The State of Public Schools in Post-Katrina New Orleans: The Challenge of Creating Equal Opportunity

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A Report by the Institute on Race and Poverty, at the University of Minnesota Law School*

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The Cowen Institute for Public Education Initiatives provided the Institute on Race and Poverty with extensive feedback on the report. Appendix 1 includes IRP's response to Cowen Institute's feedback.

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THE STATE OF PUBLIC SCHOOLS IN POST-KATRINA NEW ORLEANS:

THE CHALLENGE OF CREATING EQUAL OPPORTUNITY

EXECUTIVE SUMMARY

Charter schools in New Orleans have been hailed as the silver lining to Hurricane Katrina. The state of Louisiana used the hurricane as an opportunity to rebuild the entire New Orleans public school system, and launched the nation's most extensive charter school experiment. This report evaluates how this experiment has fared in providing quality education to all students of the public school system regardless of race, socioeconomic class, or where they live in New Orleans metropolitan area.

The reorganization of the city's schools has created a separate but unequal tiered system of schools that steers a minority of students, including virtually all of the city's white students, into a set of selective, higher-performing schools and another group, including most of the city's students of color, into a group of lower-performing schools. The extremely rapid growth of charter schools has not improved this pattern.

Segregation of students in the city and the metropolitan area is a cause for concern. Racial and economic segregation undermine the life chances and educational opportunities of low income students and students of color. School choice does not by itself empower students of color to escape this, especially when choice leads them to racially segregated, high-poverty schools.

The report argues that in order to guarantee equal educational opportunities to all of the region's students, the school system should take a more balanced, regional approach, including a renewed commitment to the city's traditional public schools and enhanced choices for students in the form of regional magnet schools and new inter-district programs.

FINDINGS FOR THE NEW ORLEANS METROPOLITAN AREA:

Public schools in the New Orleans metro continue to be racially and economically segregated despite the school reforms introduced post-Katrina.

- In 2009, three out of five schools in the New Orleans metropolitan area were non-white segregated while only around a third of all schools were integrated.[1]

[1] In this study, non-white segregated schools are defined as schools where the share of blacks, Hispanics or other students of color exceeds 50 percent or as schools with varying combinations of black, Hispanic, and other students of color with a share of white students less than 30 percent. In predominantly white schools, the share of each non-white group is smaller than 10 percent. Any school that is not non-white segregated or predominantly white (white segregated) is considered integrated.

- Overall, suburban schools were far more integrated than the schools in the city: more than 40 percent of suburban schools were integrated, while only 10 percent of city schools were integrated.

High racial segregation in city schools and modest but increasing levels of racial segregation in suburban schools means that most of the region's students of color attend school in a segregated setting.

- In 2009, 73 percent of all students of color in the region attended a non-white segregated school. In contrast, only 22 percent of white students in the region attended a white segregated school.
- Representing the overwhelming majority of students of color in the region, black students faced the highest levels of segregation both in the city and suburbs. In 2009, 78 percent of the black students in the New Orleans metro were still in segregated settings.
- In 2009, nearly half of Hispanic students and other students of color attended segregated schools.
- Even in the suburbs, nearly six out of ten students of color attended a non-white segregated suburban school.

Racial segregation is highly correlated with income segregation in the New Orleans metro.

- In 2009, 99 percent of the non-white segregated schools in the New Orleans metro met the standard definition for 'high poverty'—with free and reduced-price lunch eligible student rates above 40 percent.
- In 2009, 84 percent of the non-white segregated schools in the metro had 'very high poverty'—with free and reduced-price lunch eligible student rates above 75 percent. In contrast, only 23 percent of integrated schools in the metro had very high poverty.

Students of color are especially hurt by the metro's racial and economic segregation because they largely attend non-white segregated schools with high concentrations of poverty while white segregated schools tend to have low rates of poverty.

- In 2009, the average poverty rate in non-white segregated schools (68 percent) was twice the poverty rate (34 percent) in predominantly white schools in the New Orleans metro.
- Overall, 93 percent of all students of color attended a high-poverty school in the region in contrast to 65 percent of all white students.
- In 2009, students of color in the New Orleans region were nearly 3.5 times more likely to attend very high poverty schools than white students: 65 percent of all students of color in the region attended a very high poverty school compared to 19 percent of white students.
- Black students were most likely to be in very high poverty schools among all students of color: in 2009, 69 percent of them attended school in very high poverty schools, compared to 46 percent

of the Hispanic, 41 percent of the Asian, 43 percent of the American Indian students in the region.

FINDINGS FOR THE CITY OF NEW ORLEANS:

Rebuilding of the public school system in post-Katrina New Orleans has produced a five "tiered" system of public schools in which *not* every student in the city receives the same quality education.

- In the new system, public schools operate under five distinct governance structures that serve different student populations: Orleans Parish School Board (OPSB) traditional public schools (which educate 7 percent of the city's students); OPSB charter schools (20 percent); Recovery School District (RSD) traditional public schools (36 percent); RSD charter schools (34 percent); and Board of Elementary and Secondary Education (BESE) charter schools (2 percent).
- Public schools in this tiered system do not compete on a level playing field because schools in each sector operate under different rules and regulations.

The "tiered" system of public schools in the city of New Orleans sorts white students and a relatively small share of students of color into selective schools in the OPSB and BESE sectors, while steering the majority of low-income students of color to high-poverty schools in the RSD sector.

- In 2009, 87 percent of all white students in the city attended an OPSB or BESE charter school, while only 18 percent of black students did so.
- In contrast, 75 percent of black students attended an RSD school (charter or traditional public) in 2009, compared to only 11 percent of white students.
- Although nearly all schools in the city were high poverty, OPSB and BESE charters showed the lowest shares of high-poverty schools—67 and 50 percent—in the city. In contrast, nearly all RSD schools were high-poverty schools.

Racial and economic segregation hurt even the limited number of students of color who are in the OPSB and BESE sectors.

- Students of color were much more likely to attend a high-poverty school than white students in these two sectors. For instance, in 2009, students of color in OPSB charter schools were nearly 12 times more likely to attend a high-poverty OPSB school than white students.

PERFORMANCE OF PUBLIC SCHOOLS IN THE NEW ORLEANS METROPOLITAN AREA:

The "tiered" system of public schools in the metro creates a tiered performance hierarchy and sorts white students and a minority of students of color into higher performing schools while restricting the majority of low income students of color into lower performing schools.

- School performance varies significantly across OPSB, RSD, BESE and suburban schools but not so much between charter and traditional schools.
- OPSB schools rank highest for the most part followed by BESE and suburban schools, with RSD schools lagging behind.

School performance varies significantly across sectors because schools in each sector do not compete on a level playing field.

- OPSB and BESE schools in the city provide some of the most advantageous educational settings in the region. However, they do so mostly by skimming the easiest-to-educate students through selective admission requirements that allow them to set explicit academic standards for incoming students. They also shape their student enrollments by using their enrollment practices, discipline and expulsion practices, transportation policies, location decisions, and marketing and recruitment efforts. These practices certainly contribute to the selective student bodies and superior performance of these schools.
- Suburban public schools—charters and non-charters—also provide good educational settings and outcomes. Suburban traditional schools are less likely to be segregated by race or income and test scores reflect this.
- RSD charter schools still skim the most motivated public students in the RSD sector despite lacking the selective admission requirements OPSB and BESE charters have. They do so by using their enrollment practices, discipline and expulsion practices, transportation policies, location decisions, and marketing and recruitment efforts. These practices almost certainly work to increase pass rates in RSD charters compared to their traditional counterparts.
- As a result of rules that put RSD traditional schools at a competitive disadvantage, schools in this sector are reduced to 'schools of last resort.' This sector continues to educate the hardest-to-educate students in racially segregated, high-poverty schools.

School performance varies much less between charter and traditional schools in each sector.

- OPSB and suburban charter schools do not outperform their traditional counterparts.
- RSD charter schools do outperform RSD traditional public schools but the margins are modest and are narrowing for fourth graders.

POLICY RECOMMENDATIONS:

1. **Charter schools cannot be the only institution providing public education and choice in the city of New Orleans.**

The charter school sector in the city of New Orleans has been growing in a haphazard way in response to strong financial incentives and not because of their superior educational performance. The increasingly charterized public school system has seriously undermined equality of opportunity among public school

students, sorting white students and a small minority of students of color into better performing OPSB and BESE schools, while confining the majority of low-income students of color to the lower performing RSD sector.

There are also indications that the recent rapid growth in the charter sector cannot continue. Charter proponents in New Orleans acknowledge that the charter system is already saturated as the public school system now approaches its full capacity. The capacity of the charter system to serve public students in New Orleans is already strained and is likely to erode as the post-Katrina aid to the city of New Orleans declines.

Moreover, there are good reasons to believe that, in the long run, a fully charterized system is not sustainable. Recent studies raise serious questions about the ability of charter schools and charter management organizations to scale up as dramatically as their supporters might hope. In addition, the underlying characteristics of the charter system and experiences in other parts of the country imply that the accountability usually demanded of programs using tax money will eventually become a problem, either in the form of increasing administrative costs for the system or financial irregularities.

Despite these issues, the charter system in New Orleans is gearing up to grow even further. With the help of new legislation that facilitates the expansion of the charter sector, publicly funded charter schools are expected to outnumber traditional public schools by three-to-one by 2012. At this point, the continuing expansion of the charter sector is jeopardizing the very existence of the traditional public sector in the city. This type of predatory expansion runs counter to the promise of expanding school choice for New Orleans parents. When charter schools become the only option, rather than being one among many, choice options are narrowed for students.

In light of all these arguments, it is time to reevaluate the decision to rely exclusively on charter schools in providing education to public students in the city of New Orleans and to expand the portfolio of strategies used for restructuring the system in the aftermath of Katrina. This is an opportune time to slow down the planned expansion of the charter sector, take stock of where the public school system is, and reevaluate where the entire public school system needs to be.

2. Renew the system's commitment to the RSD traditional public sector.

An improving traditional public school sector should remain as part of an expanded portfolio of choices available to the city's students. The current playing field is clearly not level. This report documents the rules and practices that put RSD traditional schools, which educate 36 percent of the city's students (the majority low-income students of color), at a competitive disadvantage. OPSB and BESE schools as well as RSD charters have the power to tailor their student populations in ways that RSD traditional schools cannot. Despite this, performance in RSD traditional schools is improving. But RSD traditional schools cannot continue to improve if they remain 'schools of last resort'. The district must be as committed to improving these schools as it is to the rapidly expanding charter sector. Traditional schools must be provided the resources needed to continue their improvement. For instance, making sure that RSD traditional schools have access to a sufficiently experienced teacher pool would be an important step in this direction.

3. Reinvest in magnet schools as an alternative school choice strategy.

School choice does not necessarily have to undermine equality of opportunity in urban school districts. School choice could in fact reduce existing inequalities in access to high-quality education if it is provided through choice strategies that promote racial and economic integration. Such strategies are also proven to be effective in reducing existing gaps between the performances of white students and students of color. It is not a coincidence that the most successful school sectors in the New Orleans metro area are also the most integrated ones.

Expansion of school choice through magnet schools is one such strategy. Originally, magnet schools were designed to use incentives rather than coercion to create desegregation in the public school system. This original intent empowered magnet schools with strong civil rights protections such as good parent information/outreach, explicit desegregation goals, free transportation, and in most cases, open admission processes. Many magnets were extremely popular and successful schools and served as effective tools for voluntary integration. In fact, many of the most successful schools in the city of New Orleans (schools that are currently in the OPSB sector) started as magnet schools and are still magnets. Over time, many magnets lost their original desegregation mechanisms for a number of reasons. If their desegregation mechanisms are restored, magnet schools can resume their role in providing successful educational outcomes, parental choice and integration simultaneously.

The presence of a large private school sector—with its nearly 18,500 students (over 10,000 white) — in the city of New Orleans represents an opportunity for magnet schools as much as it does for charter or traditional schools. High-quality, reputable magnet schools have worked to attract white students to urban public schools in many parts of the country. High-quality magnet schools have also succeeded in New Orleans in the past. They could certainly be an enticing option for many parents, white or black, who are now spending money on private schooling. By locating high-quality magnet schools near job centers in the city, the traditional public school system in the city of New Orleans could also make magnet schools an enticing option for many suburban parents who work in the city. By placing magnet schools in locations that are convenient to urban and suburban parents, the system could further enhance the viability of magnet schools, making them an additional instrument of school choice in the city of New Orleans.

4. Make region-wide efforts to expand the choices available to students and parents.

It is unrealistic to expect magnet, charter or traditional schools in the city to fully integrate the city's public schools. Students of color make up 95 percent and free and reduced-price lunch eligible students constitute 83 percent of the students in the New Orleans public school system. These demographics make it impossible to racially and economically integrate the city schools in isolation. However, over 10,000 white students in the city of New Orleans attend private schools and many of the 18,500 private school students in the city are likely to be middle-class—presenting an additional opportunity to further integrate the city's schools.

The city must also look outward toward the rest of the New Orleans metropolitan area if it wishes to truly integrate its schools. The regional data show that cooperative efforts between the city and its

suburbs provide the potential for a much more integrated system. In 2009, there were three times as many students in suburban public schools as in the city system. The racial and income mix of the full regional school system clearly provides much more potential for integration efforts than the city alone. An effective regional system would also be likely to fare better in competition with the private system than the city alone. The important point is that, even as daunting as the raw numbers appear to be, there are realistic options available to integrate public schools in the city.

One approach is to actually combine operations with suburban areas. Large-scale, nearly region-wide school systems in Louisville, Kentucky and Raleigh, North Carolina provide good examples of this. In these areas, the city school districts consolidated with the surrounding districts into a single county-wide district.

Voluntary inter-district transfer programs that enable low-income students to transfer to low-poverty schools in suburban school districts can also be an important part of a metropolitan portfolio of school choice. Suburban schools in the New Orleans metropolitan area, which tend to be less racially segregated with lower poverty than their city counterparts, offer good educational outcomes and life opportunities to low-income students and students of color. An example of a voluntary inter-district program that promotes racial and economic integration in the public school system is already in place in the Twin Cities metropolitan area.

Voluntary inter-district transfer programs involving high-quality suburban schools can also be a great complement to magnet schools in urban areas. The two choice options can work together to reduce racial and economic segregation in a region's public schools. An example comes from St. Louis Public Schools in Missouri—a public school district with a student body very similar to New Orleans'. In St. Louis, the district established a very successful voluntary inter-district program that promotes racial and economic integration in the public school system in response to a court order to desegregate its schools. The program provides for the voluntary transfer of city students into suburban districts and suburban students into magnet schools in the city. Around a quarter of the district's student body take advantage of the program.

The program has been very successful in terms of boosting graduation and college attendance rates among participating students. Students who participate in the program graduated at rates double those in the city schools they would have otherwise attended and 77 percent of the program participants attended two or four year colleges—significantly above the statewide average of 47 percent for students of color. When combined with magnet schools voluntary inter-district programs could not only reduce the racial and economic segregation of public school students at the regional level but also ameliorate the unacceptable opportunity gap that exists between white students and students of color in the New Orleans metropolitan area.

I. INTRODUCTION AND SUMMARY

Charter schools in New Orleans have been hailed as the silver lining to Hurricane Katrina. The state of Louisiana used the hurricane as an opportunity to rebuild the entire New Orleans public school system, considered among the worst in the nation, and launched the nation's most extensive charter school experiment. The state's rebuilding efforts focused on charter schools not only as the primary means of expanding school choice in the public school system but also as a means of holding failing traditional public schools accountable at the district level. This report evaluates how this experiment has fared in providing quality education to all students of the public school system regardless "of race, socioeconomic class, or where they live in New Orleans."[1]

Using charter schools as the primary means to rebuild the public school system in post-Katrina New Orleans has produced a "tiered" system of public schools in which *not* every student in the city receives the same quality education. In the new system, public schools operate under five distinct governance structures that serve different student populations: Orleans Parish School Board (OPSB) traditional public schools; OPSB charter schools; Recovery School District (RSD) traditional public schools; RSD charter schools; and Board of Elementary and Secondary Education (BESE) charter schools. Public schools in New Orleans do not compete on a level playing field because schools in each sector operate under different rules and regulations.

The initial growth of the charter sector in the city of New Orleans dates back to 2003, when the Louisiana legislature passed the Recovery School District Act (RSDA), which authorized a state takeover of "failing" New Orleans Public Schools. After Hurricane Katrina struck in 2005, the legislature enabled the RSD take-over of the majority of traditional public schools in the city of New Orleans by relaxing the definition of "failing." Currently, two school systems—the OPSB and the RSD—educate most students in New Orleans while the BESE continues to run two charter schools.

Public schools in the New Orleans metropolitan area continue to be racially and economically segregated.

In 2009, three out of five schools in the New Orleans metropolitan area were non-white segregated, while only around a third of all schools were integrated.[2] Overall, suburban schools were far more integrated than the schools in the city—90 percent of city schools were non-white segregated while more than 40 percent of suburban schools were integrated.

High racial segregation in city schools and modest but increasing levels of racial segregation in suburban schools meant that most of the region's students of color attended school in a segregated setting. In 2009, nearly three quarters of all students of color in the region attended a non-white segregated school. Similarly, half of Hispanic students, and nearly half of Asian students attended segregated schools. Even in the suburbs, nearly six out of ten students of color attended a non-white segregated suburban school. In contrast, nearly two-thirds of white students—most of them in the suburbs—attended integrated schools.

Racial segregation hurts students of color disproportionately by steering them to high-poverty schools.

Attending racially segregated schools hurts students of color because virtually all non-white segregated schools in the region have very high concentrations of poverty compared to predominantly white or integrated schools. High-poverty schools fail to provide an environment that is conducive to quality education. They are associated with a wide range of negative educational and life outcomes, including low test scores, high dropout rates, low college attendance rates, low earnings later in life, and greater risk of being poor as adults.

In 2009, the average poverty rate in non-white segregated schools (68 percent) was twice the poverty rate (34 percent) in predominantly white schools in the New Orleans metro. Almost all non-white segregated schools in the region in 2009 were high-poverty schools. As a result, students of color were far more likely to attend high-poverty schools. In 2009, students of color in the New Orleans region were nearly 3.5 times more likely to attend very high-poverty schools—schools with more than 75 percent of students eligible for free or reduced-price lunch—than white students. Overall, nearly two thirds of all students of color attended very high-poverty schools in 2009 while less than a fifth of white students did so.

The "tiered" system of public schools in the city of New Orleans sorts students of color into high-poverty schools and sectors.

The "tiered" system of public schools in the city of New Orleans sorts white students and a relatively small share of students of color into selective schools in the OPSB and BESE sectors, while confining the majority of low-income students of color to the lower performing schools in the RSD sector. In 2009, nearly 90 percent of all white students attended an OPSB or BESE charter, while only a fifth of black students did so. Although nearly all schools in the city are high-poverty, OPSB and BESE charters showed the lowest shares of high-poverty schools—67 and 50 percent, respectively. In contrast, nearly three quarters of all black students attended an RSD school (charter or traditional) while only about one tenth of white students did so. Nearly all RSD schools were high-poverty schools.

As low-income residents of the city finally returned to New Orleans, the city experienced a sudden influx of low-income students from 2007 to 2009, resulting in a rapid increase in the city's student poverty rate from 69 percent in 2007 to 85 percent in 2009. However, RSD schools absorbed the overwhelming majority of this increase. OPSB and BESE charters saw little if any increase in poverty rates. In 2007, all five school sectors were educating their share of poor students: the average student poverty rates in all sectors were within a few points of the city average of 69 percent. In 2009, however, the average student poverty rates in OPSB charters and BESE charters—at 66 and 70 percent, respectively—were well below the city average of 85 percent. OPSB and BESE charters clearly exercised some control over their student intake through selective admission requirements, managing not to take in their fair share of the city's free and reduced-price lunch eligible students.

Even the limited numbers of students of color who got into the high-performing school sectors were hurt by the racial and economic segregation. In both OPSB and BESE charter sectors, students of color

were much more likely to attend a high-poverty school than white students. Students of color in OPSB charter schools were nearly 12 times more likely to attend a high-poverty school than white students in that sector.

School performance varies significantly across OPSB, RSD, BESE, and suburban schools but not so much between charter and traditional schools

The "tiered" system of public schools creates a tiered performance hierarchy. School performance in New Orleans schools differs across sectors—OPSB schools compared to RSD, BESE and suburban schools—much more than it does between charters and traditional schools. OPSB schools rank highest for the most part followed by BESE and suburban schools, with RSD schools lagging behind.

OPSB and BESE schools in the city provide some of the most advantageous educational settings in the region. However, they do so mostly by skimming the easiest-to-educate students through selective admission requirements that allow them to set explicit academic standards for incoming students. Suburban public schools—charters and non-charters—also provide good educational settings and outcomes. Suburban traditional schools are less likely to be segregated by race or income and test scores reflect this.

Performance varies much less between charter and traditional schools. OPSB and suburban charter schools do not outperform their traditional counterparts. RSD charter schools do outperform RSD traditional public schools but the margins are modest and are narrowing for fourth graders. (These comparisons control for differences in school demographics.)

Charter schools in New Orleans use their admission requirements, enrollment processes, discipline and expulsion practices, transportation policies, location decisions, and marketing or recruitment efforts to shape their student bodies. These practices almost certainly work to increase pass rates in charter schools, all else equal, compared to traditional schools. In addition, since virtually all charters in New Orleans are less than five years old, burnout is probably not yet an extensive problem, implying that maturation effects are still likely to be working in their favor.

What this means is that the relatively modest performance advantages for RSD charter schools seen in the 2009 data are likely to erode as the charter system matures and continues to expand. As the charter school share of enrollments grows, charters will no longer be able to use selection practices to limit enrollments to the most motivated students and parents, and, as charter schools age, the persistently demanding work schedules of charter school teachers and staff will likely make burnout among teachers and staff a potential district-level problem.

Both of these trends are likely to eliminate the relatively modest performance advantages seen in the RSD charter schools. What will be left are the more substantial differences between RSD schools and their OPSB and suburban counterparts. In the long term, finding ways to effectively merge these systems offers the greatest opportunities for bringing city students presently in low-performing schools to higher-performance learning environments.

Policy Recommendations

Charter schools cannot be the only institution providing public education and school choice in the city of New Orleans.

The charter school sector in the city of New Orleans grew rapidly as a result of the coordinated efforts of a number of charter school proponents, in response to strong financial incentives (from the federal government and the philanthropic community), and not necessarily because of superior educational performance by charters.[3] The overall performance of the charter sectors within the five-tiered system of public education in New Orleans has so far fallen short of expectations in a number of ways. The increasingly charterized public school system has seriously undermined equality of opportunity among public school students, sorting white students and a small minority of students of color into better performing OPSB and BESE schools, while confining the majority of low-income students of color to the lower performing RSD sector.

There are also indications that the recent rapid growth in the charter sector cannot continue. Some observers argue that the charter system is already saturated. There are also good reasons to believe that, in the long run, a fully charterized system is not sustainable. Recent studies raised serious questions about the ability of charter schools and charter management organizations to scale up as dramatically as their supporters might hope. The capacity of the charter system to serve public students in New Orleans is already strained and is likely to erode as the post-Katrina aid to the city of New Orleans declines. In addition, the underlying characteristics of the charter system and experiences in other parts of the country imply that the accountability usually demanded of programs using tax money will eventually become a problem, either in the form of increasing administrative costs for the system or financial irregularities.

Despite these issues, the charter system in New Orleans is gearing up to grow even further. With the help of new legislation that facilitates the expansion of the charter sector, publicly funded charter schools are expected to outnumber traditional public schools by three-to-one by 2012. At this point, the continuing expansion of the charter sector is jeopardizing the very existence of the traditional public sector in the city. This type of predatory expansion runs counter to the promise of expanding school choice for New Orleans parents. When charter schools become the only option, rather than being one among many, choice options are narrowed for students.

In light of all these arguments, it is time to reevaluate the decision to rely exclusively on charter schools in providing education to public students in the city of New Orleans and to expand the portfolio of strategies used for restructuring the system in the aftermath of Katrina. This is an opportune time to slow down the planned expansion of the charter sector, take stock of where the public school system is, and reevaluate where the entire public school system needs to be.

Renew the system's commitment to the RSD traditional public sector.

An improving traditional public school sector should remain part of an expanded portfolio of choices available to the city's students. The current playing field is clearly not level. This report documents the

rules and practices that put RSD traditional schools, which educate 36 percent of the city's students (the majority low-income students of color), at a competitive disadvantage. OPSB and BESE schools as well as RSD charters have the power to tailor their student populations in ways that RSD traditional schools cannot. Despite this, performance in RSD traditional schools is improving. However, RSD traditional schools cannot continue to improve if they remain 'schools of last resort'. The district must be as committed to improving these schools as it is to the rapidly expanding charter sector. Traditional schools must be provided the resources needed to continue their improvement. For instance, making sure that RSD traditional schools have access to a sufficiently experienced teacher pool would be an important step in this direction.

Reinvest in magnet schools as an alternative school choice strategy.

School choice does not necessarily have to undermine equality of opportunity in urban school districts. School choice could in fact reduce existing inequalities in access to high-quality education if it is provided through choice strategies that promote racial and economic integration. Such strategies are also proven to be effective in reducing existing gaps between the performances of white students and students of color. [4] It is not a coincidence that the most successful school sectors in the New Orleans metro area are also the most integrated ones.

Expansion of school choice through magnet schools is one such strategy. Originally, magnet schools were designed to use incentives rather than coercion to create desegregation in the public school system. This original intent empowered magnet schools with strong civil rights protections such as good parent information/outreach, explicit desegregation goals, free transportation, and in most cases, open admission processes. Many magnets were extremely popular and successful schools and served as effective tools for voluntary integration. In fact, many of the most successful schools in the city of New Orleans (schools that are currently in the OPSB sector) started as magnet schools and are still magnets. Over time, many magnets lost their original desegregation mechanisms for a number of reasons. If their desegregation mechanisms are restored, magnet schools can resume their role in providing successful educational outcomes, parental choice, and integration simultaneously.

The presence of a large private school sector—with its nearly 18,500 students (over 10,000 white) — in the city of New Orleans represents an opportunity for magnet schools as much as it does for charter or traditional schools. High-quality, reputable magnet schools have worked to attract white students to urban public schools in many parts of the country. High-quality magnet schools have also succeeded in New Orleans in the past. They could certainly be an enticing option for many parents, white or black, who are now spending money on private schooling. By locating high-quality magnet schools near job centers in the city, the traditional public school system in the city of New Orleans could also make magnet schools an enticing option for many suburban parents who work in the city. By placing magnet schools in locations that are convenient to urban and suburban parents, the system could further enhance the viability of magnet schools, making them an additional instrument of school choice in the city of New Orleans.

Ensuring that magnet schools in the city of New Orleans have strong desegregation mechanisms in place should be an essential part of any school choice strategy involving magnets. This is especially crucial in light of the recent finding that "magnet schools located in districts with nearby charter schools were more likely to report decreasing levels of integration than districts without charter school alternatives."[5]

Make region-wide efforts to expand the choices available to students and parents.

It is unrealistic to expect magnet, charter or traditional schools in the city to fully integrate the city's public schools. Students of color make up 95 percent and free and reduced-price lunch eligible students constitute 83 percent of the students in the New Orleans public school system. These demographics make it impossible to racially and economically integrate the city schools in isolation. However, over 10,000 white students in the city of New Orleans attend private schools and most of the nearly 19,000 private school students in the city are likely to be middle-class—presenting an additional opportunity to further integrate the city's schools.

