understandings of injustice. Dr. Heybach has published in such journals as the Education Policy Analysis Archives, Educational Studies, Education and Culture, Critical Questions in Education, and Philosophical Studies in Education, and co-edited the book Dystopia and Education: Insights into Theory, Praxis, and Policy with Eric C. Sheffield. She is the past president of Ohio Valley Philosophy of Education Society and the past president of the Southeast Philosophy of Education Society.

Chris Higgins is Associate Professor of Philosophy of Education in the Department of Education Policy, Organization & Leadership at the University of Illinois at Urbana-Champaign, where he serves as Editor of *Educational Theory* and Co-Director of the "Learning Publics" initiative at the Center for Advanced Study. The author of *The Good Life of Teaching: An Ethics of Professional Practic*e (Wiley-Blackwell, 2011), he is currently completing a book entitled *Humane Learning: Essays on Integrity, Vocation, and Higher Education.*

Angela Kraemer-Holland taught secondary English and Spanish in high schools across Chicago. She received her undergraduate degrees in Secondary English Education and Spanish from the University of Wisconsin-Madison, and a Master's degree in Urban Education from National-Louis University in Chicago. She is currently a doctoral candidate in the Curriculum Studies department at DePaul University. Her research interests include teacher education and preparation, philosophy of education, and the implications of neoliberalism in public education.

Eric C. Sheffield is Professor and Chair of the Educational Studies Department at Western Illinois University (WIU). Prior to his arrival at WIU, Eric spent many years teaching at both the high school and university levels.

Becky L. Noël Smith has been involved in the field of education since 2002. As a former public school teacher, a mother, a community organizer, and through her academic work, she advocates for democratic policies and practices in the public's schools. She has the privilege of putting to use her teaching and learning experiences in her work with future teachers at California State University, Fresno. She maintains research interests in philosophy of education, history of education in the U.S., social theories, the aesthetic and moral dimensions of the craft of teaching, and the persistent struggle to make public schooling more humane.