The city must also look outward toward the rest of the New Orleans metropolitan area if it wishes to truly integrate its schools. The regional data show that cooperative efforts between the city and its suburbs provide the potential for a much more integrated system. In 2009, there were three times as many students in suburban public schools as in the city system. The racial and income mix of the full regional school system clearly provides much more potential for integration efforts than the city alone. An effective regional system would also be likely to fare better in competition with the private system than the city alone. The important point is that, even as daunting as the raw numbers appear to be, there are realistic options available to integrate public schools in the city.

One approach is to actually combine operations with suburban areas. Large-scale, nearly region-wide school systems in Louisville, Kentucky and Raleigh, North Carolina provide good examples. In these areas, the city school districts consolidated with the surrounding districts into a single county-wide district.

Voluntary inter-district transfer programs that enable low-income students to transfer to low-poverty schools in suburban school districts can also be an important part of a metropolitan portfolio of school choice. Suburban schools in the New Orleans metropolitan area, which tend to be less racially segregated with lower poverty than their city counterparts, offer good educational outcomes and life opportunities to low-income students and students of color. An example of a voluntary inter-district program that promotes racial and economic integration in the public school system is already in place in the Twin Cities metropolitan area.[6]

The Choice is Yours Program in the Twin Cities was created in 2000 in response to a lawsuit filed on behalf of the children enrolled in Minneapolis public schools. The program has an inter-district student transfer component under which children of Minneapolis residents who qualify for free or reduced-cost lunch programs are eligible for priority placement in participating schools in eight suburban school districts that surround Minneapolis. At the beginning of the 2005-2006 school year, 1,680 Minneapolis students were enrolled in the program. A majority of these students had previously attended racially segregated overwhelmingly poor Minneapolis schools.

Students who participated in the program in its early years experienced significant achievement gains. While the legal settlement that resulted in the Choice is Yours program expired in June 2005, the inter-district transfer component of the program still continues to operate, thanks to its popularity, under the West Metro Education Program's comprehensive desegregation plan. Suburban school districts participating in the program have been receptive to incoming low-income students for two reasons. The program helps them maintain enrollments and brings them extra state aid.

Voluntary inter-district transfer programs involving high-quality suburban schools can also be a great complement to magnet schools in urban areas. The two choice options can work together to reduce racial and economic segregation in a region's public schools. An example comes from St. Louis Public Schools in Missouri—a public school district with a student body very similar to New Orleans'.[7]

The district established a very successful voluntary inter-district program that promotes racial and economic integration in the public school system in response to a court order to desegregate its schools. The program provides for the voluntary transfer of city students into suburban districts and suburban students into magnet schools in the city.[8] Around a quarter of the district's student body takes advantage of the program.[9] The program has been very successful in boosting graduation and college attendance rates among participating students. Students who participate in the program graduated at rates double those in the city schools they would have otherwise attended and 77 percent of the program participants attended two or four year colleges—significantly above the statewide average of 47 percent for students of color.[10]

When combined with magnet schools, voluntary inter-district programs could not only reduce the racial and economic segregation of public school students at the regional level but also ameliorate the unacceptable opportunity gap that exists between white students and students of color in the New Orleans metropolitan area.

II. RACE AND POVERTY IN METROPOLITAN SCHOOLS

Schools in the New Orleans metropolitan area are highly segregated. Students of color represent 95 percent of the student body in city schools compared to 50 percent in the suburbs. Virtually all of the city's schools are non-white segregated while nearly half of suburban schools are integrated. Three quarters of students of color in the region attend segregated schools compared to only 22 percent of white students. Race and income are closely correlated. As a result, racial segregation hurts students of color more than white students, concentrating them in very high poverty schools. In 2009 students of color were much more likely to attend schools with very high poverty rates—65 percent of students of color attended schools with free and reduced-price eligibility rates in excess of 75 percent, compared to 19 percent of white students.

Despite the massive displacement caused by Hurricane Katrina in 2005, the student demographics of the New Orleans metropolitan area in 2009 looked only slightly different from that of 2004 (Table 1).[11] Overall the percentage of public school students who were white increased a little from 35 percent in 2004 to 39 percent in 2009. In contrast, the region's share of black students declined from 59 percent in

2004 to 52 percent in 2009.[12] The region's Hispanic student share went up slightly from 4 percent in 2004 to 6 percent in 2009, reflecting the arrival of nearly 2,000 new Hispanic students. The share of other students of color—mostly Asian/Pacific Islanders and a few American Indians—remained pretty much the same in this period.

In 2009, the schools in the urban core of the region were largely students of color, with most schools in the city showing shares greater than 90 percent (Map 1). Many suburban schools also had substantial shares of students of color, especially in areas close to the city of New Orleans. The distribution of poor students—measured by eligibility for free and reduced-price lunches—mirrored the distribution of students of color (Map 2). Most schools in the city had poverty rates in excess of 80 percent, but there were also substantial numbers of poor students in suburban schools (Map 2).

Table 1: The Racial and Economic Breakdown of Students in City and Suburban Public Schools in the New Orleans Region

	City		Suburbs		All Public Schools	
	2004	2009	2004	2009	2004	2009
White	4	5	53	50	35	39
Black	93	90	39	39	59	52
Hispanic	1	2	5	7	4	6
Other	2	2	3	4	3	3
Free and Reduced-Price Lunch Eligible	75	85	58	62	64	68

Source: NCES and Louisiana Department of Education

Black students were far more concentrated in the city of New Orleans than white, Hispanic or other students of color both before and after Katrina (Table 1). City schools were more than 90 percent black in both 2004 and 2009. Hispanic and other students of color were largely in suburban schools. In 2009, 43 percent of the black students in the region attended school in the city of New Orleans, compared to only 9 percent of Hispanic students and 17 percent of other students of color.

Overall, the number of free and reduced-price lunch eligible students in the region declined 19 percent from 121,719 in 2004 to 98,300 in 2009. However, total enrollments declined even more, resulting in an increase in student poverty rates in both the city and the suburbs—from 75 to 85 percent in the city and from 58 to 62 percent in the suburbs (Table 1). Although poverty rates are clearly higher in the city, poverty was prevalent across the region. Poor students in suburban school districts actually outnumbered those in city schools in both years. In 2009, 69 percent of the region's poor students attended school in suburban school districts—compared to 57 percent who did so in 2004.

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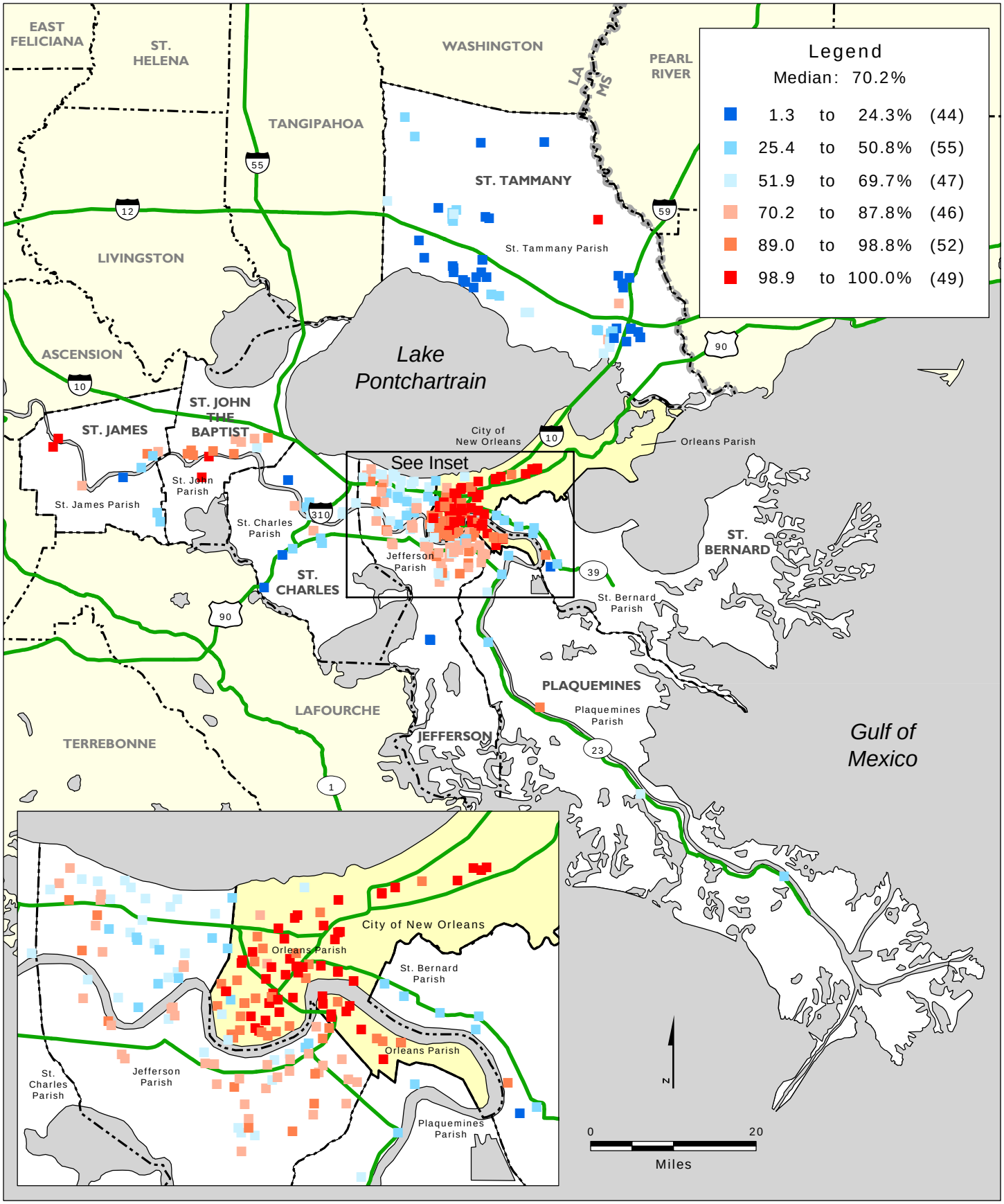
Map 1: NEW ORLEANS REGION: Percentage **of** Students of Color by School, 2009



Data Source: Louisiana Department of Education, National Center for Education Statistics.

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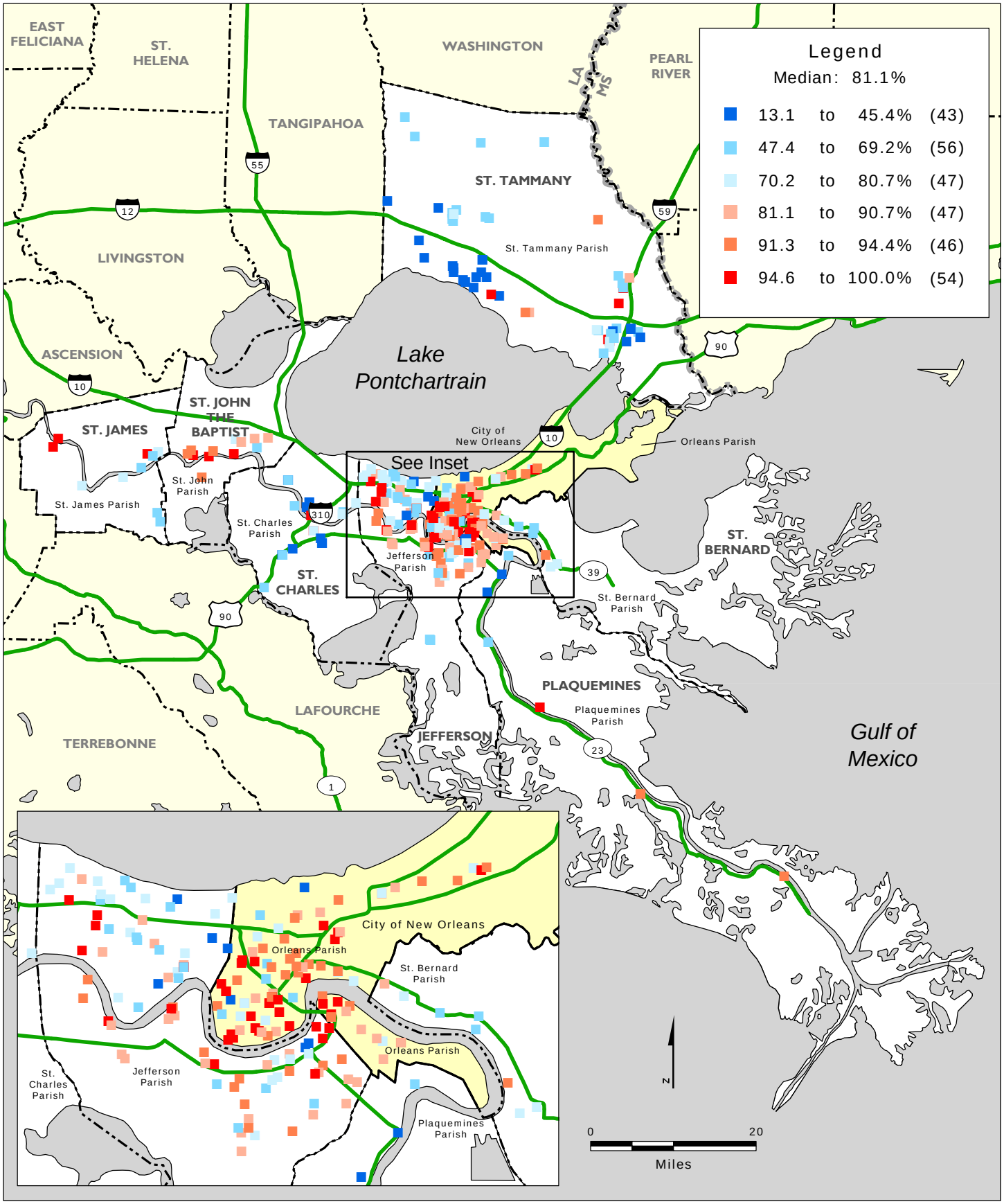
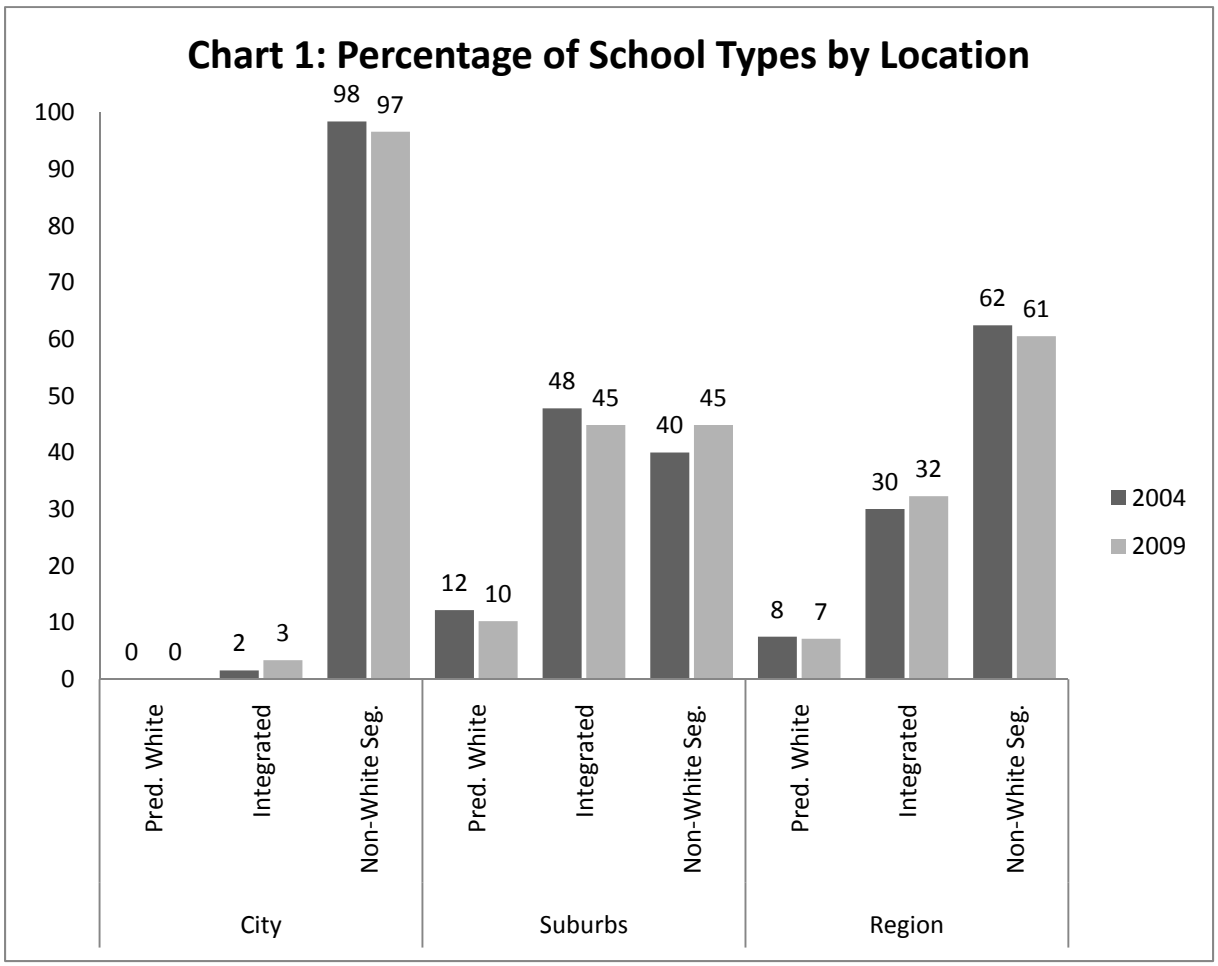
Map 2: NEW ORLEANS REGION: Percentage of Students Eligible for Free or Reduced Price Lunch by School, 2009



Data Source: Louisiana Department of Education, National Center for Education Statistics.

The pattern of racial segregation in schools did not change much between 2004 and 2009 either (Maps 3 and 4). City schools remained mostly non-white segregated, while predominantly white and integrated schools were dispersed across the suburbs.[13] Region-wide, three out of five schools were non-white segregated and about a third of schools were integrated in both years (Chart 1). The share of predominantly white schools hovered around 10 percent during the period. Overall, suburban schools remained far more integrated than city schools. Nearly half of suburban schools were integrated during this period, while more than 90 percent of city schools were non-white segregated.

Although the racial composition of schools did not change a great deal, suburban schools showed a modest increase in segregation post-Katrina. Although the number of predominantly white segregated schools declined slightly—from 25 (12 percent of suburban schools) to 21 (10 percent)—the number of non-white segregated schools increased by more—from 82 (40 percent) to 92 (45 percent).



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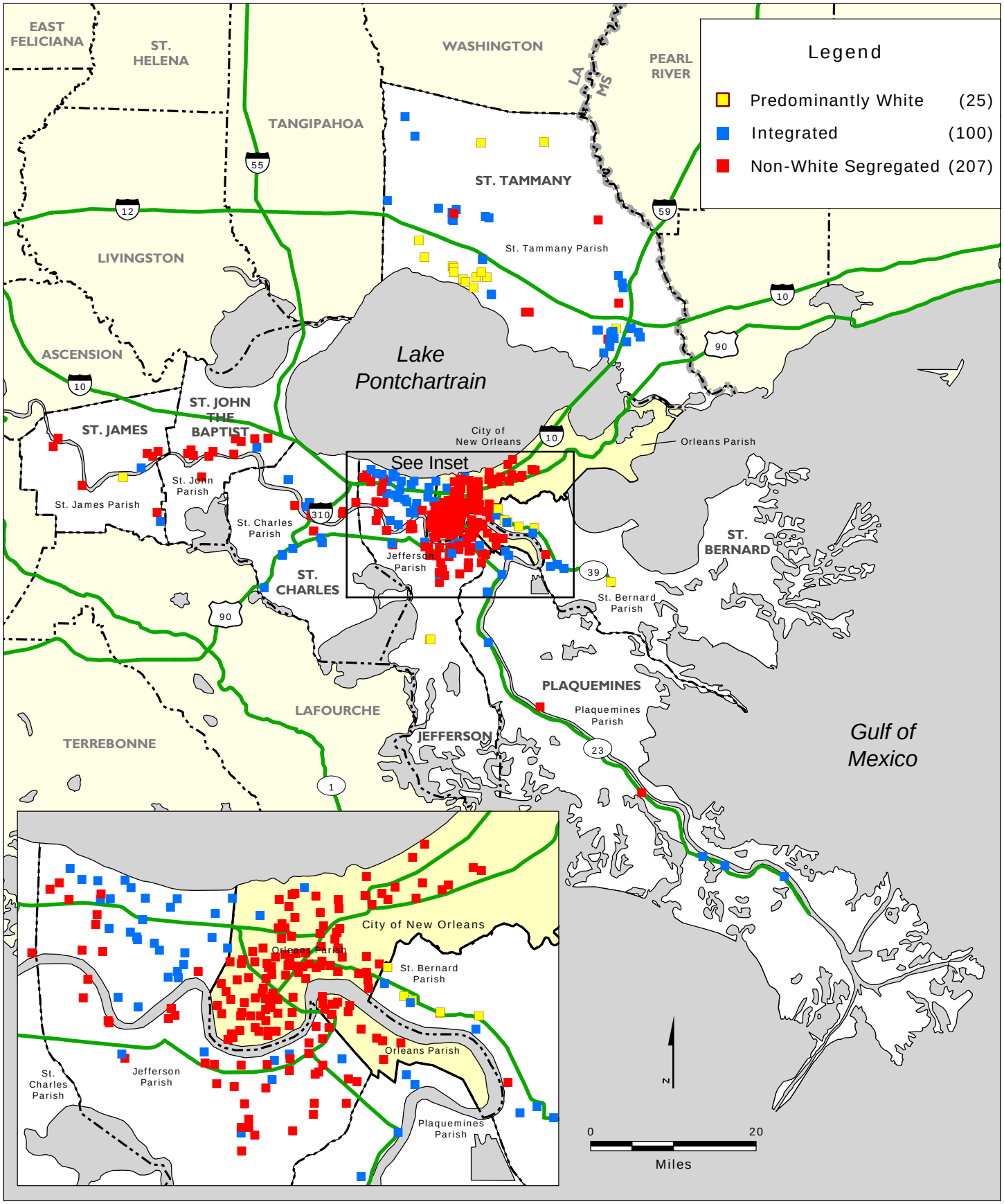
Map 3: NEW ORLEANS REGION: Public Schools by Racial Composition, 2004



Data Source: Louisiana Department of Education, National Center for Education Statistics.

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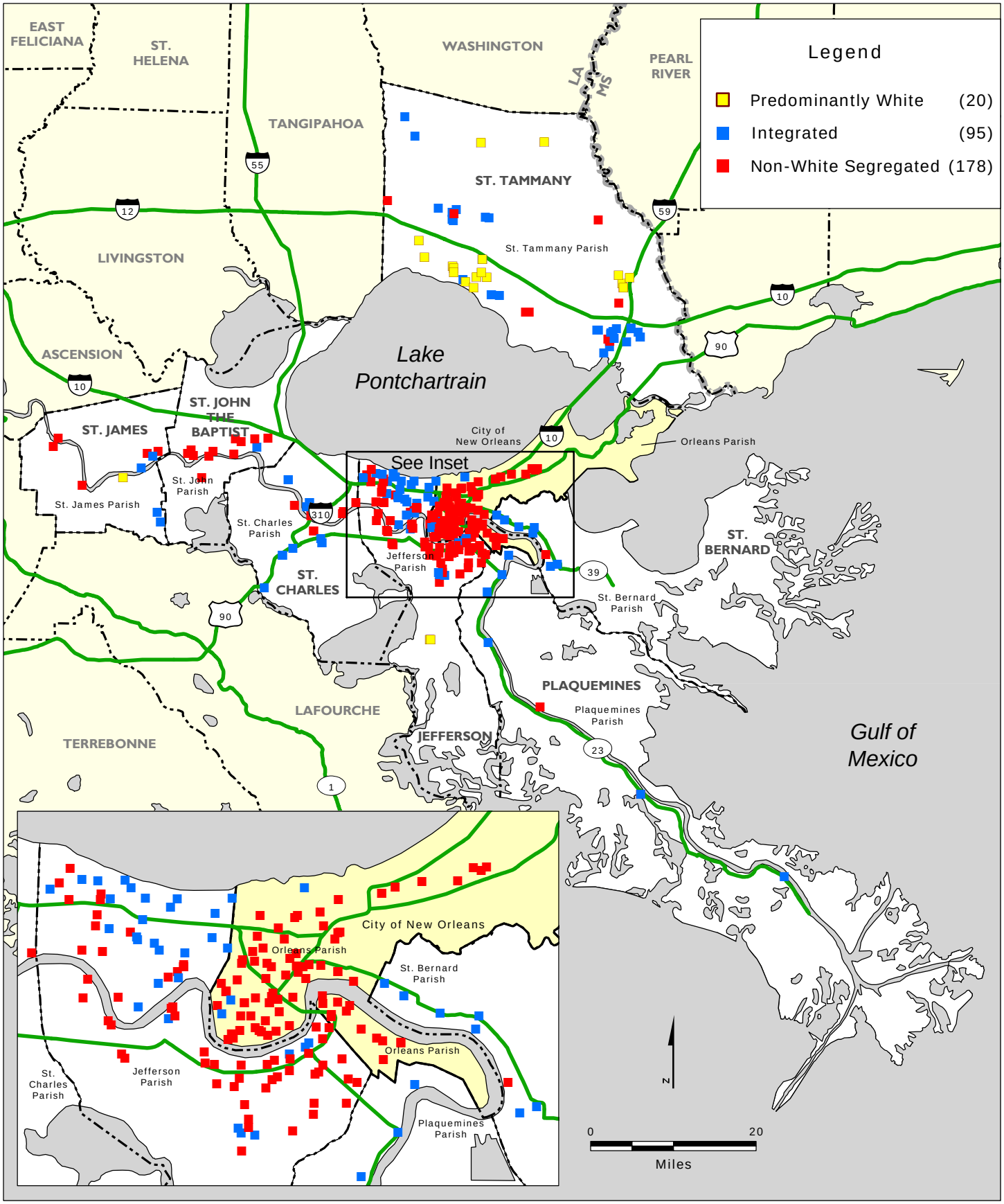
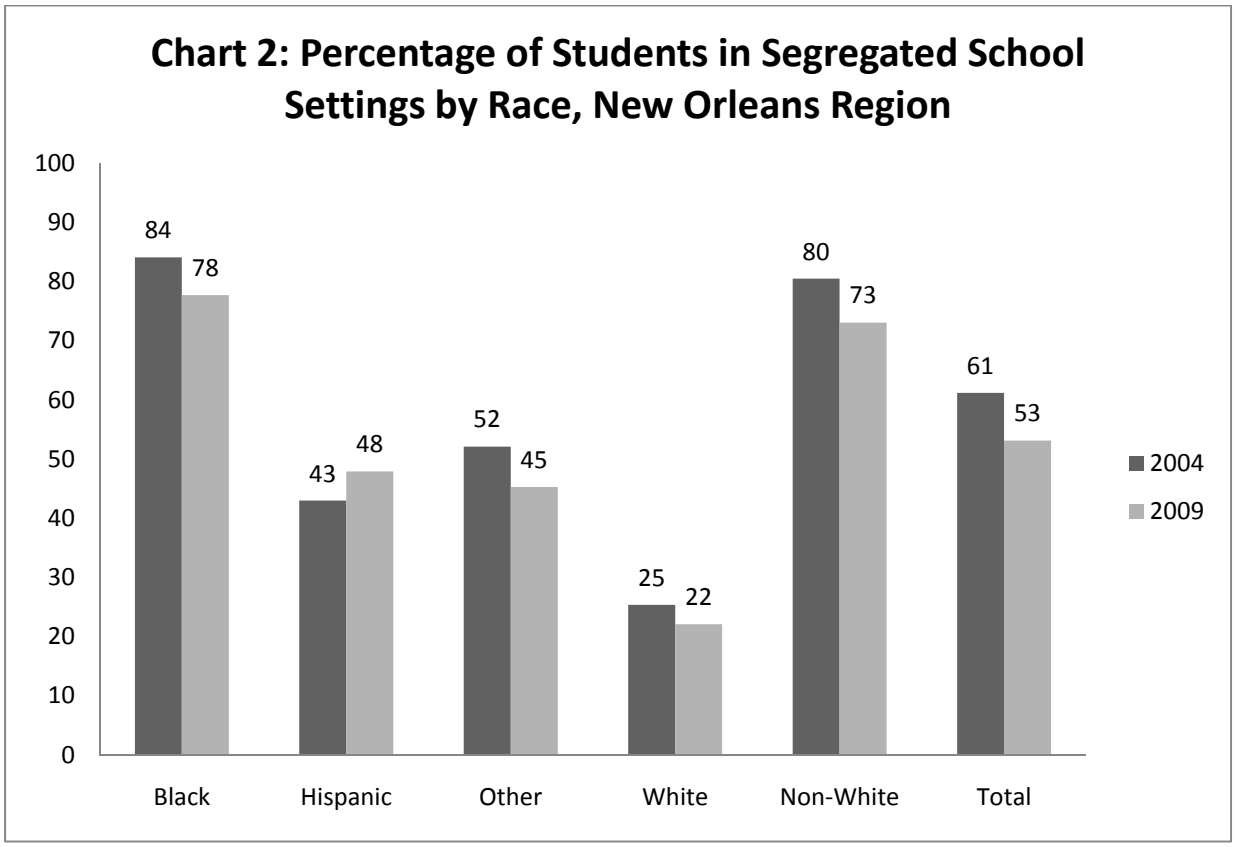
Map 4: NEW ORLEANS REGION: Public Schools by Racial Composition, 2009



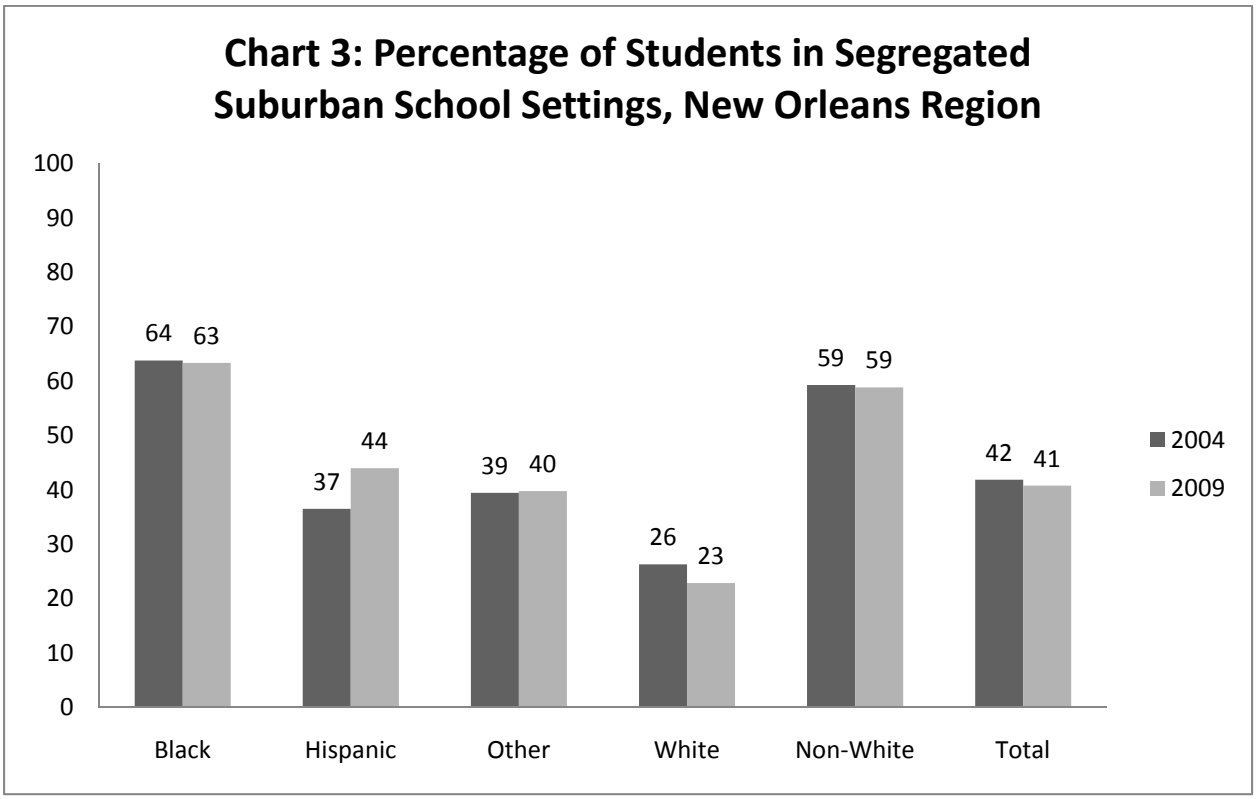
Data Source: Louisiana Department of Education, National Center for Education Statistics.

High racial segregation in city schools and modest but increasing levels of racial segregation in suburban schools meant that most of the region's students of color attended school in a segregated setting (Chart 2).[14] In 2009, 73 percent of all students of color in the region attended a segregated school—down from 80 percent in 2004. In contrast, only 22 percent of white students in the region attended a segregated school in 2009 (Chart 2). Representing the overwhelming majority of students of color in the region, blacks faced the highest levels of segregation both in the city and the suburbs. Although the percentage improved slightly post-Katrina, 78 percent of black students in the region were still in segregated settings in 2009. Hispanic students did not experience as much segregation as black students. Nevertheless, segregation rates increased for Hispanics—48 percent were in segregated schools in 2009, up from 43 percent in 2004. Similarly, nearly half of the other students of color attended segregated schools in 2009.



Although racial segregation was less severe in suburban schools than in the city, many students of color (including most black students) in the suburbs still attended segregated schools (Chart3). Overall, nearly 60 percent of suburban students of color attended segregated schools in both 2004 and 2009. Once again, black students experienced the highest rates of segregation (64 percent in 2009) followed by Hispanics (44 percent), other students of color (40 percent), and white students (23 percent). The largest

change pre- and post-Katrina was for Hispanic students. They experienced a seven point increase in segregation.



Because segregation by race is highly correlated with segregation by income, racial segregation particularly harms students of color. Virtually all non-white segregated schools have high concentrations of poverty, while white segregated schools tend to have low rates of poverty.[15] Students face vastly different levels of poverty depending on the racial composition of the schools they attend. In 2009, the average poverty rate in non-white segregated schools (68 percent) was twice the poverty rate (34 percent) in predominantly white schools (Chart 4). The average poverty rate in integrated schools fell in between at 52 percent in 2009 (Chart 4).

Almost all of the non-white segregated schools that existed in the region in 2009 show very high poverty rates. In fact, 99 percent of them met the standard definition for "high poverty" (40 percent free and reduced-price lunch eligible) and 84 percent were "very high poverty" (with free and reduced-price lunch rates above 75 percent).[16] As a result, students of color were far more likely to attend high-poverty schools. In 2009, a student of color was 1.5 times more likely to attend a high-poverty school than a white student in the New Orleans region (Chart 5). Overall, 93 percent of all students of color attended a high-poverty school—a remarkably high share. Black and Hispanic students were most likely to attend high-poverty schools with Asians and American Indians only slightly less likely to do so.

Chart 4: Student Poverty Rates by School Type, New Orleans Region

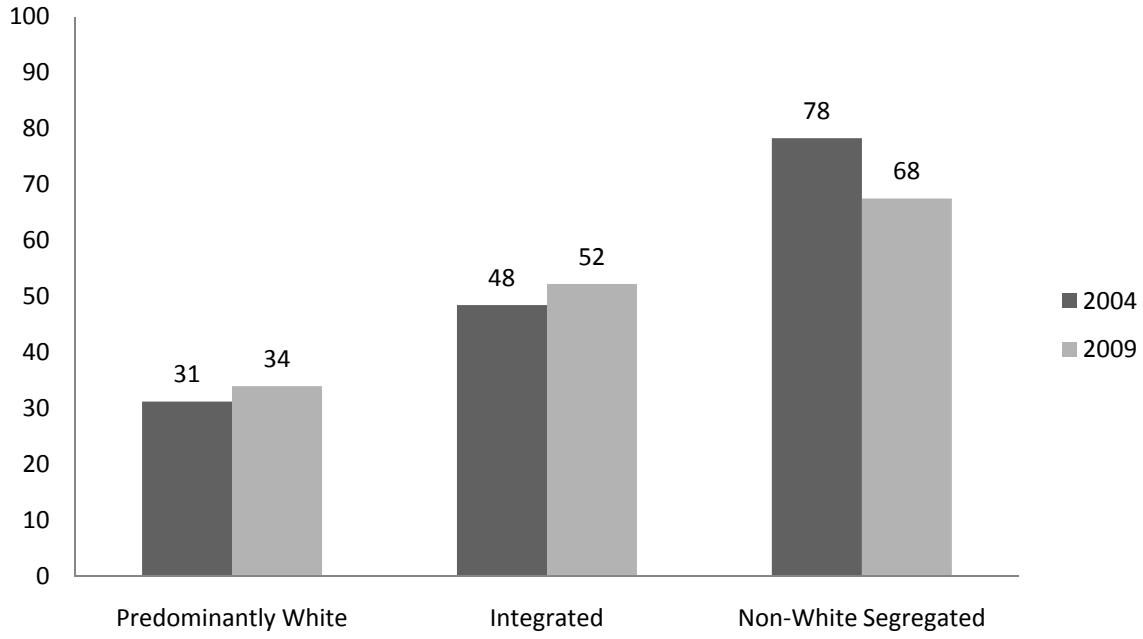
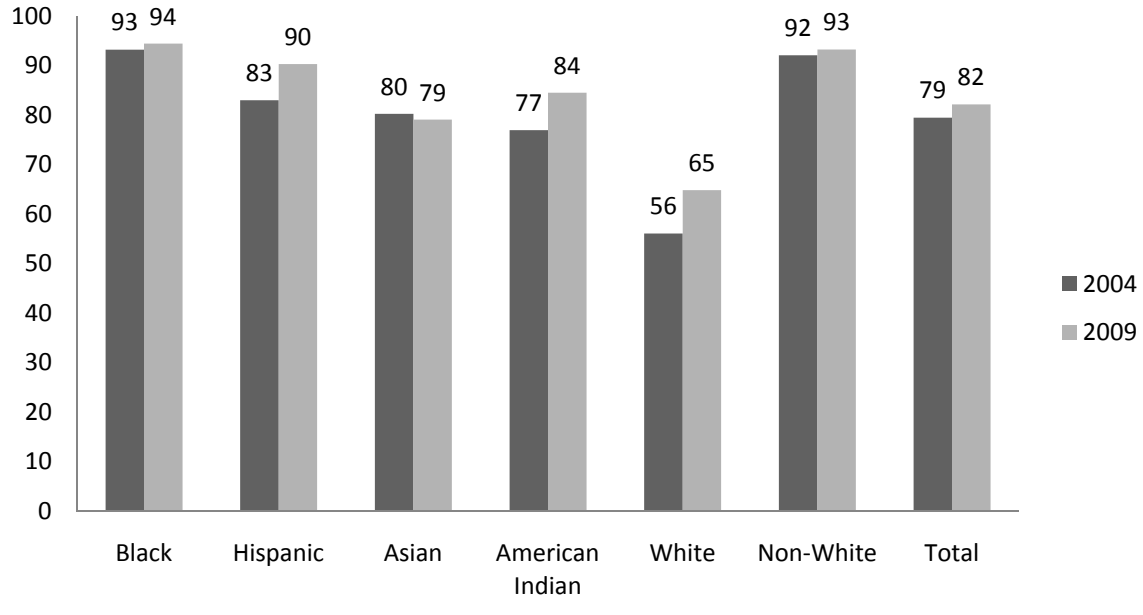
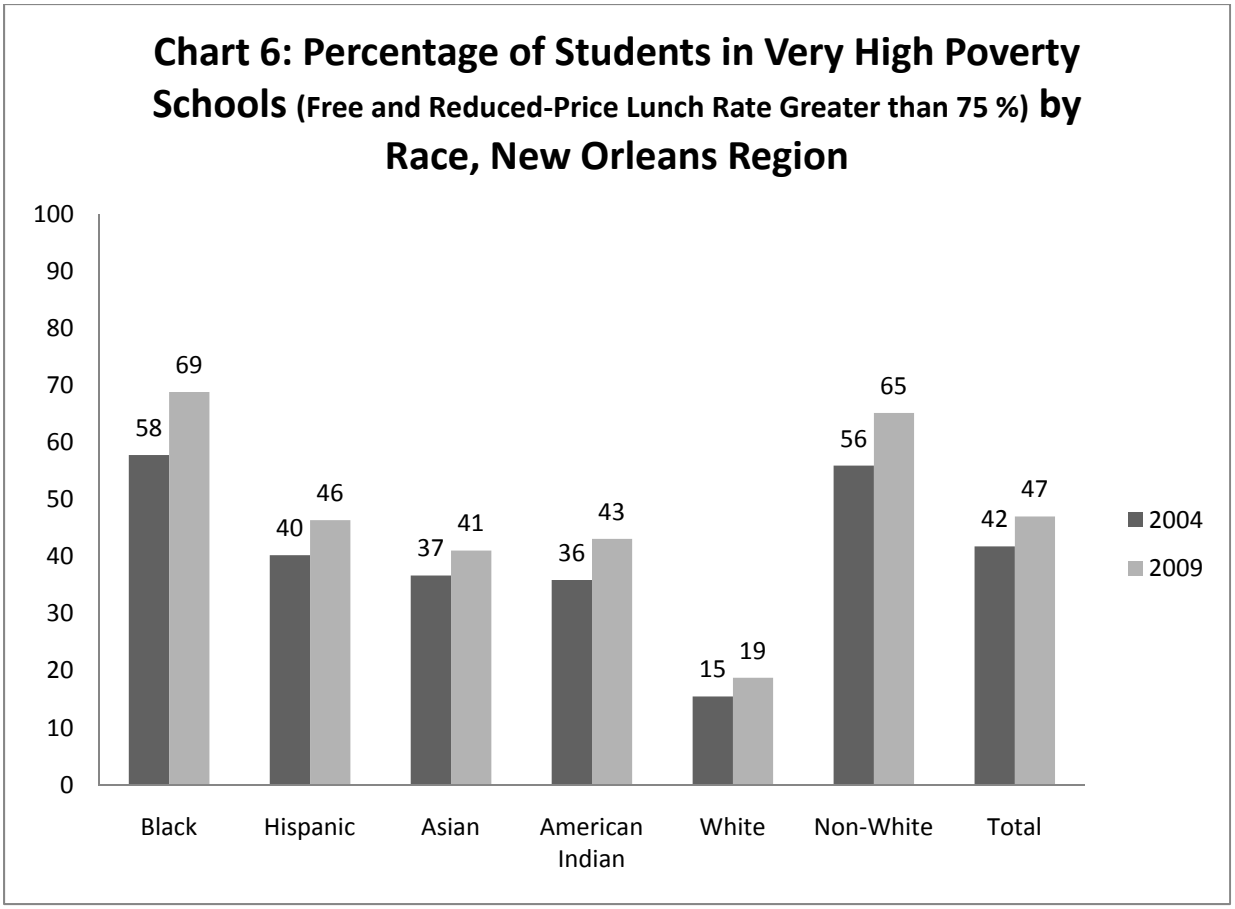


Chart 5: Percentage of Students in High-Poverty Schools (Free and Reduced-Price Lunch Rate Greater than 40 %) by Race, New Orleans Region



The discrepancy between white and non-white students is even greater for very high poverty schools. In 2009, students of color in the New Orleans region were nearly 3.5 times more likely to attend very high poverty schools than white students (Chart 6).[17] Overall, nearly two thirds of all students of color attended very high-poverty schools in 2009 while less than a fifth of white students did so. Once again, black students were most likely to be in very high poverty schools, nearly 70 percent. The corresponding shares for Hispanics, Asians, and American Indians were 46, 41, and 43 percent. The share of all students attending high-poverty schools increased from 42 percent in 2004 to 47 percent in 2009. Students from all races experienced an increase.

A substantial research literature documents that high- and very high-poverty schools fail to provide an environment that is conducive to quality education. They tend to have less qualified and less experienced teachers due to high turnover among teachers.[18] They undermine the educational and occupational options of the students by offering limited curricula taught at less challenging levels.[19] They lower the educational expectations of students and fail to provide positive peer competition and influence.[20] As a result, high-poverty schools are associated with a wide range of negative educational and life outcomes, including low test scores, high dropout rates, low college attendance rates, low earnings later in life, and greater risk of being poor as adults.[21]



III. A NEW GOVERNANCE STRUCTURE: THE EMERGENCE OF CHARTER SCHOOLS

The New Orleans region, and especially the city of New Orleans, has experienced a major transition in school governance since Hurricane Katrina. The role of charter schools has increased dramatically. In 2004, the region had only six charter schools, educating only 2,307—a mere 1 percent—of the region's students. By 2009, the region had 49 charter schools, educating 21,294—15 percent—of the region's students. All but two of the region's charter schools were located in the city of New Orleans in 2009 (Map 5). As a result, the share of students attending charter schools in the city of New Orleans soared from 2 percent in 2004 to 57 percent in 2009, making New Orleans the city with the highest percentage of charter school students in the nation.[22]

Simply comparing charter schools to traditional public schools makes little sense in the city of New Orleans because public schools operate under five distinct governance structures with very different resources and regulations. The five categories include: (1) Orleans Parish School Board (OPSB) traditional schools; (2) OPSB charter schools; (3) Recovery School District (RSD) traditional schools; (4) RSD charter schools; and (5) Board of Elementary and Secondary Education (BESE) charter schools. Because of the substantial differences in the history and operation of schools in each of these categories, schools in the city should be evaluated within this overall structure. In particular, any comparisons between charter schools and traditional schools must control for this context.[23]

The emergence of the five governance structures dates back to before Hurricane Katrina. Prior to Katrina, the OPSB oversaw all public schools in the city of New Orleans. Just before Katrina, the state of Louisiana declared many of the public schools in the city to be 'failing schools' and took over the management of these schools. The state created the RSD to oversee the traditional public schools it managed. The state Board of Elementary and Secondary Education (BESE) also entered the field as a new player by directly authorizing two of its own charter schools. Hurricane Katrina accelerated this transition as it led to the passage of Act No. 35 in a special legislative session in November 2005. Act No. 35, which expanded the power of the state to interfere in failing school districts, authorized the state to transfer the majority of the OPSB schools to the state-operated RSD for a period of five years.[24]

After Katrina, the OPSB and the RSD became the two main school districts operating local public schools in the city of New Orleans. Initially, the OPSB retained control over five high-performing traditional public schools but quickly expanded the number of its schools post-Katrina. As a result of significant resources from the federal government and the philanthropic community that were earmarked for charter schools, charter schools became the main instrument of recovery efforts in both districts post-Katrina.[25] OPSB used these ear-marked funds to expand the number of its schools and authorized 12 new charter schools. RSD followed a similar path, using the funding to convert RSD-run traditional public schools to charters as they reopened in the aftermath of Katrina. As a result of these conversions and the establishment of new charter schools, RSD schools are now split roughly 50-50 between traditional schools and charters.

However, the path to the current system was not as rational and orderly as this overview implies. In reality, the charter system has expanded in fits and starts often in response to outside incentives.

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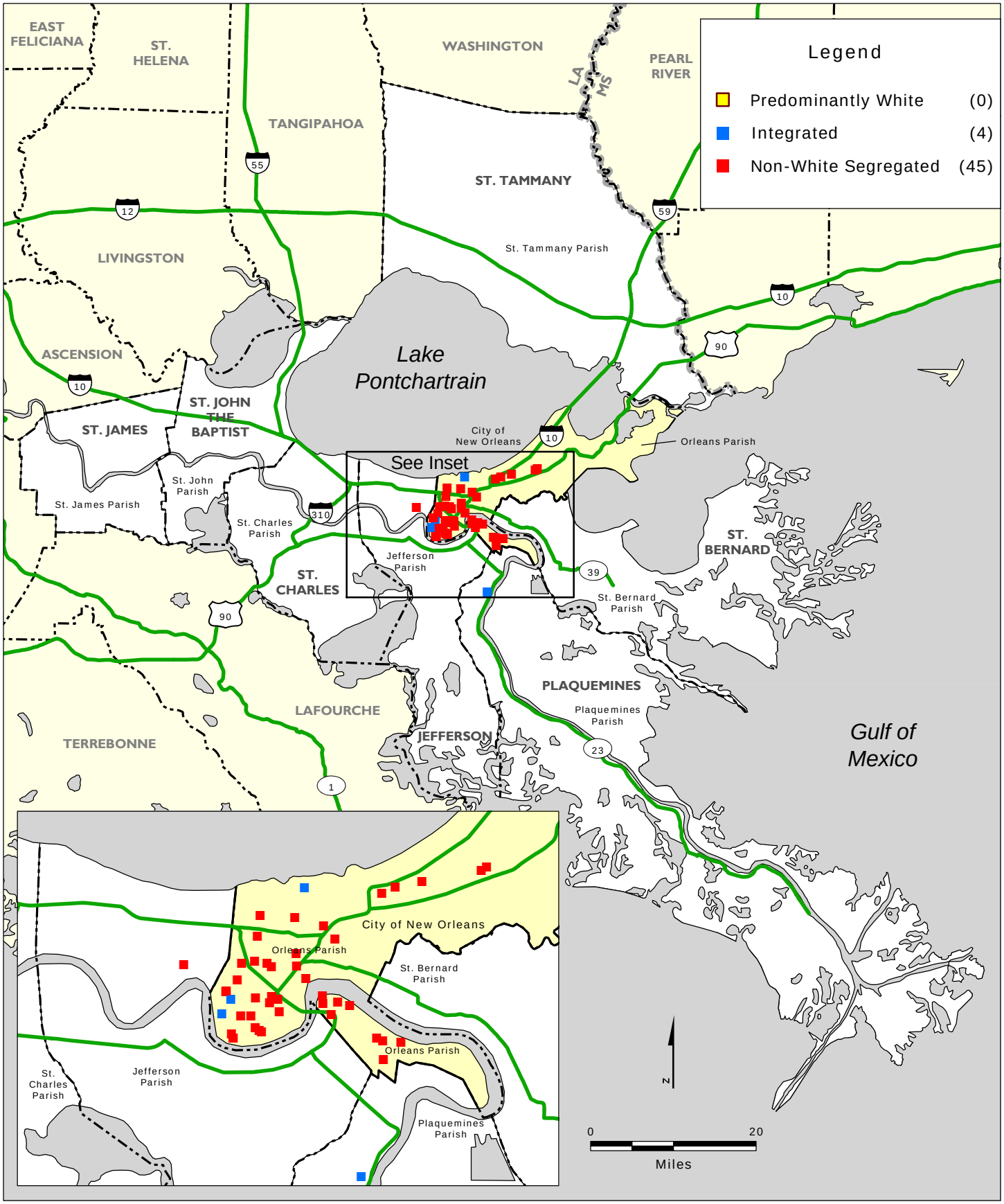
Map 5: NEW ORLEANS REGION: Charter Schools by Racial Composition, 2009



Data Source: Louisiana Department of Education, National Center for Education Statistics.

The major impetus to the charter sector in the city of New Orleans came immediately after Hurricane Katrina, with the passage of Act No. 35. Following this Act, recovery efforts in public education have been dominated by charter schools. This was not the original intent of the Louisiana legislature, which actually voted to maintain a statewide cap on the number of charter schools during the same special session it approved Act 35.[26]

Regardless of the intent of the legislature, charter schools proliferated in post-Katrina New Orleans for a number of reasons. First, as in many urban areas of the nation, coordinated efforts by a number of philanthropists, advocates, researchers, and policy makers provided an environment conducive to charter school expansion in New Orleans.[27] The most important part of this environment was the presence/creation of a core network of support organizations that helped the charter sector expansion. Second, FEMA was slow in releasing aid to traditional public schools, and in the absence of such aid, the district pragmatically chose to take advantage of federal and philanthropic grants which were mostly geared toward charter schools.[28]

Immediately after Katrina, U.S. Education Secretary Margaret Spellings released $20.9 million in federal education funds to be set aside for charter schools in Louisiana.[29] Charter schools received an additional $24 million dollars in earmarked grants from the Federal government in 2006, bringing the total federal aid earmarked for charters to around $45 million.[30] Overall, three philanthropic groups—the Gates, Broad, and Fisher Foundations— committed $17.5 million for public schools in New Orleans.[31] These funds exclusively went to three non-profit organizations which specialized in supporting the region's burgeoning charter sector.[32] In other words, much of the federal and philanthropic aid that came to the city in response to Katrina came with strings attached.[33] The money essentially was ear-marked as charter school aid. Those in the New Orleans public school system quickly recognized this and pragmatically responded to these strong incentives in order to expedite the re-opening of the city's schools.[34]

Many of the OPSB- and RSD-run traditional public schools pragmatically converted themselves into charter schools in order to reopen in the aftermath of Katrina.[35] In addition, both the OPSB and the RSD sectors started new charters to be able to tap into the federal and philanthropic grants earmarked for charter schools. As a result of these conversions and the establishment of new charter schools, the number of charter schools rapidly expanded from 5 to 47 within a mere four years. Educating nearly 60 percent of the city's students, the charter school sector continues to grow.

In fact, for some time now, the number of charter schools in the city of New Orleans has been growing at the expense of the city's traditional public schools. The Recovery School District Act (RSDA) of 2003 has played an important role in expanding the charter school sector as an alternative to the traditional public sector in New Orleans and its failing schools. The RSDA not only permits the RSD to take over the school buildings of failing schools but it also gives RSD the authority to grant charter schools permission to use those school buildings.[36]

RSD superintendent Paul Vallas has been an ardent supporter of 'incubating' charter schools in existing public school buildings with the final goal of taking them over.[37] A number of RSD charters have already

taken over the buildings of failed RSD-run schools rent free.[38] Many other charter schools are either located in existing public school sites or are scheduled to take them over.[39] This growing trend of transformation schools—educational jargon for schools that are incubated in failing schools rather than starting from scratch—has been playing a key role in the rapid expansion of the charter school sector in New Orleans.[40]

The growth of charter schools at the expense of traditional public schools through transformation schools is a trend that started with the Bush administration's No Child Left Behind (NCLB) Act.[41] The Obama administration has further intensified this trend with its Race to the Top initiative, which views charters as the main instrument of public school accountability. Both President Obama and his Secretary of Education, Arne Duncan, have been vocal supporters of charter schools. Continuing in the tradition of the Bush administration, they have been very instrumental in transforming charters from a choice model to a model of accountability through their Race to the Top initiative.[42] In fact, the $4.5 billion in federal education grants that the Obama administration promised to states as a part of its federal stimulus plan has provided an unprecedented stimulus for the rapid proliferation of charter schools across the nation.

The legislature in Louisiana, like legislatures in many other states, rapidly responded to this unprecedented federal incentive. Hoping to access a larger share of the Race to the Top grants, the state legislature in 2009 eliminated the cap it has on the number of charter schools allowed in the state of Louisiana.[43] As a result, there was a surge in the number of charter applications in 2009, which had begun to slow down the prior year.[44] While some of the proposed charter schools are new ones, the majority of these schools are either "takeovers of schools with low test scores" or "conversions of traditional schools—some of them already performing well—to independently run charters."[45]

IV. CONSEQUENCES OF THE RAPID EXPANSION OF THE CHARTER SYSTEM

The extremely rapid emergence of the charter sector in New Orleans has important consequences in several dimensions, including the competitive consequences, the potential for future growth of the charter and traditional systems, and the accountability of the system. The most important competitive consequence is that the different sectors of the system do not compete on a level playing field. This is primarily due to the formal and informal tools available to some sectors—OPSB traditional and charters, BESE charters and RSD charters—which enable them to shape the characteristics of their student bodies with selection. There are also indications that the recent rapid growth in the charter segment of the New Orleans market cannot continue. Some observers argue that the charter system is already saturated. There are also good reasons to believe that, in the long run, a fully charterized system is not sustainable. Finally, the underlying characteristics of the charter system and experiences in other parts of the country imply that the accountability usually demanded of programs using tax money will eventually become a problem, either in the form of increasing administrative costs for the system or financial irregularities.

Unequal competition

The most important consequence of the changing structure of the school system in New Orleans is that the five school sectors do no compete on a level playing field for students. The sectors are governed by different rules. Rules are important because they directly impact the organizational capacities of public schools and indirectly shape the type of organizational strategies schools choose to compete for public students. For instance, in Louisiana, the state permits admission requirements for charter schools, making Louisiana the only state in the nation which allows selective admission standards for charter schools.[46] As a result, OPSB and BESE charter schools have selective admission requirements that set explicit academic standards for incoming students.[47] This gives the schools in the OPSB and BESE sectors the ability to shape their student enrollments and allows them to compete by skimming the most able, least-costly to educate students from the city's traditional public schools.

In contrast, RSD charters and traditional schools have open enrollment policies which do not allow selective admission standards. However, in practice, even RSD charters—like most other open enrollment charters in the rest of the country,[48] have more control over their student characteristics than their traditional counterparts. They can exercise this control through a variety of means, including enrollment processes, discipline and expulsion practices, transportation policies, location decisions, and marketing or recruitment efforts.

Enrollment Processes: Charters have been shown to select their students through their enrollment processes, their discipline/expulsion practices, and parent involvement requirements.[49] The enrollment processes for charter schools—which include recruiting efforts, information dissemination, publicity, and admission requirements—give charter schools many opportunities to control the characteristics of their students.[50] The admission process usually requires parent meetings with school officials, where the fit between the school and family is informally scoped out.[51] During these meetings, students could be steered to apply or not apply based on the expectations of both parties. Charter schools may also ask parents to sign a parental involvement contract, which requires parents to volunteer a number of hours at the charter school.[52] Charter schools can deny admissions to low-income students whose parents cannot commit to these parental involvement contracts.[53]

Discipline and Expulsion Practices: Charter schools also have the liberty to weed out the hard-to-educate students after admission through their specific discipline/expulsion practices. Unlike traditional public schools, charter schools can state and enforce strict expectations regarding student performance, effort, and behavior in their contracts.[54] As a result, it is much easier for charter schools to expel the students who violate the contract.[55] Unlike charter schools in the city of New Orleans, RSD traditional public schools have to take in all kinds of students, including those with discipline problems. As a result, they have to deal with discipline issues much more often, dedicating a significant portion of their already scarce resources to hiring security officers. In 2007, RSD spent $465 per student on security—"a rate 10 times higher than it was for NOPS schools before Hurricane Katrina."[56] Some RSD schools had more security guards per pupil than teachers.[57] In 2008, there was one security guard for every 49 students in RSD-run high schools, compared to one security guard for every 167 students in the OPSB-run high schools.[58] Teacher surveys also confirm differences in the frequency of discipline problems.

Nearly three quarters of RSD-run school teachers surveyed agreed that discipline issues interfered with student learning, while only 21 percent of the OPSB charter teachers surveyed agreed with this statement.[59]

Transportation Policies: Charter schools can also influence the characteristics of their student body through their transportation policies. Public schools provide free transportation to students to make sure that students from all kinds of socio-economic backgrounds can easily attend school. In contrast, charter schools can effectively restrict access of low-income students to their schools by not providing free transportation to school.[60] In 2009, all of the six public schools that did not provide free public transportation to students in the city of New Orleans were charter schools.[61] Of the two public schools that provided only limited transportation to students, both were OPSB charters. A number of charter schools also provide free Regional Transit Authority (RTA) tokens either in lieu of or to supplement their limited yellow bus services.[62] This reliance on RTA tokens further limited access for many students in New Orleans because, as of May 2009, only 30 percent of the City's pre-Katrina bus fleet was operational and merely half of the city's former bus routes were open.[63] Informal surveys also show evidence of further limitations on free transportation by charter schools, including free transportation only to addresses within a mile of the campus and transportation on a first-come first-served basis.[64] Given that a majority of students in the district now attend schools of choice, most of which are not neighborhood schools, the issue of transportation is a crucial component of access in the New Orleans public schools. The holes in the (free) transportation systems for charters is also quite striking given that in Louisiana local public school districts are required by statute to provide free transportation even to private school students.[65]

Location Decisions: The location choices of charter schools give them an additional instrument in shaping their student body composition.[66] In places like New Orleans, where there is a substantial presence of new charter schools, charter schools have great flexibility in choosing the neighborhoods they will serve.[67] Geographical proximity and convenience play an important role in determining which schools parents choose for their children.[68] As a result, the ability of many charter and private schools to determine their location "allows them to impose added search and transportation costs on more distant families while reducing costs on those in the community in which the schools are located."[69] There is evidence from New Orleans that charter schools are indirectly shaping their student enrollments through their location strategies. Lubienski et al. found that while BESE and OPSB charters were located in low-need locations, RSD schools mostly located in more challenging, high-need areas.[70] They also found that overall charter schools were located in zip codes with lower crime rates per household than are public schools in general.[71]

In some cases, the location strategies of charter schools show their intent to compete with private schools.[72] The City of New Orleans presents a very substantial opportunity for charter school operators to expand because of its exceptionally large private school sector. Private schools enroll an average 10 percent of the students in most southern regions and this percentage tends to stay fairly stable over time.[73] In striking contrast, private schools in New Orleans enroll nearly a third of all students in the city.[74] By choosing to locate in places in close proximity to private schools, charter schools could potentially lure students from private schools.[75] In fact, a spatial analysis of all schools in the city of New

Orleans shows that most charter schools in the city, including the RSD charters, locate in places that are within a stone's throw of private schools.[76] According to this study, RSD charters were on average 2km (1.24 miles) away from the 5 nearest private schools—a distance short enough to make tuition-free charter schools a convenient school choice alternative to private schools.[77] On average, an RSD charter located in a place which had 21 private schools within a roughly 3 mile radius.[78] Similarly, RSD charters located in areas with lower socio-economic needs, higher mean home prices, and less crime on average than the RSD traditional schools.[79] These findings strongly suggest that RSD charters have positioned themselves in locations where they are likely to attract highly-motivated private school students with their convenient locations and tuition-free schooling options.

It is worth noting that the state of Louisiana has recently started a $10 million voucher program, which somewhat undercuts the drain of low-income students from private schools to charter schools.[80] However, the effect of the voucher system on the charter school system has not been as significant. In fact, there is some evidence that the high number of charter schools in the city already made a dent in private school enrollment despite the new school voucher program offered by the state. Private school enrollment in the New Orleans metro fell by 302 students between 2008 and 2009.[81] In the same period, public school enrollment in the metro went up by 4,102 students while enrollment in the RSD charters went up by 2,180 students.[82]

Marketing and Recruitment Efforts: Charter schools have also been shown to shape their student enrollments through their marketing and recruitment efforts.[83] How and where charter schools choose to advertise affects who they recruit as students. Unlike many traditional public schools, which simply disseminate district-wide brochures, most charters, especially during their initial years, spend some of their resources on marketing strategies. These promotional efforts range from relatively non-exclusive strategies to more exclusive ones. For instance, promotional efforts such as distributing district-wide brochures, arranging open houses with parents, and placing ads in newspapers and radio stations are popular, especially when charter schools are new and are competing with other schools for student enrollments.[84] Since charter school revenues come from per-pupil funding by the state, charters often need a critical student number to break even.[85] In order to reach this critical student number, charter schools tend to advertise broadly.

However, as the schools mature and build a reputation, more targeted marketing strategies replace broad promotional efforts.[86] This gives charter schools additional venues for shaping their student enrollment. The specific venues charter schools choose to advertise or promote their schools influences what kind of students they recruit. For instance, charter schools post flyers or send out mail to families in select neighborhoods from which they would like to draw students. They also send school representatives to various meetings and public forums to make presentations about the school with the dual goals of recruiting students as well as publicizing and raising funds for the school.[87] These targeted marketing strategies help promote the school to certain select types of students, giving charter schools the ability to shape their student enrollment. Moreover, reputable charter schools tend to rely mainly on word of mouth for promoting their schools rather than indiscriminately advertising their schools. However, word of mouth marketing has been shown to take place through racially and economically homogenous networks.[88] As a result, schools that tend to rely mostly on word of mouth marketing can

safely replicate the socio-economic characteristics of their existing student body in their student recruitment.[89]

In New Orleans, charter schools have been using a number of marketing strategies ranging from broad promotional efforts such as radio and billboard advertising to potentially more exclusive strategies such as targeted advertisement and recruitment in certain neighborhoods and word of mouth marketing.[90] Many neighborhoods in the city of New Orleans are plastered with charter school posters tacked up to telephone poles and similarly the city's streetcars are often plastered with charter school advertisements.[91] Placards touting 'open enrollment' to charter schools are also often placed in the grassy areas between traffic lanes.[92] These frantic promotional efforts are a result of growing competition among charter schools as the city's public school system approaches its full capacity with the slow trickling back of school-age children to New Orleans post-Katrina.[93] In fact, as the executive director of the Louisiana Association of Public Charter Schools puts it, the charter sector in New Orleans is "pretty much at [its] saturation point."[94] As competition has intensified with the rapidly growing number of charter schools, advertisements—some of it through grant money—flood the city.

As competition for students has intensified in the city of New Orleans, charter school operators increasingly resort to more aggressive marketing techniques such as door-to-door canvassing. In fact, many of the conversion charters, which are scheduled to take over failing public schools, have been reported to resort to this strategy as they scramble not to lose the students to other charters.[95] As a video documenting one of these canvassing efforts shows, these marketing/recruitment efforts also give school administrators the chance to screen parents and provide a venue for parents to sign parental and behavioral contracts.[96] Similarly, as the executive director of the New Orleans Parent Organizing Network—a non-profit organization which offers free assistance to New Orleans parents in choosing public schools—notes, word of mouth frequently plays a role in impacting parents' school choices in New Orleans.[97] Since the racially homogenous networks of low-income parents of color often limit their school choices to high-poverty schools, word of mouth marketing can have the effect of excluding students of color from schools attended by the children of high socio-economic parents.[98]

In sum, enrollment processes, discipline and expulsion practices, transportation policies, location decisions, and marketing strategies give RSD charter schools many opportunities to select their students. Moreover, RSD charters also have the ability to cap their enrollment to maintain a student-to-teacher ratio of 20:1.[99] In contrast, RSD traditional schools have to take all students even if they arrive mid-semester.[100] All of these factors leave RSD charters in a good position to maintain small student-to-teacher ratios and skim off some of the most-motivated students from the low-income students of color, leaving the job of educating the rest of public school students to the RSD traditional schools.

RSD traditional schools, in contrast, continue to act as 'schools of last resort' with not much control over their student enrollments. As 'schools of last resort,' they

> do not have selective admissions; can operate on double shifts; can expand capacity by adding mobile classrooms; can raise class sizes; can enroll students who do not find spaces in charter

schools; and can enroll special needs students who may be turned down by charter and/or selective-admissions schools.[101]

As a result of these rules that put RSD traditional schools at a competitive disadvantage, many in the community refer to the RSD traditional school sector derogatorily as "the **R**est of the **S**chool **D**istrict**."**[102] Similarly, during their extensive interviews with school principals, superintendents, parents, students, and community groups, the Boston Consulting Group found that "RSD-operated schools are viewed as an unofficial "dumping ground" for students with behavioral or academic challenges."[103] This reputation, which no doubt reflects the overall impact of these rules, further impedes the flow of highly motivated students into the RSD-run traditional public schools.[104]

It is also noteworthy that the most successful school sectors in the city of New Orleans have strikingly high percentages of experienced teachers. For instance, less than five percent of the teachers in the OPSB-run traditional schools have less than a year's experience in teaching, in striking contrast to the RSD-run traditional schools, where 60 percent of the teachers have less than a year's experience in teaching.[105] Similarly, in BESE charter schools, only 10 percent of the teachers have less than a year's experience in teaching. In the OPSB charter sector, half of the teachers have more than ten years of teaching experience. In the RSD-run traditional schools, only 15 percent of the teachers have more than ten years of teaching experience.[106]

Meanwhile, due to a recent surplus of teachers, mostly created by the heavy recruitment of inexperienced teachers certified through alternative certification programs like Teach for America (TFA), RSD recently laid off a number of its teachers, among them many veterans.[107] Critics accused the district of favoring inexperienced TFA teachers over experienced local teachers.[108] The district disputed the claims, arguing that hiring-firing decisions were made exclusively by principals. Meanwhile, some principals in the RSD sector are wary of the vesting of hiring authority in their hands, claiming that the process of hiring teachers should be a more deliberative process handled by a committee, in which the principal participates as a member.[109]

The quality of inexperienced teachers certified through alternative certification programs like the New Teacher Project has been the subject of heated debate in New Orleans. A recent study compared the performance of TFA teachers who have been trained by this Project with more experienced teachers by using a "value-added" analysis which focused on the amount of growth seen in individual students.[110] This study found that novice teachers trained under a fast-track program called the Louisiana Practitioner Teacher Program—a local variation of the New Teacher Project—outperformed veterans in some subjects.[111] However, the study's findings were challenged due to its small sample size and statistically insignificant results.[112] While charter advocates and teacher unions argue over the quality of inexperienced teachers in the city of New Orleans, neither of the two parties dispute the fact that excessive reliance on an inexperienced teacher pool compromises the quality of public education in the New Orleans school district, and is not sustainable in the long run.[113]

The potential for future growth

Saturation: The rapid growth of the charter system has been facilitated by the fact that New Orleans was essentially reconstructing its entire school system. However, the system may now have grown to the point that all potential students are already being served. Indeed, the Obama administration's latest boost to the charter sector comes at a time when the charter school system has almost reached its capacity in New Orleans. As the number of students returning to New Orleans post-Katrina has slowly started to plateau, the public school system is now almost at its capacity. Prior to Katrina, the New Orleans Public School system enrolled around 63,000 students in a system that was capable of educating up to 107,000 students. In contrast, today, "the district runs only slightly under capacity with the number of students in the district nearly maxing out at an available 35,000 seats." As the executive director of the Louisiana Association of Public Charter Schools puts it, the charter sector in New Orleans is "pretty much at [its] saturation point."[114]

Despite this saturation, charter school operators are making plans to expand by increasing the number of charter schools in operation.[115] In fact, a growing trend in the city of New Orleans is the proliferation of charter schools through charter clusters.[116] The city has a number of well-established charter networks, including KIPP, the five-school University of New Orleans (UNO)-Capital One charter network, and the nine-school Algiers Charter School Association.[117] These clusters are usually run by non-profit charter management organizations (CMOs) that manage the administrative affairs of their charters. Charter networks use CMOs to centralize some of their operational functions, such as back office management, fundraising, and teacher recruiting at the network level. By assuming these functions—functions which are traditionally carried out by centralized education bureaucracies—CMOs often enable schools to focus on educating their students. The centralization of operational functions by CMOs also helps member charter schools achieve economies unavailable to stand-alone charters. By acting as the collective business arm of charter schools, CMOs further facilitate the proliferation of charter schools.

In anticipation of increasing their market share, numerous CMOs have already announced their plans to expand in the city of New Orleans. In some cases, new charter clusters are emerging with the sole purpose of taking over failing schools. For instance, No Excuses, an emerging CMO run by Superintendent Vallas' former elementary schools chief and former KIPP principal Gary Robichaux, will begin operating two charter schools in the 2010 school year and it is expected to take over as many as 15 traditional public schools in the coming years. In other cases, CMOs try to expand by wooing well performing traditional public schools into their networks as well as taking over failed schools. CMOs such as the First Line Schools, for instance, fit this profile. First Line is currently in talks with Dibert Elementary School with the final goal of adding this traditional public school to their network. Similarly, the UNO-Capital One Network plans to take over Gentilly Terrace Elementary School—a traditional public school which is already managed by the network under a charter-like contract with the RSD—as a charter school.[118]

At a time when the executive director of the Louisiana Association of Public Charter Schools acknowledges the saturation of the public school system, charter school proponents have been

aggressively lobbying at the state legislature to pass a number of bills that would further facilitate the expansion of the charter sector through conversions. HB 187, for instance, proposes to make conversions easier by permitting, rather than requiring, a school board seek an approval vote by teachers and parents of an existing public school wishing to convert to a Type 3 or Type 4 (for profit) charter school.[119] The Louisiana legislature also recently passed SB 146, which includes Governor Jindal's package of charter school bills. This bill facilitates the conversion of existing traditional public schools to charters in a number of ways. The bill allows in the case of Type 2 conversions that the facility and all property within the existing school shall be made available to the chartering group. The bill also reduces the favorable vote needed for the approval of an existing public school's conversion into a charter school from a two-third vote to a majority vote. Finally, the bill removes the provision from existing charter law that a charter school shall not be supported by or affiliated with any religion or religious organization. This last change to existing charter school legislation alone could prompt a number of the city's private parish schools to convert into charter schools (similar conversions recently happened in Washington, D. C.).[120]

Long run sustainability: Charter school models that specifically focus on educating at-risk students face several challenges that make long run sustainability problematic. A number of issues jeopardize the viability of a district-wide system that is nearly or fully comprised of charter schools.

The RSD district charter model is one of replacing failing traditional public schools with charter schools that intentionally focus on improving the educational outcomes of at-risk students within high-poverty schools. As long as the New Orleans school district stays racially and economically segregated and serves an exclusively low-income student of color student body, there are limits to what these types of charter schools can achieve. Models like the KIPP schools have been successful but on limited scales. Recent evidence questions the replicability of this model at the system level.[121]

For instance, one study warns that expansion of this charter school model could negatively affect quality, citing evidence that KIPP had closed some of its schools and removed its brand from some others.[122] A similar study raises questions about how expansion of a KIPP-like model might affect outcomes, "especially in relation to the difficulty of sustaining gains dependent upon KIPP's heavy demands on teachers and school leaders."[123] This study argues that it is not realistic to think of the KIPP model as a panacea for distressed systems, and that it should instead be viewed as a potential tool that may contribute to, but not substitute for, systemic improvement.[124] In a similar vein, two other studies caution that KIPP-like charters are unlikely to produce lasting school reform if they are simply replicated at a large-scale without identifying potential problems with expansion.[125]

KIPP-like models have also been shown to suffer from high attrition rates among students, prompting some to argue that their success is not necessarily due to their long hours and intense teaching but to informal selection processes that weed out low achieving students.[126] The achievement gains reported by KIPP schools would likely decline without this attrition. However, "the evidence does not go so far as to suggest that attrition fully accounts for the observed KIPP advantage."[127]

Henig also warns against replicating the KIPP practices of extending school days, weeks, and years at the district level arguing that:

> An extended schedule sometimes brings parental objections as well as potential taxpayer objections to the additional expense. With no strong evidence yet linking extended scheduling to KIPP success, policy makers might best encourage it as a school level (rather than district-wide) option.[128]

Given this, the greater costs associated with extending the school day or year suggest that this part of the KIPP strategy would not be sustainable at the district level, and may not even have the expected performance benefits.

Finally, a recent report from Education Sector raised serious questions about the ability of charter schools and charter management organizations to scale up as dramatically as their supporters might hope. The report found that:

> The extraordinary demands of educating disadvantaged students to higher standards, the challenges of attracting the talent required to do that work, the burden of finding and financing facilities, and often-aggressive opposition from the traditional public education system have made the trifecta of scale, quality, and financial sustainability hard to hit.[129]

Charter schools face other challenges in scaling up their operations. In general, charter schools are often expensive choice options for three reasons: (1) their small size and commitment to low pupil-teacher ratios add to their costs; (2) high student attrition rates at some schools raise their per-pupil costs; and (3) high rates of teacher turnover also raises their per pupil costs by forcing schools to spend more to recruit new teachers.[130] In addition, some charter schools create other inefficiencies by building one grade at a time. Many CMOs also struggle to reduce their central administration costs as they face the administrative challenges facing all large education bureaucracies. For instance, in order to ensure quality as their networks grew, several charter management groups moved to centralize their operations, becoming more costly top-down enterprises.[131] As a result of these additional costs, most charter networks rely excessively on private philanthropies, "which have provided a total of $600 million over the past decade to support the charter school movement."[132] Some charter networks such as the KIPP schools are quite open about the fact that they are likely to require permanent subsidies from philanthropists for some of their schools. As Ben Lindquist, an executive of the Charter School Growth Fund puts it,

> The risk right now is that we will drastically overestimate the capacity of the national charter sector to deliver new, high-quality seats for underserved families at sustainable cost to the taxpayer…If we're not careful, we will get a large market segment that is littered with mediocrity.[133]

The RSD sector, which is already plagued by many of the inefficiencies mentioned above, has so far been dealing with the high costs of its high-poverty student population with the recovery funds provided to New Orleans in the aftermath of Katrina. As these funds dwindle and the district returns to its previous

forms of financing its operations, it will be hard to justify the high costs of a district-wide charter system which, if it expands to cover the entire system, will have to serve all of the district's students, and not simply a self-selected sample.

Yet another unintended consequence of providing district-wide school choice options through charter schools may be intensifying student violence. There is anecdotal evidence that district-wide school choice in school districts with high levels of racial segregation, high concentrations of poverty, and the presence of youth gangs intensifies student violence in schools. By dissociating students from their neighborhood schools and encouraging them to move around en masse, district wide charter school programs intensify the occasions for cross-gang conflict and incite unprecedented levels of violence among the student population. It is ironic that complaints about growing violence in the district level charter system of Chicago prompted President Obama to send over his Secretary of Education Arne Duncan, who introduced the district wide charter system through his Renaissance 2010 reform program.[134] Similar increases in student violence have also been reported in New Orleans.[135]

Accountability

As for-profit and non-profit CMOs displace traditional public school bureaucracies to take over the provision of educational services, public accountability often becomes an issue. Legally, it is much harder to monitor the books of for-profit or non-profit charter schools than it is to monitor government entities like educational bureaucracies. Moreover, enforcing accountability becomes difficult especially when the responsibility of monitoring charter schools becomes diffused between charter authorizers, charter board members, and state departments of education.[136] As a result, charter schools, which are typically only loosely supervised, often create financial irregularities.[137]

Educational bureaucracies are created for the purpose of ensuring public accountability, fostering public scrutiny, and enabling more effective exposure of corruption. Charter schools, however, tend to view such public scrutiny as an attack on their autonomy and frequently resist public attempts to better monitor them. House Concurrent Resolution 33 that was filed during the 2009 regular session of the Louisiana state legislature illustrates this. The resolution simply requested the Louisiana Board of Elementary and Secondary Education study the use of city, parish, and other local public school system-owned facilities by charter schools. The Louisiana Charter School Association considered this legislation a threat and lobbied against it.[138]

V. RACE AND POVERTY BY SCHOOL SECTOR IN THE CITY OF NEW ORLEANS

Students in the city of New Orleans attend schools operated under five distinct governance structures—OPSB traditional public schools, OPSB charters, RSD traditional public schools, RSD charters, and BESE charters. The five sectors serve student bodies which are different from each other in important ways. For instance, schools in the two OPSB sectors have more talented and gifted students on average than the schools in the two RSD sectors.[139] Similarly, schools in the two OPSB sectors also have lower percentages of students with disabilities compared to the RSD schools.[140] And, even though the city's

schools are overwhelmingly poor students of color, the racial and economic characteristics of students in the five sectors differ in important ways.

Racial and economic segregation remains extremely high in New Orleans schools. The school system sorts most white students into a few OPSB and BESE schools, with the majority of students of color going to schools in the poorer, more segregated, and lower-performing RSD sector. This is especially true for black students, who constitute the overwhelming majority of the students of color attending public schools in the city. Three quarters of all black students in the city attended an RSD school in 2009, compared to only 11 percent of white students.

Students were also sorted in segregative ways between charter and traditional schools in the OPSB and BESE sectors. Virtually all white students in the OPSB or BESE schools attended charters—87 percent of all white students in the city attended OPSB or BESE charters while just one percent attended OPSB traditional schools. Compared to other students of color, black students were also less likely to attend an OPSB or a BESE charter school. Asian students were over three times and Hispanic students two and a half times more likely to attend a charter school in these two sectors than black students.

School composition by school sector

The racial and economic compositions of schools in the city's five school sectors reflect the underlying characteristics of students in the city to varying degrees. Students of color—especially black students—and poor students represent the overwhelming majority of the full system's student body. In 2009, black students were 90 percent of the total; other students of color represented another five percent; and 83 percent of students were eligible for free or reduced-price lunch. As a result, the majority of students in each of the five sectors were students of color and/or poor students (Table 2).

However, there are important variations across the sectors. OPSB and BESE charter sectors stand out with their relatively high percentages of white students, low percentages of black students, and low rates of poor students. In 2009, these two sectors had the highest percentages of white students (21 percent in OPSB charters and 16 percent in BESE charters) and the lowest percentages of black students (70 percent in OPSB charters and 67 percent in BESE charters). They also had the lowest student poverty rates (66 percent in OPSB charters and 70 percent in BESE charters). In contrast, the schools in the RSD sector were overwhelmingly black—97 percent—with extraordinarily high poverty rates –90 percent.

Table 2: Percentage Composition of Schools by School Sector: City of New Orleans 2007, 2009

	Black		Hispanic		Other		White		Non-White		Poor		Total	
	2007	2009	2007	2009	2007	2009	2007	2009	2007	2009	2007	2009	2007	2009
OPSB Traditional	94	93	1	1	4	5	0	1	100	99	71	89	11	7
OPSB Charter	68	70	3	3	7	6	22	21	78	79	71	66	24	20
RSD Traditional	97	98	1	1	1	1	1	1	99	99	68	87	34	36
RSD Charter	97	96	1	2	1	1	1	1	99	99	69	94	28	34
BESE Charter	74	67	9	15	1	1	15	16	85	84	67	70	3	2

Source: National Center for Education Statistics and Louisiana Department of Education

Five years after the storm, Katrina was still affecting the city's school system. Student enrollment increased rapidly from 25,551 students in 2007 to 35,887 students in 2009—an increase of over 40 percent in just two years. Many of the new students were poor. As a result, average student poverty rate in the city jumped from 69 percent in 2007 to 85 percent in 2009. Among the five sectors, only OPSB and BESE charter schools managed to avoid dramatic increases in poverty. In 2007, all five sectors were taking in their share of poor students. Average student poverty rates were roughly equal across the sectors, varying only from 68 percent to 71 percent. By 2009 poverty rates had increased by 15 to 19 percentage points in traditional schools. In contrast, student poverty actually declined in OPSB charters and increased by only three points in BESE charters. Clearly, the extra control that these charters exercise over the composition of their student bodies worked to their advantage, allowing them to avoid taking in their fair share of the increase in poor students.

The distribution of students across sectors by race and income

The relatively modest differences in school composition evident in Table 2 translate into very significant differences in attendance patterns by race. The most striking difference is that white students overwhelmingly attend OPSB and BESE charter schools (Table 3). Although only 23 percent of all public school students in the city attended OPSB and BESE charter schools, 87 percent of white students attended those schools. In fact, 98 percent of all the white students in the OPSB charter sector attended just three schools—Benjamin Franklin High School, Lusher Charter School and Audobon Charter School—and 97 percent of white BESE students attended one of its two schools. The white students in these four schools alone represented 77 percent of all white public school students in the city of New Orleans.[141]

At the other extreme, only 18 percent of black students attended an OPSB or a BESE charter school. In other words, a white student was nearly five times more likely to attend an OPSB or a BESE charter school than a black student. In contrast, three quarters of all black students attended an RSD school (charter or traditional public) in 2009, compared to only 11 percent of white students. A black student was nearly seven times more likely to attend a school in one of the RSD sectors than a white student.

Poor students, especially the poor students added to the total system in recent years, are also distributed disproportionately across the sectors. The share of poor students attending school in one of the RSD sectors increased from 61 percent in 2007 to 75 percent in 2009. The corresponding shares for the OPSB and BESE sectors combined declined by 14 points, from 40 percent to 26 percent.

Attendance shares also varied between traditional and charter schools in important ways, especially in OPSB and BESE schools. Nearly all white students in the OPSB or BESE schools attended charters. Eighty-seven percent of all white students in the city attended OPSB or BESE charters, while just one percent attended OPSB traditional schools. Black students were also less likely to attend an OPSB or a BESE charter school than Asian or Hispanic students. Nearly half of Hispanic students in the city and almost 60 percent of other students of color (largely, Asian students) attended OPSB or BESE charters. Only 18 percent of black students attended those schools.

Table 3: Distribution of Students Across School Sectors, the City of New Orleans

	Black		Hispanic		Other		White		Non-White		Poor	
	2007	2009	2007	2009	2007	2009	2007	2009	2007	2009	2007	2009
OPSB Traditional	12	8	8	3	16	15	1	1	12	8	12	8
OPSB Charter	18	16	44	30	58	57	86	80	20	17	25	16
RSD Traditional	37	39	22	17	14	9	3	5	36	37	33	37
RSD Charter	31	36	14	34	11	18	3	6	30	36	28	38
BESE Charter	2	2	13	16	1	1	7	7	2	2	3	2
TOTAL	100	100	100	100	100	100	100	100	100	100	100	100

Source: National Center for Education Statistics and Louisiana Department of Education

There were also important changes between 2007 and 2009 in attendance patterns. Overall, the share of non-white students attending OPSB schools declined from 32 percent in 2007 to 25 percent in 2009. Both black and Hispanic students were significantly less likely to be in OPSB schools in 2009 than in 2007, a pattern that probably reflects the way that newly added students were sorted across schools during this time.

The distribution of school types

True integration by race and income is very difficult in a school system where the overall shares of students of color and poor students are as high as those in the city of New Orleans. Nearly all of the city's schools meet the criteria for "non-white segregated" schools in Map 5 and Table 4. In fact, only a few OPSB schools qualify as integrated.

Similarly, since average poverty rates were uniformly high, the shares of high poverty schools with poverty rate in excess of 40 percent did not vary much across the sectors. Not surprisingly, what variation there was in 2009 worked to the advantage of OPSB and BESE charters, where very high poverty schools—schools with more than 75 percent free and reduced-price lunch eligibility—represented lower than average shares of the sectors' schools.

Table 4: Percentage Distribution of School Types: City of New Orleans 2009

	Racial Segregation			Concentration of Poverty			
	% of Schools	% of Students		Schools		Distribution of Students	
	% Segregated	White in Seg. Setting	Non-White in Seg. Setting	High Poverty	Very High Poverty	% of White Students in Very High Poverty Schools	% of Non-White Students in Very High Poverty Schools
OPSB Traditional	100	0	100	100	83	100	99
OPSB Charter	75	0	76	83	67	6	69
RSD Traditional	100	0	100	100	88	80	86
RSD Charter	100	0	100	100	97	100	98
BESE Charter	100	0	100	100	50	3	48

High Poverty Schools: Schools with more than 40 percent of students free or reduced price lunch eligible.
Very High Poverty Schools: Schools with more than 75 percent of students free or reduced price lunch eligible.

Source: NCES and Louisiana Department of Education

The other significant pattern in Table 4 is that, in OPSB and BESE charter schools, students of color were much more likely than white students to attend a very high poverty school. This reflects the fact that the overwhelming majority of white students in city public schools attend just a few OPSB and BESE charters.

Integrating the city's schools

The ways that the current tiered system of schools sort students in the city's public schools creates clear imbalances in school compositions—imbalances that increase the degree of segregation, especially by race, in the overall system. The vast majority of white students currently attend just a few OPSB and BESE charter schools, while students of color, especially black students, are much more likely to end up in higher-poverty RSD schools.

However, it is also clear from the data that the overall demographic make-up of the students in the city's public school system make the task of integrating the city's schools very difficult. Given that the overwhelming majority of students in the system are students of color (95 percent) and/or poor (83 percent), the city must look outward if it wishes to truly integrate its schools. There are three obvious directions to pursue.

First, large numbers of city students currently attend private schools. This represents an opportunity for traditional schools in the city as well as charters. The mix of students in these schools means that bringing a good portion of them into the public schools could make the public system significantly more integrated. In 2009, public schools in the city of New Orleans enrolled about 36,000 students. Private schools enrolled 18,500 students, 10,500 of whom were white and 6,700 of whom were black.[142] While it is unlikely that most white students in private schools would switch to non-white segregated public schools, switching to reputable public schools, whether traditional or charter, might be an enticing option for many parents, white or black, now spending money on private schooling.

Second, the regional data show that cooperative programs with suburban school districts also provide the potential for a much more integrated system. In 2009, there were three times as many students in suburban public schools as in the city system. The racial and income mix of the full regional school system (Table 1) clearly provides much more potential for integration efforts than the city alone. An effective regional system would also almost certainly fare better in competition with the private system than the city alone.

Third, special programs or schools in the city—magnet programs or schools—could be used to draw students from the suburbs or the private system into city public schools. Locating high-quality programs near job centers in the city could further enhance their viability as alternatives for suburban parents who work in the city.

None of these options would necessarily be easy, but the important point is that, even as daunting as the raw numbers appear to be, there are realistic options available to integrate public schools in the city. It is also clear that a chartering strategy cannot do the job alone.

VI. SCHOOL PERFORMANCE BY SECTOR

Few policy issues have generated the heated controversy that charter schools have since their conception in the early 1990s. The debate covers numerous aspects of charter schools, ranging from performance and accountability to their impact on traditional public schools. The academic performance of charters has undoubtedly been the most controversial issue in the ongoing debate.

The debate on the academic performance has failed to produce unanimity due both to the politically charged nature of the debate and the difficulties associated with statistical assessments of charter performance.[143] It is difficult to assess the performance of charter schools because performance can be measured by a variety of yardsticks and because the data required to cover all statistical bases is very difficult to obtain.[144]

Nevertheless, with the growing sophistication of education research and the availability of better data over time, a clearer picture of charter school performance has emerged.[145] Researchers now have a better understanding of the limitations of various measurement methodologies and there is some agreement on what needs to be studied in the future to better assess the performance of charter schools.[146]

Much of the empirical analysis of charter school performance uses snapshot comparisons of charters with traditional public schools at a given time. In general, national snapshots show that charter school test scores are lower than those of traditional public schools.[147] State-level snapshots, on the other hand, show mixed results, with charters outperforming traditional public schools in some states while underperforming them in others.[148]

The problem with snapshot comparisons is that while they can control for observable student characteristics such as poverty and race, they cannot fully control for variations in unobservable characteristics like student motivation. Any observed performance differences between charter and traditional public school students could simply result from these unobserved differences in the characteristics of students who self-select into charter schools rather than from differences in the quality of the schools ("self-selection bias").[149] Snapshot comparisons also fail to capture the changes in the effectiveness of individual schools over time ("maturation effects").[150] Institutions mature over time and their performance usually changes along the way.

Charter school proponents argue that snapshot comparisons fail to demonstrate superior performance by charter schools due to negative selection bias. The argument is that charter schools are at a disadvantage compared to traditional public schools because they attract the students who, all else equal, had the worst educational outcomes in the schools they had left behind. Charter school opponents, in contrast, argue that charters benefit from positive selection bias because students who self-select into charters are likely to be more highly-motivated or from families with more motivated parents than demographically equivalent students who remain in traditional schools. Selection bias could work both ways and the exact impact of selection bias on charter school performance needs to be studied empirically with methods that adequately control for selection bias.

Maturation effects could work both ways as well.[151] Charter school advocates claim that new schools have a learning curve and need some time to mature before they can generate the positive educational outcomes they promise.[152] They also argue that in its infancy, the charter school movement is likely to include a number of charter schools that are poorly run. As the charter movement matures, they suggest, these schools are likely to disappear, resulting in better overall educational outcomes over time.

Opponents argue, instead, that the early advantages of charter school innovations can diminish over time. For instance, founders of charter schools might be exceptionally innovative and experienced leaders but over time as these schools become more institutionalized, these founders get replaced by others who might not have the same characteristics. Similarly, charters might benefit from very high motivation among teachers early in their histories, with this advantage disappearing over time as teachers experience 'burnout'. Finally, over time, well-capitalized for-profit corporate charters could drive out smaller mission-oriented charter schools that are among the most dynamic schools in the charter movement. Large corporate charters can increase their market share by aggressive marketing strategies and use their growing market power to set barriers for smaller charter schools. If large corporate charters compete with small charters by exploiting their market power and superior resources rather than by academically outperforming them, the impact of this over time would be a decline in educational outcomes.[153]

The best way to control for selection bias and maturation effects in statistical evaluations is to track individual students' test scores over time.[154] By doing this, researchers can study academic gains of students from year to year rather than comparing them at a given point in time. However, there is not a single gold standard method for doing this either—there are several methods, each with strengths and weaknesses.[155] Nevertheless, tracking individual performance over time is the best way to assess the performance of charter school students. The problem, of course, is that the data needed to do this is hard to come by.

Existing studies that track the performance of students over time find that charter schools perform worse, at least initially.[156] While there is some evidence that the performance gap of charter schools diminishes over time, the literature is mixed about the magnitude of the initial performance gap and whether it disappears or reverses over time.[157] How does one interpret these performance results?

Even avid charter school proponents now admit that the performance of charter schools has not met their expectations. Chester Finn, a nationally prominent advocate of charter schools, acknowledges the mixed performance of charter schools: "some are fantastic, some are abysmal, and many are hard to distinguish from the district schools to which they are meant to be alternatives."[158] Other charter proponents such as the Charter School Leadership Council and the National Alliance for Public Charter Schools also confirm the mixed nature of charter school performance.[159]

But perhaps more importantly, performance results are much less ambiguous for students of color. Since charter schools have been promoted as an effective way to reduce the achievement gap between white students and students of color, it makes sense to assess their performance by race. Because

student peer composition has a strong effect on the performance of individual students, charter school sorting is likely to impact how the charter students perform academically.[160] If students from different racial and ethnic backgrounds attend charter schools with significantly different peer compositions, their performances will be affected by these differences.

This might help explain why charter schools serve some groups of students better than others. In Milwaukee, for instance, while whites and Hispanics experienced larger math gains in charter schools, performance findings were weaker and more mixed for blacks.[161] Another study that tracked individual students over time examines the performance of charter school students by race in two urban districts in California.[162] The study, which focuses on the impact of charter schools on the achievement gap, finds that in some cases charter schools have actually had a negative impact on the achievement of minority students. It concludes that charter schools in these two urban districts are not consistently improving performance for minority students above and beyond traditional public schools.[163]

Similarly, a longitudinal examination of individual students in North Carolina shows that charter schools in the state increased the racial isolation of white and black students and widened the achievement gap.[164] This study finds that the negative effect of charter schools on the achievement of black students is largely due to the growing racial isolation of these students in segregated charter schools.[165]

Charter School Performance in the New Orleans Region

Compared to many other parts of the country, the performance data for charter schools in the New Orleans region is relatively positive. However, the data and several recent studies show improving performance by regional students in all types of schools and the performance advantages observed for some parts of the charter community are modest. The comparison of charters to traditional public schools does not generate the largest differences in performance rates. Instead performance differs across sectors—OPSB schools versus RSD schools versus suburban schools—by much more than it does between charters and non-charters.

Recent analyses by the Southern Education Foundation (SEF), the Scott S. Cowen Institute, and the Boston Consulting Group document these patterns. In each, the performance difference between OSPB schools and RSD schools in 2008 or 2009 was roughly 45 percentage points, while differences between charters and traditional schools were between 10 and 25 points (depending on the year, the test subject and the grade tested).[166] The most significant charter effects documented in the SEF and Cowen Institute reports were for RSD charters compared to RSD traditional schools. However, each report noted that the measured differences did not account for important differences between traditional and charter schools that account for at least some of the difference, including student mobility rates (higher in traditional schools), special education rates (higher in traditional schools), and selective admission policies (formal and informal) in many charters. [167]

Charts 7 through 10 document these patterns with recent performance data for New Orleans regional schools. Schools are divided into seven groups (OPSB Traditional, OPSB Charter, RSD Traditional, RSD Charter, BESE Charter, Suburban Traditional, and Suburban Charter) four subjects (English, Math,

Science, and Social Studies), and two grade levels (fourth and eighth grades). Charts 7 and 8 show pass rates in 2009 and Charts 9 and 10 show changes during the last three years.[168]

Charts 7 and 8 confirm the patterns from the earlier studies. Differences in pass rates in 2009 were much greater across sectors (OPSB versus RSD versus suburban) than between charters and traditional schools. On average, OPSB schools had pass rates 43 percentage points higher than RSD schools for both grade levels. The average differences between suburban schools and RSD schools were 31 and 34 points for fourth and eighth grades respectively.

In contrast, the charter and traditional school differences were less consistent and much narrower. In the fourth grade tests, traditional OPSB schools actually outperformed charters and the differences were relatively narrow for RSD and suburban schools—16 points and 8 points respectively. Charters in the City of New Orleans compare better in the eighth grade results, with 23 point differences in OPSB and RSD schools, but the differences are still only about half of the overall difference between OPSB schools and RSD schools.

Charts 9 and 10 show how pass rates have been changing in recent years. The fourth grade test results show two very striking patterns for city schools. First, traditional schools in both the OPSB and RSD sectors outperformed charters, with improvements nine points greater on average in RSD traditional schools than in RSD charters and two points greater in OPSB traditional schools than in charters. Second, RSD schools in general were closing the gap with OPSB schools—pass rates increased by six points more in RSD schools on average than in OPSB schools.

The eighth grade data also show pass rate changes in traditional schools are outpacing or matching those in charters. However, at this grade level, the gap between RSD and OPSB schools widened rather than narrowing.

Overall, the performance data show that factors other than the charter versus traditional school comparison are driving pass rate differences in regional schools. The gaps between OPSB or suburban schools and city schools are much wider than those between charters and traditional schools. Further, for the most part traditional schools have been closing the gap with charters, suggesting that any advantages that charters have shown are not sustainable, especially as the charter system grows to include larger shares, and a more representative sample of the region's students.

The weakness of the simple comparisons in Charts 7-10 is that they cannot account for differences across the schools and sectors in other factors affecting test scores—characteristics like school poverty, mobility, and special education rates. It is possible, for instance, that some portion of the difference between pass rates in RSD and OPSB schools is due to higher poverty, mobility or special education rates in RSD schools. The empirical literature on this subject shows very clearly that these factors affect test results.

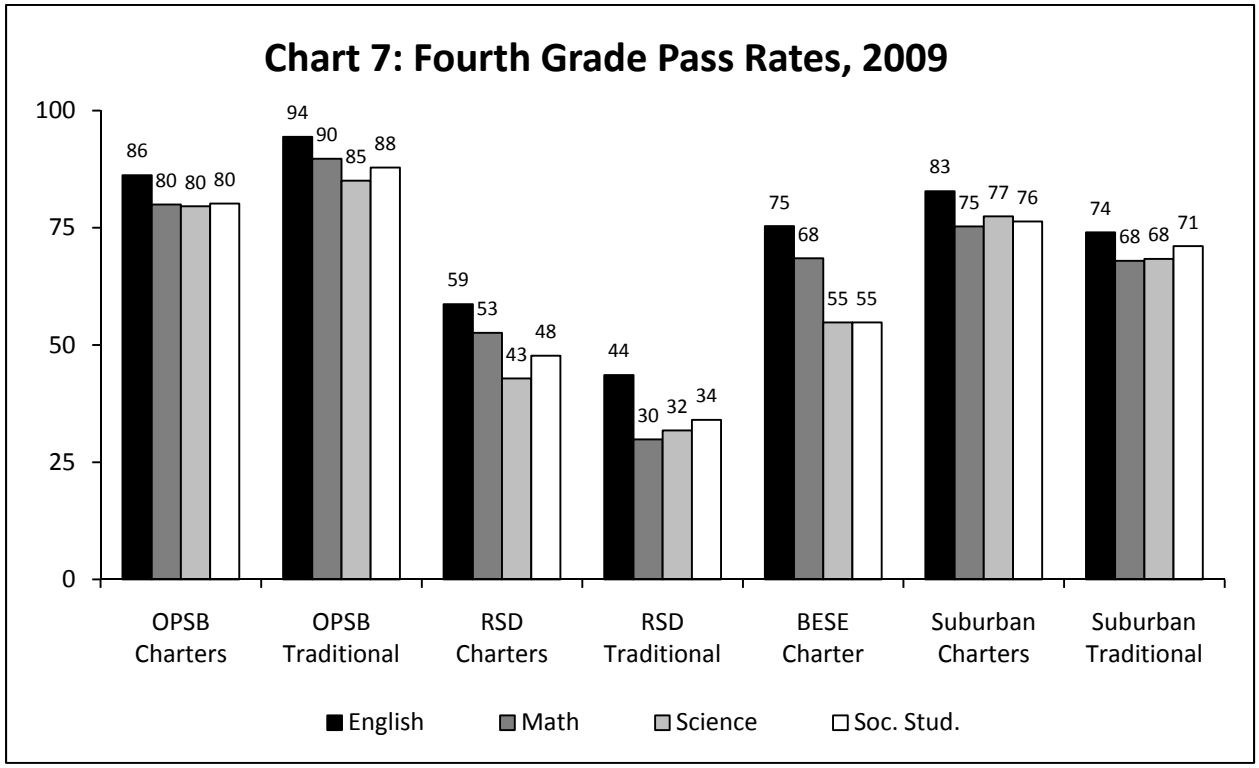


Chart 7: Fourth Grade Pass Rates, 2009
100
75
50
25
0
86 80 80 80
94 90 85 88
59 53 43 48
44 30 32 34
75 68 55 55
83 75 77 76
74 68 68 71
OPSB Charters
OPSB Traditional
RSD Charters
RSD Traditional
BESE Charter
Suburban Charters
Suburban Traditional
English
Math
Science
Soc. Stud.

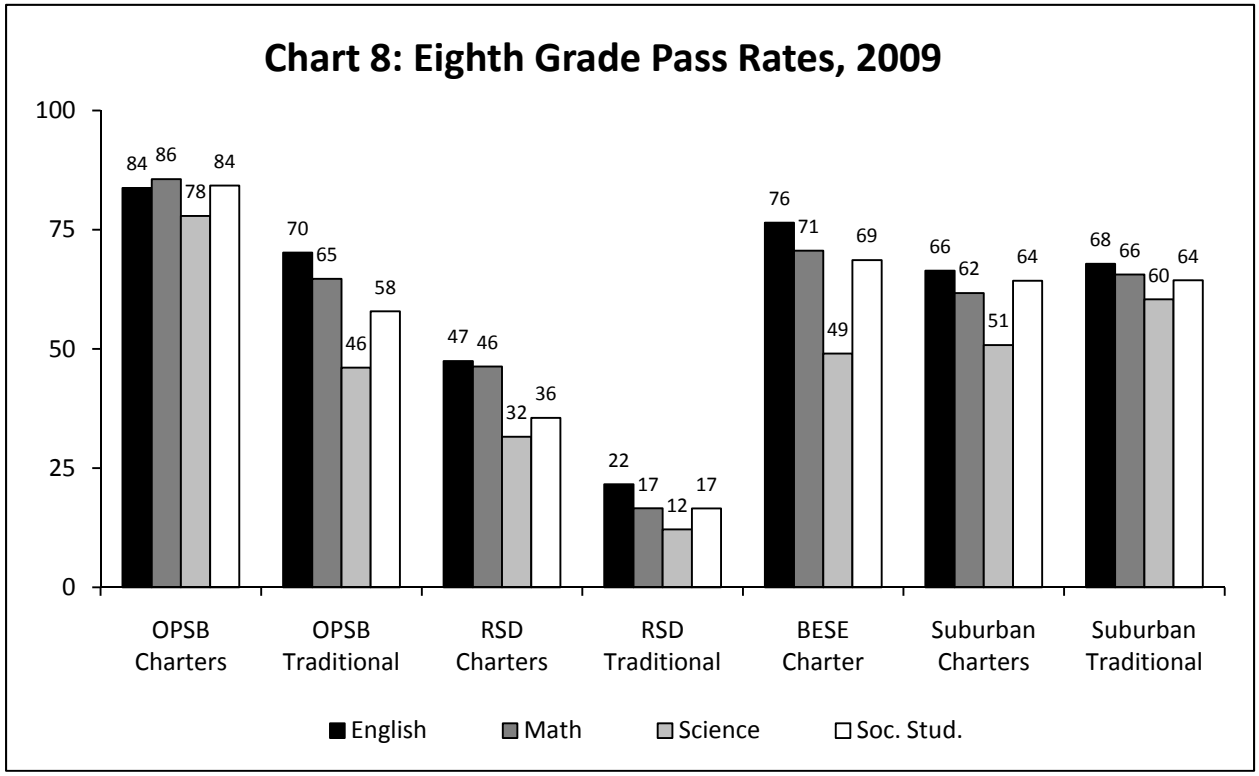


Chart 8: Eighth Grade Pass Rates, 2009
100
75
50
25
0
84 86 78 84
70 65 46 58
47 46 32 36
22 17 12 17
76 71 49 69
66 62 51 64
68 66 60 64
OPSB Charters
OPSB Traditional
RSD Charters
RSD Traditional
BESE Charter
Suburban Charters
Suburban Traditional
English
Math
Science
Soc. Stud.

Chart 9: Percentage Point Change in Fourth Grade Pass Rates, 2007-2009

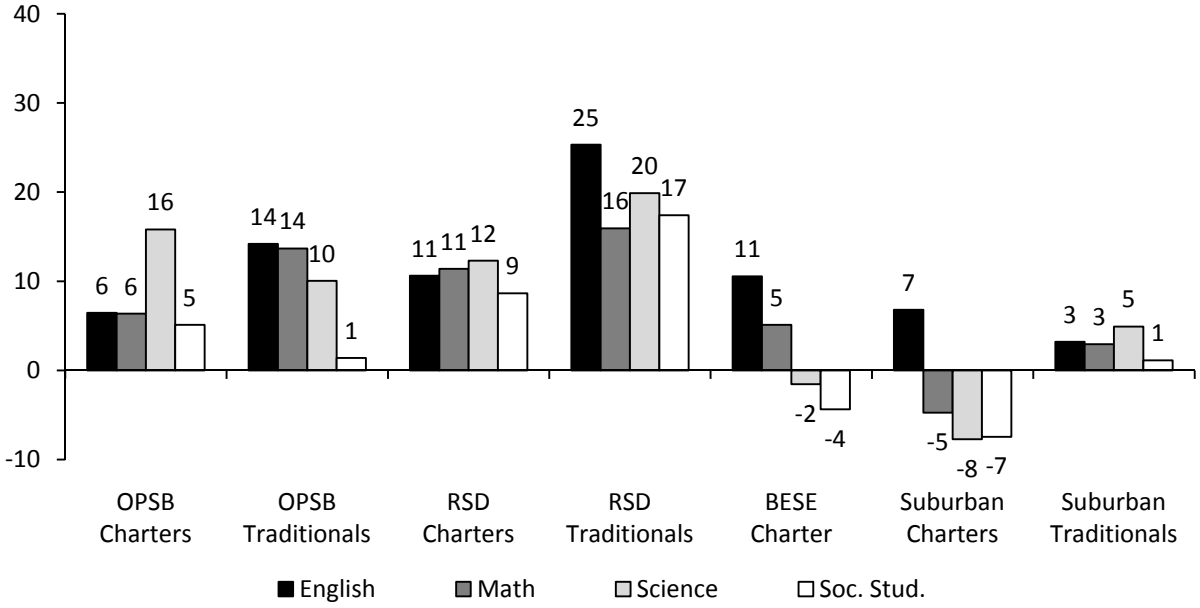
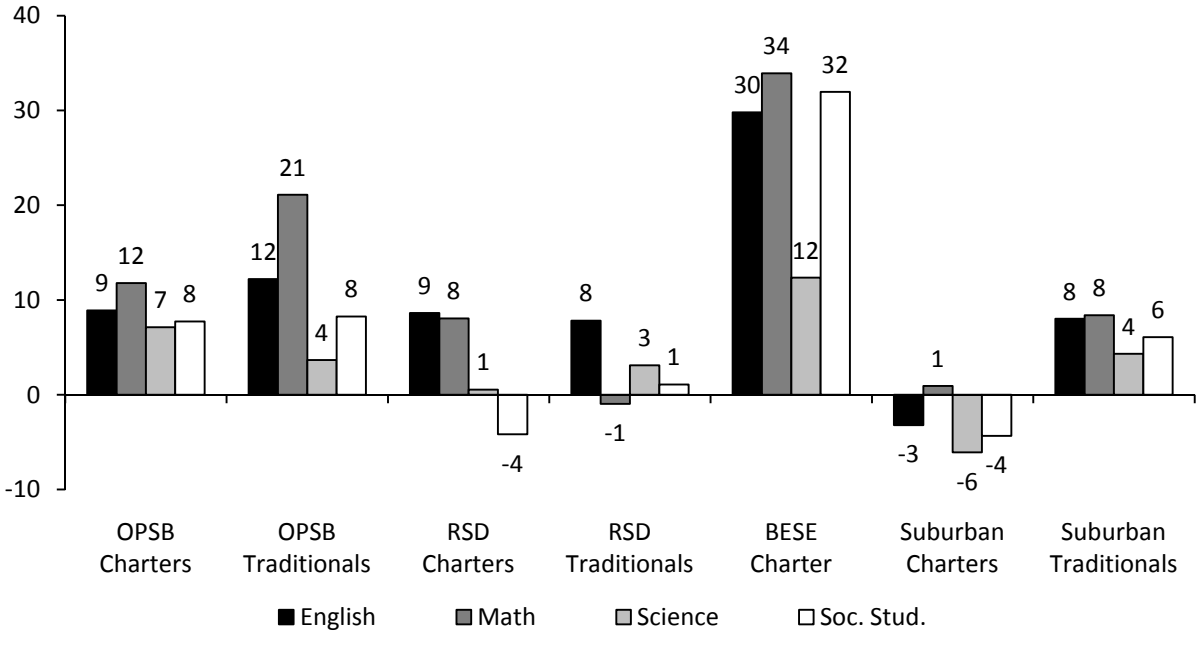


Chart 10: Percentage Point Change in Eighth Grade Pass Rates, 2007-2009



To test whether this is the case, eight statistical analyses of data for the 2008-2009 academic year were performed for schools in New Orleans metropolitan area—separate analyses for each of the four testing subjects in fourth and eighth grades. The percentages of students scoring basic or better in the relevant subjects and grades were the dependent variables—the school characteristics to be explained by the statistical models. All of the models controlled simultaneously for student poverty, racial mix, special education shares, limited-language abilities, student mobility rates and school size. Finally six variables were included to test whether test scores were systematically different across the school sectors (OPSB, RSD, suburban) or between charter and traditional schools within each sector.

While this method is not ideal—it cannot, for instance, track individual students over time as the ideal method would—it provides results that are grounded in well-known statistical procedures. These procedures provide efficient ways to control for a wide variety of student characteristics that may affect school performance. They also generate interpretable comparisons that can be evaluated statistically rather than simply by whether differences "look" substantial or not.

Tables 5 and 6 summarize the results of the eight multiple regression models—one for English, Math, Social Studies and Science in each of the two grades. The coefficients represent the predicted effect on the percentage of students who are proficient in the relevant subject as a result of a change of one in the value of each independent variable. For instance, the value of -.2 for "% Students Free/Red.-price Lunch Elig." in the fourth grade English regression (the first column of Table 5) means that the predicted difference in English pass rates between two schools that are exactly identical (in the variables included in the model) except for a one percentage point difference in the free or reduced-price lunch rate would be .2 percentage points, with the school with the higher poverty rate showing the lower pass rate.

The coefficients for the variables used to represent OPSB, suburban, BESE charter and RSD charter schools show the difference in pass rates between each type of school and RSD traditional schools, after controlling for poverty rate, limited English share, special education percentage, mobility rate, total students and racial mix. The coefficients for OPSB charters and suburban charters show whether there are performance differences between charters and traditional schools in each of the sectors.

The results largely confirm the results in the simple comparisons in Charts 7 and 8. For the most part, pass rates differ by much more between sectors than they do between charters and non-charters. For instance, the expected difference between OPSB schools and RSD traditional schools in fourth grade English pass rates, after controlling for all of the other included characteristics, was 51.8 percentage points. If the OPSB school were a charter, the expected difference would be 22.9 points less, or 28.9 points, results consistent with the differences in Chart 7. Similarly, for suburban schools, the difference was 17.7 percentage points with expected charter scores just 1.9 points higher.

The measured fourth grade effects for OPSB charters are all negative, implying that all else equal OPSB charters had lower pass rates than OPSB traditional schools. The measured effects for suburban charters are all positive, but they are not statistically significant—which means that the measured effects are indistinguishable from zero.

The only statistically significant positive effects for charter schools in the fourth grade analysis are for RSD charters. However, as with the simple comparisons in Chart 7, the effects, which range from 8.5 percentage points to 21.5 points, are much less than the differences across sectors, especially when comparing RSD to OPSB schools.

The eighth grade results shown in Table 6 are also consistent with the simple comparisons in Chart 7. Measured differences between the OPSB and suburban sectors and RSD traditional schools are positive and statistically significant, while the charter effects in these two sectors are positive, but not significant statistically. The results show that eighth graders in RSD charters outperform their counterparts in RSD traditional schools by slightly more than fourth graders, but by amounts substantially less than the differences across sectors.

The effects of the other included variables are consistent with the empirical literature on this subject. Higher student poverty rates, special education shares, limited English shares, higher non-Asian minority shares, and greater mobility rates are negatively associated with pass rates in general, although they are not always statistically significant.

Overall, the school performance data show very clearly that the differences between sectors—differences between OPSB, RSD and suburban schools—are much more substantial than those between charters and traditional schools. In fact, OPSB and suburban charters do not outperform their traditional counterparts at all. Although RSD charter schools outperform RSD traditional schools, the margins are modest (compared to the between-sector differences) and are narrowing for fourth graders. These results remain after controlling for differences in school demographics.

The data available for this analysis do not allow us to control for the effects of selection bias or maturation effects, discussed in the previous section. However, in the New Orleans context, it seems clear that both of these possible biases work in favor of charter schools in performance comparisons with traditional schools. The discussion in previous sections of how charters can use admission requirements, enrollment processes, discipline and expulsion practices, transportation policies, location decisions, and marketing or recruitment efforts to shape their student body clearly implies that, in New Orleans, selection bias is almost certainly working to increase pass rates in charters, all else equal, compared to traditional schools. In addition, since virtually all charters in New Orleans are less than five years old, burnout is probably not yet a problem, implying that maturation effects are still likely to be working in their favor.

What this means is that the relatively modest performance advantages for RSD charters seen in the 2009 data are likely to erode as the charter system matures and if it continues to expand. As the charter school share of enrollments grows, charters will no longer be able to use selection practices to limit enrollments to the most motivated students and parents, and, as charters age, burnout among teachers and staff will become a potential issue. Both of these trends are likely to eliminate the relatively modest performance advantages seen in the current data. What will be left are the more substantial differences between RSD schools and their OPSB and suburban counterparts. In the long term, finding ways to

effectively merge these systems offers the greatest opportunities for bringing city students presently in low-performing schools to higher-performance learning environments.

Table 5: Multiple Regression Results
The Determinants of Elementary School Performance

School Characteristics	English	Math	Soc. Stud.	Science
OPSB	51.8 **	60.3 **	54.3 *	53.6 **
	(4.92)	(5.54)	(5.13)	(5.18)
OPSB Charters (additional effect beyond	-22.9 *	-27.3 **	-28.2 **	-27.1 **
OPSB base effect)	(1.96)	(2.23)	(2.36)	(2.32)
Suburban	17.7 **	21.1 **	19.2 **	15.9 **
	(4.22)	(4.83)	(4.50)	(3.82)
Sububan Charters (additional effect beyond	1.9	1.2	-1.6	2.6
suburban base effect)	(0.13)	(0.08)	(0.10)	(0.18)
BESE Charter	17.7	22.3	5.9	2.2
	(1.22)	(1.48)	(0.40)	(0.16)
RSD Charters	11.8 **	21.5 **	12.4 **	8.5 **
	(2.79)	(4.85)	(2.86)	(2.01)
% of Students Free/Red.-price Lunch Elig.	-0.2 **	-0.2 **	-0.3 **	-0.3 **
	(2.16)	(2.03)	(2.76)	(2.56)
% of Students Limited English	-0.3 *	-0.3	-0.1	-0.2
	(1.65)	(1.55)	(0.34)	(0.84)
% of Students Special Education	-0.5 *	-0.4	-0.5 *	-0.5 *
	(1.95)	(1.53)	(1.72)	(2.04)
Total Students	-0.005	-0.003	-0.005	-0.003
	(0.83)	(0.46)	(0.80)	(0.52)
% of Students Non-Asian Minority	-0.2 **	-0.3 **	-0.3 **	-0.3 **
	(2.57)	(3.37)	(3.15)	(4.00)
% Enrollment Change Fall 08-Spring 09	-1.1 **	-0.7	-0.7	-0.7 *
(absolute value)	(2.62)	(1.51)	(1.61)	(1.66)
Intercept	96.8 **	87.4 **	96.8 **	98.5 **
	(11.40)	(9.84)	(11.19)	(11.66)
Adj. R^2	0.53	0.57	0.59	0.63
Number of Schools	156	156	156	156

t statistics in parentheses.
**: Coefficicient significant at 95% confidence level.
*: Coefficicient significant at 90% confidence level.

All variables are measured for the 2008-09 school year.
All schools in the metropolitan area with data for all variables are included.

Table 6: Multiple Regression Results
The Determinants of Middle School Performance

School Characteristics	English	Math	Soc. Stud.	Science
OPSB	46.0 **	43.6 **	33.8 **	30.0 **
	(4.10)	(3.32)	(2.45)	(2.60)
OPSB Charters (additional effect beyond	2.8	14.4	18.6	15.3
OPSB base effect)	(0.23)	(1.01)	(1.25)	(1.23)
Suburban	29.1 **	35.2 **	31.6 **	22.5 **
	(5.51)	(5.77)	(4.95)	(4.20)
Sububan Charters (additional effect beyond	15.3	12.6	9.9	16.5
suburban base effect)	(1.00)	(0.7)	(0.54)	(1.07)
BESE Charter	43.0 **	39.3 **	31.3 *	21.6
	(2.85)	(2.22)	(1.69)	(1.39)
RSD Charters	16.8 **	18.5 **	7.1	9.0 *
	(3.44)	(3.09)	(1.13)	(1.70)
% of Students Free/Red.-price Lunch Elig.	-0.1	0.1	-0.2	-0.1
	(0.72)	(0.23)	(0.91)	(0.65)
% of Students Limited English	-0.3	-0.5	-0.5	-0.2
	(0.95)	(1.35)	(1.30)	(0.58)
% of Students Special Education	-0.5 **	-0.6	-0.9 **	-0.7 **
	(2.88)	(1.55)	(2.40)	(2.26)
Total Students	-0.017 **	-0.01	-0.009	-0.013 *
	(2.48)	(1.28)	(1.08)	(1.85)
% of Students Non-Asian Minority	-0.2	-0.2	-0.2	-0.4 **
	(1.56)	(1.61)	(1.07)	(3.19)
% Enrollment Change Fall 08-Spring 09	-0.6 **	-0.5	-0.6	-0.4
(absolute value)	(2.14)	(1.52)	(1.63)	(1.24)
Intercept	71 **	52.5 **	69.4 **	77.3 **
	(6.88)	(4.17)	(5.24)	(6.97)
Adj. R^2	0.63	0.60	0.59	0.68
Number of Schools	108	107	106	107

t statistics in parentheses.
**: Coefficicient significant at 95% confidence level.
*: Coefficicient significant at 90% confidence level.

All variables are measured for the 2008-09 school year.
All schools in the metropolitan area with data for all variables are included.

VII. CONCLUSION AND POLICY RECOMMENDATIONS

Charter schools cannot be the only institution providing public education and school choice in the city of New Orleans.

The new, post-Katrina, public school system in New Orleans is becoming more and more reliant on charter schools. The sector grew rapidly as a result of the coordinated efforts of a number of charter school proponents, in response to strong financial incentives (from the federal government and the philanthropic community), and not necessarily because of superior educational performance by charters. The role of charter schools in the public school system is geared to grow even further; the state legislature recently passed a number of acts designed to take advantage of the Obama administration's education funds targeted for charter schools. In response to these continuing incentives, numerous charter operators are making plans to expand in the city.

The results from this report imply that it is time to slow down and take stock. The overall performance of the charter system has so far fallen short of expectations in a number of ways. Moreover, the rapid expansion of the charter school has put enormous strains on both the charter and the traditional sectors. Some estimates are that publicly-funded charter schools will outnumber traditional public schools in New Orleans by three-to-one by 2012. The continuing expansion of the charter sector has reached the point where it jeopardizes the very existence of the traditional public school sector in the city.

This type of unbridled expansion runs counter to the promise of expanding school choice for New Orleans parents. As charter schools begin replacing traditional public schools at the district level through school conversions, parents, students, and teachers may be *forced to choose* a charter school because of the lack of high-quality traditional public schools. In fact, this is already happening in parts of New Orleans, where traditional public schools have not been reopened in the aftermath of Katrina. When charter schools become the only option, rather than being one among many, choice options are narrowed for students.

When charter schools become the exclusive instrument of school choice in racially and economically segregated urban school districts such as New Orleans, school choice produces substantial inequalities among public students.[169] School choice has been cast as the new civil rights issue of our era. [170] However, the school system as it is developing in New Orleans is undermining the equality of educational opportunities in the city of New Orleans, and putting the majority of the city's low income students and students of color at a disadvantage. The 'tiered' system of schools that has developed in the city means that white students and a small minority of students of color continue to be sorted into the better performing OPSB and BESE sectors while the majority of low-income students of color are confined to the lower performing RSD sector.

The data in this report and several recent studies show improving performance by regional students in all types of schools and modest performance advantages for some parts of the charter community. However, the comparison of charters to traditional public schools does not generate the largest

differences in performance rates. Instead performance differs across sectors—OPSB schools versus RSD schools versus suburban schools—by much more than it does between charters and non-charters. Even these modest performance advantages are likely to erode as the charter system continues to expand and mature. If the entire district is charterized, charters will no longer be able to use selection practices to limit enrollments to the most motivated students and parents while leaving the rest to traditional public sector. The intense work schedules demanded of charter school staff and teachers also means that burnout among teachers and staff will eventually become an issue.

There are also indications that the recent rapid growth in the charter sector cannot continue and that a fully charterized system would not be sustainable. There are serious questions about the ability of charter schools and charter management organizations to scale up as dramatically as their supporters might hope. The capacity of the charter system to serve public students in New Orleans is already strained and is likely to erode as the post-Katrina aid to the city of New Orleans declines. In addition, the underlying characteristics of the charter system and experiences in other parts of the country imply that the accountability usually demanded of programs using tax money will eventually become a problem, either in the form of increasing administrative costs for the system or financial irregularities.

Finally, additional changes to Louisiana's charter legislation are also needed to make charter schools more likely to integrate students.[171] For instance, making sure that all charter schools in the state provide free public transportation, non-selective enrollments, and widespread outreach to parents of color and low-income parents could help transform charter schools into more inclusive instruments of school choice in New Orleans.

All of these suggest that it is clearly time to reevaluate the decision to rely exclusively on charter schools in providing education to public students in the city of New Orleans. In the light of these arguments, it makes sense to expand the portfolio of strategies used for restructuring the city's school system in the aftermath of Katrina.

Renew the system's commitment to the RSD traditional public sector.

An improving traditional public school sector should remain as part of an expanded portfolio of choices available to the city's students. The current playing field is clearly not level. This report documents the rules and practices that put RSD traditional schools, which educate 36 percent of the city's students (the majority low-income students of color), at a competitive disadvantage. OPSB and BESE schools as well as RSD charters have the power to tailor their student populations in ways that RSD traditional schools cannot. Despite this, performance in RSD traditional schools is improving. However, RSD traditional schools cannot continue to improve if they remain 'schools of last resort'. The district must be as committed to improving these schools as it is to the rapidly expanding charter sector. Traditional schools must be provided the resources needed to continue their improvement.[172] For instance, making sure that RSD traditional schools have access to a sufficiently experienced teacher pool would be an important step in this direction.

Reinvest in magnet schools as an alternative school choice strategy.

School choice does not necessarily have to undermine equality of opportunity in urban school districts. School choice could in fact reduce existing inequalities in access to high-quality education if it is provided through choice strategies that promote racial and economic integration. Such strategies are also proven to be effective in reducing existing gaps between the performances of white students and students of color. [173] It is not a coincidence that the most successful school sectors in the New Orleans metro area are also the most integrated ones.

Expansion of school choice through magnet schools is one such strategy. As a recent report on magnet schools emphasizes, "magnet schools are the largest set of choice-based schools in the nation and today enroll twice as many students as the rapidly growing charter school sector."[174] As Gary Orfield, veteran civil rights researcher in public education, writes:

> Magnet schools provided choice with the three essential civil rights policies—information, open access, and desegregation standards—along with truly distinctive educational offerings…We should look carefully at the experience of magnet schools in creating mutually beneficial and widely accepted ways of pursuing both integration and education choice.[175]

Originally, magnet schools were designed to use incentives rather than coercion to create desegregation in the public school system. This original intent empowered magnet schools with strong civil rights protections such as good parent information/outreach, explicit desegregation goals, free transportation, and in most cases, open admission processes.[176] Many magnets were extremely popular and successful schools and served as effective tools for voluntary integration.[177] In fact, many of the most successful schools in the city of New Orleans (schools that are currently in the OPSB sector) started as magnet schools and are still magnets. Over time, many magnets lost their original desegregation mechanisms for a number of reasons.[178] If their desegregation mechanisms are restored, magnet schools can resume their role in providing successful educational outcomes, parental choice and integration simultaneously.

The presence of a large private school sector—with its nearly 18,500 students (over 10,000 white) — in the city of New Orleans represents an opportunity for magnet schools as much as it does for charter or traditional schools. High-quality, reputable magnet schools have worked to attract white students to urban public schools in many parts of the country. High-quality magnet schools have also succeeded in New Orleans in the past. They could certainly be an enticing option for many parents, white or black, who are now spending money on private schooling. By locating high-quality magnet schools near job centers in the city, the traditional public school system in the city of New Orleans could also make magnet schools an enticing option for many suburban parents who work in the city. By placing magnet schools in locations that are convenient to urban and suburban parents, the system could further enhance the viability of magnet schools, making them an additional instrument of school choice in the city of New Orleans.

Ensuring that magnet schools in the city of New Orleans have strong desegregation mechanisms in place should be an essential part of any school choice strategy involving magnets. This is especially crucial in light of the recent finding that "magnet schools located in districts with nearby charter schools were

more likely to report decreasing levels of integration than districts without charter school alternatives."[179]

Make region-wide efforts to expand the choices available to students and parents.

It is unrealistic to expect magnet, charter or traditional schools in the city to fully integrate the city's public schools. Students of color make up 95 percent of the students in the New Orleans public school system and free and reduced-price lunch eligible students constitute 83 percent. These demographics make it impossible to racially and economically integrate the city schools in isolation. However, over 10,000 white students in the city of New Orleans attend private schools and most of the nearly 19,000 private school students in the city are likely to be middle-class—presenting an additional opportunity to further integrate the city's schools.

The city must also look outward toward the rest of the New Orleans metropolitan area if it wishes to truly integrate its schools. The regional data show that cooperative efforts between the city and its suburbs provide the potential for a much more integrated system. In 2009, there were three times as many students in suburban public schools as in the city system. The racial and income mix of the full regional school system clearly provides much more potential for integration efforts than the city alone. An effective regional system would also be likely to fare better in competition with the private system than the city alone. The important point is that, even as daunting as the raw numbers appear to be, there are realistic options available to integrate public schools in the city.

One approach is to actually combine operations with suburban areas. Large-scale, nearly region-wide school systems in Louisville, Kentucky and Raleigh, North Carolina provide good examples of this. In these areas, the city school districts consolidated with the surrounding districts into a single county-wide district.

Voluntary inter-district transfer programs that enable low-income students to transfer to low-poverty schools in suburban school districts can also be an important part of a metropolitan portfolio of school choice. Suburban schools in the New Orleans metropolitan area, which tend to be less racially segregated with lower poverty than their city counterparts, offer good educational outcomes and life opportunities to low-income students and students of color. An example of a voluntary inter-district program that promotes racial and economic integration in the public school system is already in place in the Twin Cities metropolitan area.[180]

The Choice is Yours Program in the Twin Cities was created in 2000 in response to a lawsuit filed on behalf of the children enrolled in Minneapolis public schools. The Program has an inter-district student transfer component under which children of Minneapolis residents who qualify for free or reduced-cost lunch programs are eligible for priority placement in participating schools in eight suburban school districts that surround Minneapolis. At the beginning of the 2005-2006 school year, 1,680 Minneapolis students were enrolled in the program. A majority of these students had previously attended racially segregated, overwhelmingly poor Minneapolis schools. Geographically, north Minneapolis neighborhoods—the predominantly African-American part of the city—were the largest contributors to

the program and suburban districts immediately adjacent to these neighborhoods received most of the participating students.

Students who participated in the program in its early years experienced significant achievement gains. The program has been favorably regarded by parents, students, the Minnesota Office of the Legislative Auditor, and even the Bush administration. Of the nine choice programs nationwide to receive a federal grant while those funds were still available, the program was considered the best. While the legal settlement that resulted in the Choice is Yours program expired in June 2005, the inter-district transfer component of the program still continues to operate, thanks to its popularity, under the West Metro Education Program's comprehensive desegregation plan.[181]

Suburban school districts participating in the program have been receptive to incoming low-income students for two reasons. Many of these suburban districts have been facing declining or stagnating enrollments and as a result have been losing state revenues. The program fills these empty seats and not only brings needed student diversity but also the per-pupil state revenues the suburban districts need to maintain their level of service. Moreover, these school districts are given additional financial incentives for receiving students. As part of the program, suburban districts receive more state aid per pupil for the Choice is Yours participants than they do for other students. In addition, receiving districts receive state desegregation transportation aid funds to finance the transport of program participants.

The program also provides a lesson about sustaining early successes. The success of the program has been compromised in recent years by growing racial segregation and increasing poverty in some of the participating suburban schools. In order to deliver its original goal of integrating disadvantaged students into opportunity-rich, well-performing suburban schools in the long run, programs like the Choice is Yours must avoid suburban areas that are already undergoing or are on the verge of income or racial transition. Voluntary inter-district transfer programs can be effective ways of offering low-income students higher quality school choice options as long as the receiving suburban schools remain low-poverty schools. This might be a challenge in a region like the New Orleans metro, where poverty rates are already remarkably high. But the effort is worth it, considering that traditional public schools in less racially segregated suburban areas perform better than most schools in the racially segregated city of New Orleans (with the exception of the magnet and charter schools with selective admission requirements).

Voluntary inter-district transfer programs involving high-quality suburban schools can also be a great complement to magnet schools in urban areas. The two choice options can work together to reduce racial and economic segregation in a region's public schools. An example comes from St. Louis Public Schools in Missouri—a public school district with a student body very similar to New Orleans'.[182]

The district established a very successful voluntary inter-district program that promotes racial and economic integration in the public school system in response to a court order to desegregate its schools. The program provides for the voluntary transfer of city students into suburban districts and suburban students into magnet schools in the city.[183] Around a quarter of the district's student body takes advantage of the program: in 2006, about 10,000 city students attended eligible suburban schools and

about 500 suburban students chose to attend St. Louis magnet schools.[184] The program has been very successful in boosting graduation and college attendance rates among participating students. Students who participate in the program graduated at rates double those in the city schools they would have otherwise attended and 77 percent of the program participants attended two or four year colleges—significantly above the statewide average of 47 percent for students of color.[185]

When combined with magnet schools, voluntary inter-district programs could not only reduce the racial and economic segregation of public school students at the regional level but also ameliorate the unacceptable opportunity gap that exists between white students and students of color in the New Orleans metropolitan area.

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Appendix 1

May 15, 2010

From: Institute on Race and Poverty (IRP)

To: Cowen Institute for Public Education Initiatives

Re: Cowen Institute's Response to "The State of Public Schools in Post-Katrina New Orleans: The Challenge of Creating Equal Opportunity"

On May 2010, the Institute on Race and Poverty (IRP) received feedback from the Cowen Institute regarding its report *The State of Public Schools in Post-Katrina New Orleans: The Challenge of Creating Equal Opportunity* commissioned by the Loyola Institute for Quality and Equity in Education. IRP appreciates the time and interest extended by the Cowen Institute to review the report. The Cowen Institute states that it felt compelled to respond to some of the claims made in the report, arguing that:

> While some of the report's claims and observations are accurate and compelling, we show that many of the claims in the report suffer from a lack of historical analysis, rely on shaky (often anecdotal evidence), selectively exclude evidence that contradict the report's findings, and in some cases misrepresent the truth (Cowen, p. 1).

IRP addresses the concerns raised by the Cowen Institute under the section headings used in the comments. The authors of the report clarify some of the misunderstandings by the Cowen Institute, discuss some of the misstatements regarding our findings, and correct some of the factual mistakes made by the Cowen Institute in their critique. We thank the Cowen Institute for giving us the opportunity to have an exchange about our report and learn from each other.

A New Governance Structure: The Emergence of Charter Schools

Cowen Institute Claim: The Cowen Institute takes issue with IRP's characterization of the expansion of the charter sector in New Orleans, claiming that this section, "uses selective information in order to create the impression that charters were unfairly imposed on New Orleans, without the full knowledge of the state legislature, by certain state interests and the federal government" (Cowen, p. 4).

Institute on Race and Poverty Response: At no point does the Institute claim that charter schools were unfairly imposed on New Orleans. The intent of this section was to show that "the charter system has expanded in fits and starts often in response to outside incentives" (IRP, p. 25). This section of the report highlights the factors that facilitated the emergence of charter schools in New Orleans by describing the external support from philanthropic organizations and the federal government as well as the changes in state law that made the expansion of the charter sector possible. As documented in footnote 34, it is

clear that, at the time, many local actors in New Orleans, including the influential Bring New Orleans Back Commission (BNOBC), viewed charter school expansion as the "expedient way" to open schools after Katrina. Similarly, as the Louisiana State Superintendent of the time, Cecil Picard, noted, replacing the school system with charters was the most expedient approach because "federal dollars were immediately available for them." (See footnote 34) This is especially clear in the case of OPSB, which converted many of its traditional schools into charters to expedite the re-opening of its schools in the immediate aftermath of the Hurricane (see footnote 35 for further evidence on this).

The Cowen Institute criticizes the report for emphasizing the impact of federal money that was earmarked for charter schools while neglecting larger amounts of Immediate Aid to Restart School Operations (RESTART) funding. It is true that federal funds in the form of RESTART funds arrived to support traditional public schools. However, there were significant delays in the arrival of these funds. On the other hand, philanthropic funds and the Federal education funds appropriated specifically for charters through the U.S. Department of Education were immediately available after Katrina and, in the absence of other aid, the district pragmatically chose to take advantage of federal and philanthropic grants which were mostly geared toward charter schools. The financial realities of the day and the timing and availability of funds played a key role in the initial expansion of the charter sector. The initial availability of funds for charter schools impacted the decision of local actors to reopen schools as charter schools. Other analyses make the same argument—see, for instance, Dingerson (2006/2007, IRP p. 12 cited in footnote 25).

The Cowen Institute also suggests that our report "claims that the Louisiana legislature did not intend, when it voted for Act 35, that New Orleans schools should be opened as charter schools. However, in a number of news articles from the period, state officials make it clear that this was a possible, and indeed likely, outcome" (Cowen, p.2).

If it was the original intent of the Louisiana legislature that recovery efforts be dominated by charter schools, why then did the legislature not vote at that time to expand the statewide cap on the number of charter schools when the issue came up in the special session during which it approved Act 35? The fact that the legislature refused to expand the cap reveals the intent of the legislature as a whole, regardless of the opinions of individual legislators.

We are aware of the per pupil expenditure differences cited by the Cowen Institute. However, there is a large empirical literature showing that school composition—especially poverty—has much greater effects on student performance than spending. While adequate funding is of course necessary to ensure adequacy in education, disparities like those in New Orleans are unlikely to generate major differences in performance.

Finally, the Cowen Institute also criticizes IRP in this section for overemphasizing federal support for charter schools. However, the importance of charters to the federal Race to the Top (RTTT) initiative has been noted by many in the field of education. In fact, the administration has been criticized by education scholars on both ends of the political spectrum for its unquestioning reliance on charter schools in responding to the problems associated with traditional public schools.

Consequences of the Rapid Expansion of Charter Schools:

Cowen Institute Claim: The Cowen Institute response criticizes this section of the report for making "strong claims about charter schools in New Orleans based on limited evidence, much of it from outside of Louisiana and not directly relevant to the situation in New Orleans" (Cowen, p. 4).

Institute on Race and Poverty Response: As the Cowen Institute correctly notes, we argue that charter schools in New Orleans do not compete with traditional public schools fairly because they have the ability to shape their student bodies. In the case of the OPSB charter schools with selective admissions, it is fairly easy to make the case that these schools are skimming the most able students from the system and this point has been made by many other institutions that have analyzed New Orleans schools.

We also focus on the subtle ways in which RSD charters with open admission policies can shape their student body through means like enrollment processes, discipline and expulsion practices, transportation policies, location decisions, and marketing or recruitment efforts. While the Cowen Institute agrees with the importance of these issues, it nevertheless criticizes our report for offering "little direct evidence of the difference in populations between RSD charters and RSD traditional schools."

We are aware of the fact that the racial and economic characteristics of the students in RSD charters and RSD traditional schools are almost identical. We do not argue that these schools are skimming students with high socio-economic status. Instead, the argument is that through various practices RSD charters are able to skim students with characteristics that are not measured in the data on school and student characteristics, but which nevertheless affect student achievement. The most important unmeasured characteristics in this context are student and parent motivation. There is of course no "hard data" to demonstrate whether a student is highly motivated or not. Student motivation is notoriously hard to measure for an analysis of student performance and researchers routinely use indirect evidence to demonstrate whether or not groups of students differ by the level of their motivation.

Researchers studying selection of students by charter schools have identified a list of relevant practices used by charter schools when attempting to mold their student body. These studies were cited to justify why we chose to investigate these types of practices in New Orleans. However, we did not rely on those national studies to demonstrate the presence of these practices among RSD charters. On the contrary, we relied on extensive local evidence to document the presence of many of these practices in RSD charters, practices which mean that they almost certainly skim some of the most motivated students from public schools. This evidence is presented both in the text of the paper and in the footnotes (IRP, pp. 29-33).

The Cowen Institute claims that we argue "later in the paper that all of the difference in performance between RSD-run schools and RSD charters is due to differences in student populations caused by school selectivity" (Cowen, p. 5). Our claim, as we state in the performance section of our paper, is slightly different:

> The data available for this analysis do not allow us to control for the effects of selection bias or maturation effects, discussed in the previous section. However, in the New Orleans context, it seems clear that both of these possible biases work in favor of charter schools in performance comparisons with traditional schools. The discussion in the previous sections of how charters can use admission requirements, enrollment processes, discipline and expulsion practices, transportation policies, location decisions, and marketing or recruitment efforts to shape their student body clearly implies that, in New Orleans, selection bias is almost certainly working to increase pass rates in charters, all else equal, compared to traditional schools. In addition, since virtually all charters in New Orleans are less than five years old, burnout is probably not yet a problem, implying that maturation effects are still likely to be working in their favor. What this means is that the relatively modest performance advantages for RSD charters seen in the 2009 data are likely to erode as the charter system matures and if it continues to expand. As the charter school share of enrollments grows, charters will no longer be able to use selection practices to limit enrollments to the most motivated students and parents, and, as charters age, burnout among teachers and staff will become a potential issue. Both of these trends are likely to eliminate the relatively modest performance advantages seen in the current data (IRP, p. 49).

In other words, IRP's programmatic analysis earlier in the paper clearly documents the practices that RSD charters have at their disposal to attract the most motivated students, showing that selection bias is almost certainly working to increase pass rates in charters.

Cowen Institute Claim: The Cowen Institute claims that we make "arguments that are simply untrue" when we "claim that charter schools have great flexibility in choosing the neighborhoods they serve. While this may be the case in other parts of the country, New Orleans represents a unique case due to the uneven redevelopment after Hurricane Katrina and the fact that charter schools are given a building by their district" (Cowen, p. 5).

Institute on Race and Poverty Response: The fact that charters are housed in buildings given by the district certainly limits the location options of these charters. However, this limit applies mostly to RSD charter schools that are taking over failing public schools. The common strategy of incubating RSD charters in the same traditional public school buildings that they are eventually supposed to take over is the main reason behind this. However, sophisticated GIS evidence (documented in Lubienski, Gulosino and Weitzel, 2009) shows clearly that most selective charter schools, BESE and OPSB charters, were located in low-need locations while RSD schools were mostly located in more challenging, high-need areas. The same evidence demonstrates that charter schools in New Orleans (including RSD charters) were located in zip codes with lower crime rates per household compared to traditional public schools. These findings come from New Orleans and not from anywhere else in the country. Despite the limitations imposed on RSD charters by their limited ability to choose their buildings, systematic analysis of GIS evidence shows that "RSD charters located in areas with lower socio-economic needs, higher mean home prices, and less crime on average than the RSD traditional schools" (IRP, p. 31).

The Cowen Institute also claims that "students now attend schools from all over the city, meaning that even if a charter school could choose the neighborhood in which its building is located, it still could not control the neighborhoods where its students live" (Cowen, p. 5).

In contrast, we argue that charter schools indirectly attempt to control the neighborhoods where their students live by their location decisions. There is evidence in choice literature that demonstrates that:

> geographical proximity and convenience play an important role in determining which schools parents choose for their children. As a result, the ability of many charter and private schools to determine their location 'allows them to impose added search and transportation costs on more distant families while reducing costs on those in the community in which the schools are located' (IRP, p. 30).

These added search and transportation costs are especially prohibitive in a high-poverty place like New Orleans with a broken public transportation system. Most low-income students (predominantly students of color) hardly have the resources to bear these additional costs and as a result lose access to charter schools that locate in distant low-need neighborhoods.

Cowen Institute Claim: The Cowen Institute response claims that in our analysis we never mention "the one study that actually has looked at student-level data to assess the differences in performance between charter school students and traditional school students"—the CREDO study (Cowen, p. 6).

Institute on Race and Poverty Response: This claim is not true. We discuss the CREDO study in depth in footnote 167, explaining its shortcomings. The footnote reads:

> A recent national analysis—CREDO (2009)—which includes New Orleans area schools also finds positive outcomes for Louisiana charters compared to traditional schools. However, the methodology for this work which matches charter school students with "virtual demographic twins" in traditional schools results in many students being excluded from the analysis because no match could be found. In Louisiana, the unmatched students—students not included in the analysis—were disproportionately low-income students of color. The student sample included in the analysis for Louisiana was 77 percent black and 65 percent free/reduced price lunch eligible. (CREDO, 2009, Table 2, p. 19.) The corresponding percentages statewide in Louisiana in 2007 were 82 percent and 67 percent. Although the aggregate differences are small, they imply that the students left out of the analysis were 75 percent free/reduced price lunch eligible—an eight percentage point difference from the population rate—and virtually all children of color—an 18 point difference. In addition, the methodology does not eliminate selection bias issues, because one cannot be certain that the characteristics used to match students represent a complete list of relevant variables. Both of these issues have important implications for the relevance of the results in the New Orleans region, where so many students are low-income and black, and where so many charters either directly or indirectly screen students.

Cowen Institute Claim: The Cowen Institute states that it is unclear what we mean when we state that charter schools have reached a saturation point. They claim that "many charter school networks have

expanded and continue to expand by taking over low-performing traditional schools. While the authors may disagree with this strategy, the continued existence of low-performing schools in New Orleans (charter and traditional) means that there is still room for charter school expansion" (Cowen, p. 6).

Institute on Race and Poverty Response: When we talk about the saturation of the school system, we are only partly talking about the system's physical capacity:

> Prior to Katrina, the New Orleans Public School system enrolled around 63,000 students in a system that was capable of educating up to 107,000 students. In contrast, today, "the district runs only slightly under capacity with the number of students in the district nearly maxing out at an available 35,000 seats" (IRP, p. 34).

So, clearly, there are a sufficient number of schools in place to serve the existing number of students in the city's school system. Despite this, the charter school system continues to expand.

We also talk about the saturation of the charter sector in terms of its institutional capacity. When charter schools proliferate at a rate that jeopardizes the ability of the sector to sustain a certain level of academic performance, the sector must have reached a saturation point or an upper limit in its institutional capacity. The Executive Director of the Louisiana Association of Public Charter Schools has herself expressed this view clearly:

> In New Orleans, we are pretty much at our saturation point. Now is the time for these charters to perform or be closed down (Fenwick 2009d, cited in footnote 114).

Moreover, "the continued existence of low-performing schools in New Orleans (charter and traditional)" does not necessarily mean "that there is still room for charter school expansion" (Cowen, p. 6). If, as the Cowen Institute acknowledges, there are failing charter schools in New Orleans, why are they not closing? Charter schools are valuable institutions only to the extent that they improve student performance and to the extent that they encourage better performance in traditional public schools. If they don't perform, they should be closed—this is the primary argument for introducing market competition into public school systems. Yet, to this day, not a single charter school in New Orleans has closed due to academic reasons, despite the fact that there are many that are failing by any reasonable standard. Why not focus on closing failing charter schools before opening new ones? Nationally, charter school proponents themselves have been critical of the fact that only a tiny fraction of the many failing charter schools have been closed due to academic reasons. This is a serious problem.

Finally, if the charter system expands to encompass the entire system of public schools, as it is on track to do in New Orleans, the school system will have lost an important element of choice—traditional public schools. This defeats one of the primary arguments for charter schools—increased choice for students and parents. Full charterization may actually happen in New Orleans despite the fact that some traditional public schools which are targets of the charter system are already performing very well. Some of the charter networks in New Orleans are trying to take over some traditional public schools not because they are failing but, instead, because of their success. An example is the behavior of the First Line charter network described in IRP, p. 34. Another illustration is that charter expansions do not

appear to be slowing despite the fact that one of the segments of the school system showing the most rapid improvements in performance in recent years is the RSD-run traditional elementary schools (IRP Chart 9, p. 47).

Cowen Institute Claim: The Cowen Institute claims that "though long-term financial sustainability" of charter schools is an issue, they claim that this issue is "one that will affect both traditional and charter schools in New Orleans" (Cowen, p. 6).

Institute on Race and Poverty Response: While both traditional and charter schools are affected by the issue of financial sustainability, this is more of a problem for the charter sector because of the growing market share of higher-cost charter models such as the KIPP schools. The Cowen Institute's *The State of Public Education in New Orleans: 2010 Report* (New Orleans, LA: March 2010) cites a charter school advocate who makes this very point: "I am worried about financial sustainability. One-time funds are ending. Will pricey charter models be able to sustain themselves?" (p. 17)

Race and Poverty by School Sector in the City of New Orleans:

Cowen Institute Claim: The Cowen Institute finds our recommendation about magnet schools strange especially "in the context of the paper's critique of charter and traditional selective schools" (Cowen, p. 7). They state that "selective schools in New Orleans (now mostly charters) were the city's magnet schools before Katrina, and they are the most likely schools to attract non-poor, non-minority students into the public system. While not all magnets need to be selective, or have selective programs, many do and this is how they keep a middle class presence. If private school students are going to start going to public schools, they will go to the selective charter schools first" (Cowen, p. 7).

Institute on Race and Poverty Response: As the Cowen Institute is correct to note, not all magnets are selective, or have selective programs. Indeed, many magnet schools make themselves attractive by offering rigorous academic programs (such as science and technology or fine arts programs) that are highly desirable for middle-class parents while still having an open admission policy. We believe in the value of magnet schools that maximize opportunities for all students regardless of their race and economic status. That is why we recommend the use of open access magnet schools that are empowered "with strong civil rights protections such as good parent information/outreach, explicit desegregation goals, free transportation, and in most cases, open admission processes (IRP, p. 55). The types of selective magnet schools that existed in New Orleans prior to Katrina clearly don't fit this profile.

School Performance by Sector

Cowen Institute Claim: The Cowen Institute's response is critical of the IRP statistical analysis on two grounds. First, it notes that the analysis uses school-level data rather student-level data. Second, the response argues that the modest performance advantage for RSD schools cannot be attributed to selection issues because IRP "never prove(s) that RSD charter schools do mold their student population."

Institute on Race and Poverty Response: School-level data were used in the IRP analysis because that was all that was available. This is true for nearly all of the work that has been done on New Orleans schools since Katrina, including, for instance, the Cowen Institute's recent work—*The State of Public Education in New Orleans: 2008 Report* (New Orleans, LA: April 2008); *Public School Performance in New Orleans: A Supplement to the 2008 State of Public Education in New Orleans Report* (New Orleans, LA: January 2009); and *The State of Public Education in New Orleans: 2010 Report* (New Orleans, LA: March 2010). Not surprisingly, IRP's central findings parallel those from other researchers' work.

IRP stands by the argument that the modest performance advantages found for RSD charters are likely to be the result of selection issues. An earlier section of this response deals with this issue, arguing that a variety of practices by RSD charters enable them to shape their student bodies in ways that are likely to enhance performance on standardized tests.

Conclusion and Policy Recommendations:

Our policy recommendations are based on the arguments we make in the body of the report. We have already addressed the criticisms raised by the Cowen Institute of our conclusion and policy recommendations in the relevant sections of the report covered above.

Cowen Institute Claim: The Cowen Institute concludes its overall criticisms of our report as follows:

The evidence that the authors of the IRP report present to critique charter schools in New Orleans is often incorrect, selective, and misleading. The report attempts to indict charter schools for something which they bear no responsibility: the racial and economic segregation of public schools in New Orleans. Segregation existed in New Orleans before there were charter schools, and there is no evidence that the expansion of charter schools in New Orleans has made it any worse. There are certainly problems with the current system of public schools in New Orleans, including the unequal provision of special education services, but the authors ignore these for an argument about racial segregation. While the authors may want public policy to deal more directly with the problems of segregation, their attack on charter schools is misguided and unsupported by the evidence they present (Cowen, p. 10).

Institute on Race and Poverty Response: The evidence used in our report is not "incorrect, selective, and misleading." The Cowen Institute critique misunderstood at least one of our main arguments, blamed us for omitting studies which we haven't omitted, and misstated our arguments in many cases.

We have indicted the city's reorganization of public schools for creating a separate but unequal tiered school system in which not every student in the city receives the same quality education. The "tiered" system of public schools in the city of New Orleans sorts white students and a relatively small share of students of color into selective schools in the OPSB and BESE sectors, while steering the majority of low-income students of color to high-poverty schools in the RSD sector.

By directly selecting their students (in the case of OPSB and BESE charters) and by skimming the most motivated students and excluding the special education students through various practices (in the case

of the RSD charters), charter schools have certainly undermined equality of opportunity in the city's schools. We believe that the Cowen Institute provided no evidence to disprove this claim.

We simply recommended that charter schools should not be the only school choice option available to the residents of the New Orleans metropolitan area by pointing to the many problems associated with the rapid proliferation of the charter system in the area. None of the arguments brought by the Cowen Institute challenged our documentation of these problems.

We concluded by recommending that in order to guarantee equal educational opportunities for all of the region's students, the school system should take a more balanced, regional approach, including a renewed commitment to the city's traditional public schools and enhanced choices for students in the form of regional magnet schools and new inter-district programs. A single-strategy approach that exclusively relies on the expansion of the charter sector is clearly not working in New Orleans.

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[1] This was the main goal of the new experiment as it was stated by Mayor Nagin's Bring New Orleans Back Commission Education Committee (BNOBCEC). See (BNOBCEC, 2006, p. 5).

[2] In this study, non-white segregated schools are defined as schools where the share of blacks, Hispanics or other students of color exceeds 50 percent or as schools with varying combinations of black, Hispanic, and other students of color with a share of white students less than 30 percent. In predominantly white schools, the share of each non-white group is smaller than 10 percent. Any school that is not non-white segregated or predominantly white is considered integrated.

[3] (Scott, 2009, pp. 116, 117, 125).

[4] The nation's achievement gap declined significantly during the desegregation efforts of the 1970s and 1980s (Dillon, 2009).

[5] (Frankenberg and Siegel-Hawley, 2008, p. 7).

[6] The following description of the Choice is Yours Program is based on (Orfield and Gumus-Dawes, 2008).

[7] In 2006, St. Louis Public Schools enrolled 39,554 students. Of these students, 81.8 percent were black and 81.6 percent were free and reduced-price eligible (NAACP and The Civil Rights Project, 2008, p. 58).

[8] (NAACP and The Civil Rights Project, 2008, p. 58).

[9] (NAACP and The Civil Rights Project, 2008, p. 58).

[10] (NAACP and The Civil Rights Project, 2008, p. 58).

[11] 2009 refers to the 2008-2009 school year and 2004 refers to the 2003-2004 school year.

[12] Of the 44,276 public school students that the New Orleans metropolitan area lost from 2004 to 2009, 82 percent were black, 22 percent were white, and 53 percent were poor. (Author's calculations from NCES and Louisiana Department of Education data)

[13] This racial typology is based on a more detailed typology, where schools are divided into twelve categories depending on their racial composition. For details, see Appendix I in Myron Orfield, Baris Gumus-Dawes, Thomas F. Luce Jr., and Geneva Finn, "Neighborhood and School Segregation," in (Orfield and Luce, 2010). Each of these twelve categories was then assigned to one of the three categories discussed in this report. In this study, non-white segregated schools are defined either as schools where the share of blacks, Hispanics or other students exceeds 50 percent or as schools with varying combinations of black, Hispanic, and other students of color, where the relative share of white students in the schools does not exceed 30 percent. In predominantly white schools, the share of each non-white group is smaller than 10 percent. Any school that is neither non-white segregated nor predominantly white is considered integrated.

[14] For students of color, a "segregated setting" was defined as a school that was non-white segregated while for white students, it was defined as a school that was predominantly white (or white segregated).
[15] Studies document the close link between racial composition and poverty rates in schools. See, for instance, (Orfield and Lee, 2004), and (Orfield and Lee, 2005). In 2002-2003, 88 percent of high-minority schools—defined as at least 90 percent minority—were high poverty schools where more than 50 percent of students received free or reduced-price lunches. In contrast, only 15 percent of low-minority schools—defined as less than 10 percent minority—were also high poverty schools. See (Orfield and Lee, 2004). According to the National Center for Education Research, larger percentages of black, Hispanic and American Indian students attend high-poverty schools than white students. See (Wirt et al., 2005). See also footnote 17.
[16] High-poverty schools are defined in two different ways in the literature. The literature which focuses on the harms of concentrated poverty typically uses 40 percent poverty as the cut-off point for high-poverty classification. See, for instance, (Swanstrom et al. 2006). Alternatively, the National Center for Education Statistics defines high-poverty schools as schools where more than 75 percent of the students are eligible for free or reduced-price lunch. See the Poverty Concentration in Public Schools section of the (NCES 2009), available at http://nces.ed.gov/programs/coe/2009/section4/indicator25.asp (accessed 11/12/09).
[17] This pattern is not unique to New Orleans. NCES documents a similar pattern across the nation. Nationwide in 2006-07 33 percent of Black, 35 percent of Hispanic, and 25 percent of American Indian/Alaska Native students were enrolled in very high poverty schools compared with 4 percent of White and 13 percent of Asian/Pacific Islander students. Similarly, greater percentages of white (19 percent) and Asian/Pacific Islander (22 percent) students attended low-poverty schools (public schools with 10 percent or less of students eligible for free or reduced-price lunch) than did Black (4 percent), Hispanic (6 percent), and American Indian/Alaska Native (6 percent) students (NCES 2009).
[18] See the 2004 U.S Department of Education report cited in (Orfield and Lee, 2005), p.7, footnote 11.
[19] (Orfield and Lee, 2005), p. 29.
[20] (Orfield and Lee, 2005), p. 16.
[21] (Orfield and Lee, 2006), p. 30; (Balfanz and Legters, 2004); (Swanson, 2004); and (Kahlenberg, 2001), pp. 28-29 and 31.
[22] (National Alliance for Public Charter Schools, 2009).
[23] Most evaluations of New Orleans schools group the city's schools into these five categories; see (Lubienski, Gulosino, and Weitzel, 2009); (The Scott S. Cowen Institute, 2008); (The Boston Consulting Group, 2007). For details of these distinct governance structures, see (The Scott S. Cowen Institute, 2008, pp. 12-17).
[24] For a review of the New Orleans public school system before and after Katrina, see (The Boston Consulting Group, 2007, pp. 7-14).
[25] (The Boston Consulting Group, 2007, p. 21); (Torregano and Shannon, 2009, pp. 329-330). (Dingerson 2006/2007, p. 12); (Saltman, 2009, p. 65).
[26] (UTNO, LFT, and AFT, 2006, p. 15).
[27] (Scott, 2009, 116). For a detailed discussion of such organizations in the nation and in New Orleans, see (Scott, 2009, pp. 116-125).
[28] (The Boston Consulting Group, 2007, p. 21); (Torregano and Shannon, 2009, pp. 329-330). (Dingerson, 2006/2007, p. 12); (Saltman, 2009, p. 65).
[29] (Matthews, June 9, 2008).
[30] (Powell, 2006).
[31] (Associated Press, 2007).
[32] These organizations include New Schools for New Orleans, New Leaders for New Schools, and Teach for America-Greater New Orleans (Associated Press, 2007).
[33] (Saltman, 2009, p. 65).
[34] Many in New Orleans, including the Bring New Orleans Back Commission (BNOBC), viewed charter school conversion as the "expedient way" to open schools after Katrina. See (BNOBC, 2006, p. 9). Similarly, as the Louisiana state superintendent Cecil Picard noted, replacing the public school system with charters was the most expedient approach because "federal dollars were immediately available for them" (Saltman, 2007, p. 52).

[35] "Nearly all of the charter schools under the jurisdiction of either OPSB or RSD were charter schools before Katrina are simply public schools that were converted to charter schools to expedite their reopening after the hurricane…financial realities—not genuine, systemic 'reform'—prompted the OPSB to convert roughly a dozen of its schools to charter schools after Katrina. Converting to charters was the quickest way for the OPSB to gain access to federal funds so these schools could reopen…The post-Katrina charter conversions were made possible by two executive orders from the governor—one order waived timelines that existed in state law, and the other suspended the law's requirement that parents and school staff approve a conversion" (UTNO, LFT, and AFT, 2006, p. 15).

[36] (LA. REV. STAT. ANN. § 17: 1990(B)(4)(a)(2007)). See also (Holley-Walker, 2007, p. 157).

[37] (Simon, 2007, p. 1).

[38] These buildings include the Thurgood Marshall Middle School, which now houses the Thurgood Marshall Early College High School (a charter school); the Livingston Elementary School, which now houses the New Orleans Charter Science and Math Academy; the Agnes Bauduit Elementary School, which now houses Arthur Ashe Charter School; Sylvanie Williams Elementary School, which now houses the New Orleans College Charter School. Author's review of all the RSD-run public schools listed in (The New Orleans Parents Organizing Network 2009).

[39] For instance, the Success Preparatory Academy (a charter school) is housed in the building of the Albert Wicker Elementary school, which continues to operate as an RSD traditional school; the Pride College Prep (a charter school) is housed in the building of Gregory Elementary school; and the ARISE Academy at Charles Drew Elementary, is housed in the building of Charles Drew Elementary. Author's review of all the RSD-run public schools listed in (The New Orleans Parents Organizing Network 2009). Similarly, Frederick Douglass High School building, another RSD traditional school, is scheduled to house the new KIPP Renaissance charter school and is expected to be entirely handed over to the new KIPP school (Thevenot, 2009).

[40] (Fenwick, 2009d, p.2)

[41] (Holley-Walker, 2007, p. 125).

[42] For an account of how the charter school system in New Orleans is transforming from a choice model to an accountability model, see (Holley-Walker, 2007, p. 144).

[43] (Carr, June 30, 2009).

[44] (Carr, September 2, 2009); (Fenwick, 2009d).

[45] (Carr, September 2, 2009).

[46] The Louisiana Revised Statute 17 states that:

> Admission requirements, if any, that are consistent with the school's role, scope, and mission may be established. Such admission requirements shall be specific and shall include a system for admission decisions which precludes exclusion of pupils based on race, religion, gender, ethnicity, national origin, intelligence level as ascertained by an intelligence quotient examination, or identification as a child with an exceptionality as defined in R.S. 17:1943(4). Such admission requirements may include, however, specific requirements related to a school's mission such as auditions for schools with a performing arts mission or achievement of a certain academic record for schools with a college preparatory mission. No local board shall assign any pupil to attend a charter school (LA. REV. STAT. ANN. §17: 3991 (B)(3) (2009)).

[47] Author's review of all the OPSB schools (charter and traditional) and BESE charter schools in (The New Orleans Parents Organizing Network 2009); (Lubienski, Gulosino and Weitzel, p. 615). According to the Center for Action Research on New Orleans School Reforms, this was the result of the inappropriate conversion of magnet schools into charter schools:

> When the Louisiana legislature authorized charter schools and authorized charter schools to allow admission requirements, they must have thought that was the norm for all charter schools. The State Department of Education, which normally advises the legislature on policies, obviously did not advise that charter schools were to be "equal opportunity" schools. Then, its haste to take over all New Orleans schools and to turn all of the schools into charter schools, the State Department of Education failed to consider that some of the schools were magnet schools and not suitable for conversion. However, many magnet schools were converted to charter schools, and the charter school funds, which are for open admission schools, wrongfully went to those magnet schools (Ferguson and Royal, 2009).

[48] (Wells, 1998, p. 43); (Cobb and Glass, 1999); (Walford, 1997); (Becker, Nakagawa, and Corwin, 1997); (Institute on Race and Poverty, 2008, pp. 36-38).

[49] (Wells, 1998, pp. 43-47).

[50] The Boston Consulting Group notes that:

> six OPSB charters and all 17 RSD charters have open-enrollment policies although most require potential students to fill out applications—which may include essays, parental involvement clauses, or specific behavioral contracts. These kinds of requirements can serve as a subtle form of selection that can provide charter schools more flexibility managing their incoming classes, rather than having to accept every student who applies (The Boston Consulting Group, 2007, p. 14).

[51] For instance, as part of its enrollment process, the KIPP Believe College Prep Charter School makes arrangements for a teacher to "come to the family home to share more information about the school, discuss what it takes to make a school work, and officially register the student" (KIPP Believe College Prep Charter School Website, Section on How to Enroll, available at http://www.kippbelieve.org/06/5enrol.cfm (accessed 12/3/09).

[52] For instance, a 1997 survey of 98 California charter schools showed that 75 percent of the charter schools surveyed required parental contracts (Powell et al., 1997). On parental contracts, see also (Becker et al., 1997) and (Wells, 1998, p. 46).

[53] (Dingerson, 2007, p. 6). In a study of charter schools in California, "44 percent of the 98 charter schools surveyed cited student's and/or parent's lack of commitment to the school's philosophy as a factor for being denied admission." (Wells, 1998, p.44). Many New Orleans charter schools such as the new Benjamin E. Mays Preparatory School also use parental contracts. See (Fenwick 2009c). Similarly, KIPP schools in New Orleans require parents to sign a Commitment to Excellence Form, which is described as "an agreement between home, student, and school to do whatever it takes to help each child succeed" (Five Pillars of KIPP Schools, available at http://www.kippneworleans.org/about/five-pillars.php (accessed 12/3/09). This form, which must be signed by all KIPP parents, "promises that parents will comply with the extended school hours, school dress code, and the homework requirements" (Holley-Walker, 2007, p. 160). According to Macey et al.,

> Though they vary from school to school, the parents' commitment includes (a) ensuring that the child is present at all required school sessions and events and is on time; (b) assisting with homework each night, allowing student to call teachers if they have difficulty, and promoting reading; (c) carefully reading all papers sent home; (d) all the child to attend field lessons; and (e) taking responsibility for the child's behavior (Macey et al., 2009, p. 230).

[54] For instance, the OPSB and the Algiers Charter School Association (which is a network of charter schools within the RSD charter school system) and a number of schools chartered by the OPSB have adopted zero tolerance discipline policies. See (Tuzzolo and Hewitt, 2006/2007, p. 64). Similarly, KIPP charters have been shown to have exceptionally high student attrition rates (Macey et al., 2009, p. 223; Payne and Knowles, 2009, p. 231; Henig, 2008a).

[55] Dingerson (2007) provides anecdotal evidence of this among RSD charters:

> Pushing out students who don't fit the behavioral or academic norms of the school is also easier for charters. In March 2007, the first anecdotes of this practice began to emerge from New Orleans. At one Recovery District school, the principal complained that a number of students had arrived mid-year with strikingly similar stories. Each had been at a charter school. Each was having learning or behavioral difficulties. In each case, the parent had been called in and told that their child would be expelled from the charter, and consequently would be unable to enroll in any New Orleans school until fall. However, the parent was told, if you "voluntarily withdraw" your child, a Recovery District will be obligated to accept them this school year. Not coincidentally, the principal speculated, the students arrived just one week before the state's standardized assessment was to be given. (Dingerson, 2007, pp. 5-6)

Charpentier reports that during the 2007-2008 school year, "at least 30 charter school students transferred to the RSD after expulsions. Over the same time period, the district expelled 262 students from the schools it operates directly" (Charpentier 2008). The expulsion numbers in the charter schools might be comparatively low due to the possibility that parents might be taking the option of "voluntarily withdrawing" their children from charter schools with the goal of not interrupting their school attendance for longer than necessary. Indeed, Tuzzolo and Hewitt (2006/2007) provide evidence that "instead of expelling some students, some schools have simply adopted an

informal 'push out' policy. Reportedly, parents have been called into the school to discuss the children's behavior; upon arriving they were presented with a precompleted withdrawal form, asked to sign and find a 'more suitable school for their children" (Tuzzolo and Hewitt, 2006/2007, p. 64).

[56] (The Boston Consulting Group, 2007, p. 19).

[57] See, for instance, John McDonough Senior High School, an RSD-run traditional public school, where "anywhere between 31-40 security guards, 2-4 NOPD officers" were employed in contrast to "only 21-30 teachers present at any given time" (Tuzzolo and Hewitt, 2006/2007, p. 66). In fact, the conditions in some schools were so prison-like that a group of students organized a group called the Fyre Youth Squad (FYS) to protest these oppressive conditions in their school. For details of the Fyre Youth Squad, see (Tuzzolo and Hewitt, 2006/2007, pp. 65-66). Similarly, in Sarah T. Reed High School, another RSD-run traditional high school, the guard-to-student ratio was as high as the teacher-to-student ratio (Waldman, 2007, p. 12). Waldman reports a similarly prison-like environment in this school (Waldman, 2007, pp. 12-13).

[58] (The Scott C. Cowen Institute, 2008, p. 22).

[59] (The Scott C. Cowen Institute, 2008, p. 23).

[60] In fact, an analysis of 12 states and the District of Columbia charter schools shows that in places where the state governments do not require free transportation for charter school students, charter schools tend to have lower percentages of free and reduced-price eligible students and students of color. See (Lacireno-Paquet 2004, p. 14).

[61] Two of these charter schools were BESE charters: Milestone SABIS Academy of New Orleans and the International School of Louisiana. Three were OPSB charters: Robert M. Lusher Charter School (K-5), New Orleans Charter Science & Mathematics High School, Robert M. Lusher Charter School (9-12). Only one of these charters was an RSD charter: Einstein Charter School. Author's review of all the schools listed in (The New Orleans Parents Organizing Network 2009). According to the Scott S. Cowen Institute, "the OPSB and its charters dispute who is responsible for paying for busing charter school students. As a result, some OPSB charter schools do not offer free transportation to their students. By contrast, all RSD charter schools are required by their agreements with BESE to provide transportation or bus tokens to their students" (The Scott S. Cowen Institute, 2008, p. 39).

[62] Many RSD charters such as the KIPP McDonogh 15 School for Creative Arts, KIPP Central City Primary and KIPP Central City Academy either used RTA tokens or a combination of yellow bus services with RTA tokens to transport their students. OPSB charters such as the Audobon Charter relied exclusively on RTA tokens, while selective OPSB-run schools such as the Benjamin Franklin High School offered limited yellow bus services to Uptown and Westbank and offered RTA tokens for other locations. Author's review of all the schools listed in (The New Orleans Parents Organizing Network 2009).

[63] (Liu and Plyer, 2009, Table 41).

[64] For instance, "an employee at one charter school said the school provided transportation, but that service in the east side of New Orleans [a part of the city which is predominantly black] was "not as good." For examples of other limitations, see (UTNO, LFT, and AFT, 2006, pp. 22-23).

[65] LA. REV. STAT. ANN. §17:158 (A)(1); (C); (F) (2009).

[66] A number of studies pointed to location as an important factor in shaping enrollment patterns. See, for instance, (Frankenberg and Lee, 2003); (Henig and MacDonald, 2002); (Renzulli and Evans, 2005); (Lacireno-Paquet, 2006); (Andre-Bechely, 2007).

[67] (Lubienski, Gulosino, and Weitzel, 2009, p. 603).

[68] See, for instance, (Bell, 2007, p. 400); (Harvey and Hill, 2006, pp. 10 and 12); (Kleitz et al., 2000); (Henig and MacDonald, 2002). Lubienski et al. also emphasize the importance of geography especially given the growing importance of school choice in public education:

> While geography has always been important in public education in terms of district boundaries and attendance zones, the rise of competitive education markets amplifies this issue, even as political boundaries are often discarded (Lubienski, Gulosino, and Weitzel, 2009, p. 613).

[69] (Lubienski, Gulosino, and Weitzel, 2009, p. 613).

[70] (Lubienski, Gulosino, and Weitzel, 2009, p. 634 and Table 3 at 632; pp. 616-617). Lubienski et al. look at demographic, economic, and social characteristics of neighborhoods to determine a neighborhood's socio-economic need.

[71] (Lubienski, Gulosino, and Weitzel, 2009, p. 637).

[72] For more on charter school competition with private schools, see (Lubienski, Gulosino, and Weitzel, 2009, p. 614); (Miron and Nelson, 2002); (Cech, 2008).

[73] (The Southern Education Foundation, 2010, p. 11).

[74] In the 2008-2009 academic year, public schools in the city of New Orleans enrolled 35,887 students. In contrast, private schools enrolled 18,493 students—10,534 of whom were white and 6,720 of whom were black (Liu and Plyer, 2009, Table 5); (The Southern Education Foundation, 2009, p. 10). While it is unlikely for most of the white students in private schools to switch to charter schools which are predominantly black, for middle-class black students and for some white parents who cannot afford private schools, switching to reputable charter schools might be an enticing option. For example of a white family who moved their son from Holy Name of Mary Catholic School to Alice Hart Elementary Charter School due to financial reasons, see (Fenwick 2009a). The final segment of this video ends with the following words from the mother:

> I have heard some parents say: "I can't believe you are going to put your kid in a public school. There is a lot of black kids in a public school." And I am like, "there is a lot of black kids in Holy Name of Mary. I mean come on. Really."

The Alice Hart Elementary Charter School was 85 percent black at the time (Fenwick, 2009d, p.4).

[75] Some charter operators in New Orleans are fairly explicit about their desire to attract private school students. James M. Huger, founder of the Lafayette Academy of New Orleans, for instance, was marketing his school to parents of potential students as "a private-school education at no cost to you" (Waldman, 2007, p. 3). Similarly, the principal of the new Benjamin E. Mays Preparatory School conceded that "adding 'Preparatory' to the name is intended to make it sound like a private school" (Carter and Fenwick, 2009). In a similar vein, application forms for KIPP schools state that "students currently attending private school wishing to enroll in 5th or 8th grade must take the LEAP test." This statement certainly suggests that charter schools like the KIPP schools envision themselves as competitors to private schools and that they are fairly selective about the students they take from private schools as they require these students to submit their LEAP scores to the school prior to admission. For further evidence of charter school competition with private schools, see (Lubienski, Gulosino, and Weitzel, 2009, p. 614), (Miron and Nelson, 2002), (Cech, 2008).

[76] (Lubienski, Gulosino, and Weitzel, 2009, p. 638).

[77] See Table 5 in (Lubienski, Gulosino, and Weitzel, p. 638).

[78] In contrast, RSD traditional schools located in places which had 18.4 private schools within a roughly 3 mile radius. See Table 5 in (Lubienski, Gulosino, and Weitzel, p. 638).

[79] See Table 3 and Table 5 in (Lubienski, Gulosino, and Weitzel, 2009, pp. 632 and 638).

[80] (Eggler, 2008). In its first year, the state spent only $2.7 million of the $10 million allotment on the 650 children who applied for the 1500 slots (Carr, September 5, 2009). This year the state dropped the program budget to $6 million (Carr, September 5, 2009). Only New Orleans resident students, whose family income does not exceed 250 percent of the federal poverty level and who attend "failing" New Orleans schools, are eligible for these vouchers (Eggler, 2008). Although schools from all over the state can accept students eligible for vouchers, the majority of the students who applied for the vouchers came from the Orleans and Jefferson parishes. The voucher program has especially been a boon for parish schools, which were otherwise losing enrollments. As of August 25, 2009, of the 22 private schools that accepted these vouchers in the Orleans Parish, 21 were parish schools (Carr, September 5, 2009). Similarly, of the 9 private schools that accepted vouchers in the Jefferson Parish, all of them were parish schools (Carr, September 5, 2009). The Superintendent of the Archdiocese of New Orleans schools opened up 1,000 spots in its schools for voucher eligible students, calling the program "the GI Bill for little kids" (Carr, September 5, 2009). The vouchers have been especially popular in the parish schools of low-income black neighborhoods like the Lower Ninth Ward, where few public schools have been restored after the Hurricane Katrina (Carr, September 5, 2009). Opponents of vouchers challenged the state's definition of "failing" schools and as a result the number of eligible "failing" public schools were reduced in 2008 (Eggler, 2008). Opponents criticized the program as a disinvestment in the public system, arguing that it was simply "steering students from schools that somebody has deemed failing or unacceptable to schools that have not been measured at all" (Eggler, 2008). As private schools, parish schools are not normally required to test their student performance. As part of a political compromise during the passage of the voucher legislation, law makers required the voucher receiving private schools to test their voucher-eligible students. However, since students in kindergarten through second-grade do

not take the iLEAP tests, only third-grade students who received the vouchers took the state's iLEAP tests. Also the state does not require public posting of the results unless there are more than 10 students at the tested grade level. As a result, only three of the private schools were required to post their public results in the 2008-2009 academic year (Carr, September 5, 2009). This year about 8 of the 31 participating schools are expected to post results (Carr, September 5, 2009).

[81] (Liu and Plyer, 2009, Table 7). Significantly, in the Orleans parish—the location for most of the state's charters—which lost 42 of its private schools after Katrina, only 14 of the closed private schools were reopened. Similarly, in the Jefferson parish, which received the majority of school vouchers after the Orleans parish, only 5 of the 8 private schools that closed due to Katrina were able to reopen (Liu and Plyer, 2009, Table 37). This testifies to the weakened demand for private schools due to growing competition from charter schools.

[82] (Liu and Plyer 2009, Table 3). The RSD charter enrollment numbers are calculated by the author from Louisiana Department of Education data.

[83] (Wells, 1998, p. 44). Lubienski also shows that charter schools can shape the preferences of parents by using emotional appeals, branding and other information not closely related to educational outcomes. See (Lubienski, 2007a); (Lubienski, 2007b). For an example of this in New Orleans, see (Fenwick, 2009b).

[84] (Wells, 1998, p. 44).

[85] (Waldman, 2007, p. 3).

[86] (Wells, 1998, p. 44).

[87] (Wells, 1998, p. 44).

[88] See, for instance, (Schneider et al., 1997, p. 1219), (Cobb and Glass, 1999, p. 4), and (Bell, 2009).

[89] (Lubienski, 2007a, p. 135).

[90] See (Carr, June 03, 2009).

[91] (Fenwick, 2009d).

[92] One charter school principal was reported to go as far as following an ice-cream truck around town to recruit children and their parents (Fenwick 2009d).

[93] Prior to Katrina, the New Orleans Public School system enrolled around 63,000 students in a system that was capable of educating up to 107,000 students. In contrast, today, "the district runs only slightly under capacity with the number of students in the district nearly maxing out at an available 35,000 seats" (Fenwick, 2009d, p. 2).

[94] This saturation is also evident in the slowing rates of growth for charters. Compared to 8 new charter schools that opened in the 2008-2009, only four charter schools will open in the 2009-2010 school year. It is also noteworthy that all four of these charter schools were conversion schools that are scheduled to take over failing public schools (Fenwick 2009d).

[95] For instance, Duke Bradley, the principal of Benjamin E. Mays Preparatory School—a charter school scheduled to open this year with the aim of eventually taking over the Carver Elementary School (a failing traditional public school)—made personal visits to many homes in the Gentilly neighborhood with the goal of recruiting students (Fenwick, 2009d, p. 2). He expressed his goal as follows: "Our objective is to secure every student that attends Carver to make sure that they attend Mays Prep" (Fenwick 2009c). Similarly, charter operators of the Success Preparatory Academy, a charter school which is scheduled to take over Albert Wicker Academy, were reported to go from door to door as well as hosting a crawfish boil—a casual gathering unique to New Orleans—to recruit students (Fenwick, 2009d, p. 2). For more evidence of door-to-door canvassing, see also (Carr, June 03, 2009).

[96] (Fenwick, 2009c).

[97] (Carr, June 03, 2009).

[98] Bell finds that school networks, customary attendance patterns, and a child's past academic achievement all play an important role in shaping the actual choice set of parents (Bell, 2006). Parents use their social networks to gather information and advice about schools. The size and quality of these networks vary significantly by race and income (Schneider et al., 1997; Bell, 2006). Higher socio-economic status households and white parents tend to have access to wider networks with higher-quality information and these networks tend to be racially segregated (Schneider et al., 1997). Similarly, customary attendance patterns, encouraged by feeder systems or where siblings attended school, also affect which schools parents are willing to consider. Bell finds that customary attendance patterns of middle-class parents tend to include higher-quality schools than those of their lower-income counterparts (Bell, 2006). Finally, the persistence of a racial achievement gap tend to shape the perceptions of

parents of color, limiting their expectations and the subset of schools these parents consider as real options for their children (Bell, 2006). As a result of these three factors, the set of schools parents consider for their children differ significantly by race and income (Bell, 2006). Although low-income and high-income parents make choices in a similar fashion, the school choice process produces access to unequal choice sets (Bell, 2005). In fact, Bell finds that white and middle-class parents often choose from a better set of schools than lower income parents and parents of color (Bell, 2005). Bell uses the following metaphor to describe these differences:

> We don't all choose from the same set of goods. When purchasing a car, some Americans choose between a Lexus and a BMW, others choose between a Saturn and a Ford. Everyone is free to choose, but consumers' choice sets differ dramatically (Bell, 2005, p. 31).

Bell reiterates that it is not that low-income parents make poor choices; she claims, instead, that they simply have access to different choice sets (Bell, 2005, p. 28; Bell, 2006).

[99] (Dingerson, 2007, p. 6); (The Boston Consulting Group, 2007, p. 14).

[100] (Carr, May 21, 2009).

[101] (UTNO, LFT, and AFT, 2006, p. 17).

[102] (Quigley 2007, p. 10). Quigley also cites Damon Hewitt, a civil right attorney with the NAACP Legal Defense and Educational Fund, who discovered a derogatory reference to RSD traditional school students in an e-mail sent by one of Louisiana top education policy makers:

> The e-mail is from Louisiana Board of Elementary and Secondary Education (BESE) member Glenny Lee Buquet. She wrote in an internal BESE e-mail in January 2007, obtained by Hewitt in a federal case, "We wanted charter schools to open and take the majority of the students. That didn't happen, and now we have the responsibility of educating the 'leftover' children (Quigley 2007, pp. 14-15).

[103] (The Boston Consulting Group, 2007, p. 13).

[104] Aesha Rasheed, the executive director of the New Orleans Parent Organizing Network, confirms that many families simply rule out considering RSD schools based on the reputation of the RSD sector. See (Carr, June 03, 2009).

[105] For a table that shows the breakdown of teacher experience by years in each sector, see (The Scott S. Cowen Institute, 2008, p. 27).

[106] Some community advocates accused charter schools for skimming some of the best teachers post-Katrina. They argued that most of the experienced/certified teachers that were recruited from across the nation through TeachNOLA were steered to charters, while most of the inexperienced/uncertified teachers were directed to the RSD sector (Quigley, 2007, p. 17). Whether or not these claims have merit, the striking experience differences among the teaching force of each sector remain.

[107] (Carr, August 3, 2009).

[108] (Carr, August 3, 2009).

[109] For instance, Henry Shepard, the principal of Harte Elementary School, who spoke critically of the concentration of control over the hiring process: "I don't like being the one that picks teachers. I think it should be a committee, that I am part of, [that picks]" (Tonn, 2006).

[110] (Noell et al., 2008).

[111] (Carr, January 2, 2009).

[112] (AFT, 2009).

[113] The AFT rightfully points to the fact that the constant churning of the teacher force due to high percentages of TFA recruits who tend to leave after a few years is not conducive to high-quality education. (See AFT, 2009). Charter advocates also note the fact that the heavy reliance of schools on programs that recruits young teachers from across the country is not sustainable in the long run. For example, Andre Perry, chief executive officer of the Capital One-UNO Charter School Network, criticized this by arguing that "it wastes money to repeatedly train new cycles of teachers from out of state instead of investing in local talent far more likely to settle in the region" (Carr, January 2, 2009).

[114] (Fenwick, 2009d, p. 2).

[115] See, for instance, (Thevenot, 2009) and (Carr, September 2, 2009).

[116] Once again, this trend is not unique to New Orleans. Citing literature showing the growing number of educational management organizations (EMOs) and charter management organizations (CMOs), Scott notes that:

As the charter school movement has matured, autonomous, locally grown schools are less common. More prevalent now are charter school networks and management organizations that manage franchises of schools across different districts and states. Philanthropists have dedicated millions of dollars to encourage the growth of such management organizations that boast high student achievement in their school in urban districts. Due in part to foundations' financial largesse, the majority of charter schools in many cities are operated by management organizations (Scott and DiMartino, 2009, p. 440).

[117] (Thevenot, 2009).

[118] This discussion was based on (Thevenot, 2009).

[119] See (LCSA, 2009).

[120] See (Stephens, 2009).

[121] (Henig, 2008a); (Education Sector, 2009).

[122] (Bennett, 2008).

[123] (Henig, 2008a).

[124] (Henig, 2008a).

[125] (Payne and Knowles, 2009, p. 232); (Higgins and Hess, 2009). For a succinct summary of the findings of the Higgins and Hess study, see (Macey, Decker and Eckes, 2009, p. 222).

[126] (Robelen, 2007); (Matthews, September 19, 2008).

[127] (Henig, 2008a).

[128] (Henig, 2008a).

[129] (Education Sector, 2009, p. 2).

[130] (Viadero, 2009, p. 13).

[131] (Viadero, 2009, p. 13).

[132] (Viadero, 2009, p. 13).

[133] (Viadero, 2009, p. 13).

[134] (Associated Press, 2009).

[135] (Waldman, 2007, p. 9).

[136] This is even the case in Minnesota—the birthplace of charters—which boasts of stringent accountability requirements for its charter schools. See (Fitzgerald, 2009).

[137] For instance, a recent study in Minnesota revealed major accountability problems in the state's growing charter school sector. The report drew attention to persistent and widespread financial irregularities in charter schools that have not been properly addressed for years. See (Fitzgerald, 2009).

[138] See (LCSA, 2009).

[139] As of February 2008, 22 percent of the students in OPSB charters and 11 percent of the students in the OPSB-run traditional public schools were talented and gifted, compared to 3 percent of all the students in the state of Louisiana. In contrast, 2 percent of the students in the RSD charters and 2 percent of the students in the RSD-run traditional public schools were talented and gifted (The Scott S. Cowen Institute, 2008, p. 19).

[140] As of February 2008, only 4 percent of the students in OPSB charters and only 6 percent of the students in the OPSB-run traditional public schools were students with disabilities, compared to 11 percent of all the students in the state of Louisiana. In contrast, only 6 percent of the students in RSD charters and 10 percent of the students in the RSD-run traditional public schools were students with disabilities (The Scott S. Cowen Institute, 2008, p. 19).

[141] All of these schools had selective admissions requirements, high percentages of gifted and talented students, and relatively low rates of student poverty (Southern Education Foundation, 2009, p.9). According to February 2008 data, 76 percent of the Benjamin Franklin students, 40 percent of the Lusher Charter School students, and 30 percent of the Audobon Charter School students were gifted and talented (The Scott S. Cowen Institute, 2008, p. 52). According to 2009 NCES data, 26 percent of the Benjamin Franklin students, 29 percent of the Lusher Charter School students, and 48 percent of the Audobon Charter School Students were eligible for free and reduced-price lunches.

[142] (Liu and Plyer, 2009, Table 5); (The Southern Education Foundation, 2009, p. 10).

[143] For an overview of the heated political debates around charter school performance, see (Henig, 2008b); (Gyurko, 2008, pp. 14-15); (Vergari, 2007, p. 31); and (Hill, 2005, p. 22).

[144] Hill et al. identify five different comparisons to assess the impact of charter school attendance on performance: "Charter school students are compared with: (1) students in the public schools that charter school students had previously attended; (2) students in public schools that are like, but not necessarily identical to, the public schools that the charter students would otherwise have attended; (3) students similar in age, race, and income level to charter school students, but not necessarily from the same or similar schools that the charter school students would have attended; (4) students who applied to the charter schools but were not admitted because all the seats had been taken; or (5) students' own rates of annual growth before and after entering charter schools." For a discussion of the specific advantages and disadvantages of each comparison, see (Hill, Angel, and Christensen, 2006, pp. 142-143).

[145] In his book *Spin Cycle,* veteran charter school researcher Jeffrey R. Henig, who is not strongly allied with either point of view, paints a well-balanced and detailed picture of the emerging consensus. See (Henig, 2008b), especially Chapter 5.

[146] For a recent statement of this methodological consensus, see, for instance, see (Betts and Hill, 2006).

[147] Following controversies about performance—especially the one surrounding the AFT study and the follow-up study by Caroline Hoxby in 2004—new studies that had better student controls confirmed the finding that charter school test scores lagged behind the scores of the traditional public schools. For an account of this controversy, see (Henig, 2008b, p. 104). See also (Hoxby, 2004); (Roy and Mishel, 2005); (The National Center for Education Statistics, 2004); (Braun, Jenkins, and Grigg, 2006).

[148] See (Hassel et al., 2007, pp. 7-10) and (Hill, 2005, pp. 23-24).

[149] (Henig, 2008b, pp. 105-106).

[150] (Henig, 2008b, pp. 106-107).

[151] (Henig, 2008b, pp. 106-107).

[152] See, for instance, (Hassel et al., 2007).

[153] (Henig, 2008b, p. 107).

[154] (Henig, 2008b, p. 108).

[155] Despite arguments that the randomized experimental design, which compares the performance of students who are lotteried in and out of charter schools, is the gold standard of school effects research, randomized studies using lotteries in charter schools have a number of shortcomings that undermine the generalizability of their results. Similarly, fixed effect studies that focus on the performance of students who switch in and out of charter schools also have their shortcomings. For a discussion of these methodological issues, see (Betts and Hill 2006, especially pp.10-23).

[156] For a detailed discussion of these studies, see (Henig, 2008b, pp. 108-109).

[157] (Hassel et al., 2007, pp. 9-10); (Henig, 2008b, pp. 108-109); (Eberts and Hollenbeck, 2006, pp. 107-108).

[158] (Finn, 2006).

[159] See (Vanourek, 2005, p. 14) and (The National Alliance for Public Charter Schools, 2005, p. 5). A growing number of scholars with differing viewpoints confirm the mixed performance of charter schools as well. See, for instance, (Hassel, 2005); (Vergari, 2007, p. 31); and (Hill, 2005, p. 24).

[160] (Henig, 2008b, p. 123).

[161] (Witte et al., 2007, p. 561).

[162] (Zimmer and Buddin, 2006).

[163] (Zimmer and Buddin, 2006, p. 324).

[164] (Bifulco and Ladd, 2006).

[165] (Bifulco and Ladd, 2006, p. 47).

[166] (The Scott S. Cowen Institute, 2009, p.16); (The Southern Education Foundation, 2008, p.15); and (The Boston Consulting Group, 2007, p. 23).

[167] A recent national analysis—CREDO (2009)—which includes New Orleans area schools also finds positive outcomes for Louisiana charters compared to traditional schools. However, the methodology for this work which matches charter school students with "virtual demographic twins" in traditional schools results in many students being excluded from the analysis because no match could be found. In Louisiana, the unmatched students—students not included in the analysis—were disproportionately low-income students of color. The student sample included in the analysis for Louisiana was 77 percent black and 65 percent free/reduced price lunch eligible.

(CREDO, 2009, Table 2, p. 19.) The corresponding percentages statewide in Louisiana in 2007 were 82 percent and 67 percent. Although the aggregate differences are small, they imply that the students left out of the analysis were 75 percent free/reduced price lunch eligible—an eight percentage point difference from the population rate—and virtually all children of color—an 18 point difference. In addition, the methodology does not eliminate selection bias issues, because one cannot be certain that the characteristics used to match students represent a complete list of relevant variables. Both of these issues have important implications for the relevance of the results in the New Orleans region, where so many students are low-income and black, and where so many charters either directly or indirectly screen students.

[168] "Pass rate" is defined as the percentage of students scoring at a "basic", "proficient" or "advanced" level in Louisiana Educational Assessment Program (LEAP) testing.

[169] This is not unique to New Orleans. Two recent studies from the Civil Rights Project show that charter schools seriously undermine equality of opportunity in public education by intensifying racial and economic segregation in the nation's public schools. See (Frankenberg and Siegel-Hawley, 2009); (Frankenberg, Siegel-Hawley, and Wang, 2010).

[170] (Lubienski, Gulosino, and Weitzel, 2009, p. 1).

[171] In order to unleash the potential of charter schools to integrate the nation's students, Frankenberg and Siegel-Hawley call for changes in charter school legislations to make them resemble magnet school legislations with strong civil rights protection policies. See (Frankenberg and Siegel-Hawley, 2009, p. 19).

[172] Traditionally, the state of Louisiana has invested very little in its mostly segregated public schools. Prior to Katrina, "the spending per pupil was significantly less than the national average, the pupil-teacher ratio was above the national average, and the class sizes were substantially great" (Johnson, 2008, p. 431). Post-Katrina, public schools in Louisiana and especially in New Orleans benefitted greatly from federal aid and increased their per pupil spending dramatically. See (Stokes, 2008). Whether or not the state continues to commit significant resources to its public schools after the inflow of federal aid to public schools dries out remains to be seen.

[173] The nation's achievement gap declined significantly during the desegregation efforts of the 1970s and 1980s (Dillon, 2009).

[174] (Frankenberg and Siegel-Hawley, 2008, p. 6).

[175] Foreword by Gary Orfield in (Frankenberg and Siegel-Hawley, 2008, pp. 3 and 5).

[176] (Frankenberg and Siegel-Hawley, 2008, p. 6).

[177] Foreword by Gary Orfield in (Frankenberg and Siegel-Hawley, 2008, p. 3).

[178] In fact, Frankenberg and Siegel-Hawley find that only one third of the magnet schools in their sample "still have desegregation goals while nearly as many [magnet] schools no longer or never had desegregation goals" (Frankenberg and Siegel-Hawley, 2008, p. 7).

[179] (Frankenberg and Siegel-Hawley, 2008, p. 7).

[180] The following description of the Choice is Yours Program is based on (Orfield and Gumus-Dawes, 2008) and (Orfield et al., 2010).

[181] (Orfield et al., 2010). The success of the Choice is Yours program demonstrates that a voluntary inter-district school integration program can achieve acceptance in suburban communities if adequate financial incentives are put in place.

[182] In 2006, St. Louis Public Schools enrolled 39,554 students. Of these students, 81.8 percent were black and 81.6 percent were free and reduced-price eligible (NAACP and The Civil Rights Project, 2008, p. 58).

[183] (NAACP and The Civil Rights Project, 2008, p. 58).

[184] (NAACP and The Civil Rights Project, 2008, p. 58).

[185] (NAACP and The Civil Rights Project, 2008, p. 58).