State Takeover of Schools and School Districts: An Examination of the Roles of Race, Racism, and Care in Takeover Policy

Aaren Nichole Cassidy

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STATE TAKEOVER OF SCHOOLS AND SCHOOL DISTRICTS: 
AN EXAMINATION OF THE ROLE OF RACE, RACISM, AND CARE IN 
TAKEOVER POLICY 

by 

Aaren Nichole Cassidy

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Abstract

This research is situated at the nexus of race, racism, and care in education law, policy, and practice. State takeovers of schools and school districts in the United States have been rising for over thirty years, significantly increasing in the past decade. These takeovers raise questions of equity, accountability, integrity, and capability in many areas, specifically in terms of educating the nation's youth living in urban settings. State-led reconstitutions of schools and school districts have been and continue to be linked to racialized policy agendas, most notably those that seek to disenfranchise, dispossess, and confine Black and Brown students, families, and communities. As a result, this research focuses on how the state's control of public schools and school districts is permeated by white supremacy, anti-black sentiment, and a lack of care for those impacted. This research aims to explore how policies and discourses that enable and sustain state takeovers of public schools and school districts contribute to and maintain Black and Brown peoples' racial subordination. In particular, this work focuses on the roles of race, racism, and civil rights within these policies and discourses pertaining to current state takeovers. The first two manuscripts of this three-manuscript dissertation employs a dialectical-relational approach to critical discourse analysis to focus specifically on state takeover policy and discourses surrounding the Little Rock School District and the Lawrence Public School District. Additionally, this study aimed to address the void in the literature surrounding community voices and the intersections of critical care and race in state takeover policy by analyzing the narratives of Black and Brown peoples currently faced with a state takeover. The third manuscript utilizes a critical race care framework and phenomenological approach to thematic analysis to examine the lived realities of Black and Brown peoples now faced with a state takeover and left out of the state takeover narrative. This study asserts that state takeover policies maintain whiteness and
white supremacy in urban school districts and education policy and are acts of dispossessing Black and Brown communities of their political power and their rights to self-determination, education, and existence in particular geographic locations.
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Chapter I: Introduction

*Taxation without representation* is a political slogan used historically to describe the idea that people should not be subjected to forced payment of tax to a governing body without having a say in that government's actions. Over two hundred fifty years have passed since the first use of this political slogan. Yet, I cannot help but resort back to the notion when I consider the current state of education and education politics, specifically with the state takeovers of schools and school districts. Over the past several decades, there has been an uptick in state takeovers of schools and school districts (Oluwole & Green, 2009; Welsh, 2019; Welsh and Williams, 2018). The majority of these takeovers occur in urban, predominately Black and Brown communities (Oluwole & Green, 2009; Morel 2018). What's more disturbing is that there is little evidence that state takeovers significantly affect student progress as an education reform strategy (Shueler & Bleiberg, 2021; Wong & Shen, 2003). Furthermore, hostile seizures of these urban areas frequently result in the dissolution of a locally elected school board, dispossessing Black and Brown communities of more than just their voice by depriving them of their right to self-determination and political advancement. Oluwole and Green (2009) suggest that state takeovers of schools are racially charged and can be considered a form of colonialism. When the state seizes control and denies the taxpaying community representation, the American people should be transported back to the post-Revolutionary era that inspired the colonial reaction to wage war for independence. Nonetheless, this does not occur. Why is this the case? Is there something about the citizens of those places that makes them unworthy of representation?

The democratic ideal is, at its most basic of definitions, a government by the people (Merriam-Webster Dictionary, 2022). In the United States, this concept of democracy presents itself in people electing officials to represent their voices in all government systems, from local
school boards all the way to the top governing bodies in the country (Morel, 2018). However, it is critical to note and most specific to the purpose of this paper that since the establishment of public schools in the United States, access to education has been restricted on the basis of race and sex (Moss, 2017). Under the U.S. Constitution, the federal right to an education is not guaranteed, and thus the matters of education are delegated to the state (McCarthy et al., 2014; Wong, 2018). Education Federalism has a long history in the United States. It stresses state and local authority over education with a minimal federal role and grants state and local authorities’ autonomy over their people's education (Jenkins Robinson, 2013; Nelson, 2019). Due to the nature of education federalism, states exercise their jurisdiction in various ways, as evidenced by state takeovers of schools and school districts. According to Kimberly Jenkins Robinson (2013), while education federalism establishes the framework for public school governance, its current execution and understanding contradict democratic ideals of delivering an equitable education for all students.

Local school boards are frequently used as a stepping stone to political progress for Black and Brown people in the United States (Henig et al., 2001). Domingo Morel (2018), in his research on state takeovers, brings to light that not only are the majority of state takeovers occurring in majority Black and Brown communities, but these communities are also sites where there has been a momentum of Black and Brown political empowerment. In many communities, the takeover and dissolution of locally elected school boards reduce Black representation and influence and replace it with state authority, often the white majority (Shueler & West, 2022). Despite evidence of beneficial outcomes, the persistence of state takeover policies as the go-to education reform strategy in urban areas and the erasure of community representation
necessitates scholars analyze these policies and their effects on the people they profess to serve and care for.

**Problem Statement and Research Questions**

State takeovers of schools and school districts, specifically in marginalized communities, is a contentious topic in the realm of education policy. Over the past four decades, there has been a steady focus on increasing state control over schools and school districts, often resulting in complete takeover and reconstitution (Bishop & Jackson, 2015; Heise, 2017; Ladd, 2017; Morel, 2018; Robinson, 2018). Research suggests that the reasoning behind state intervention has shifted from fiscal reasons to proclaimed academic failure, an increase in market-based reforms in education, and even due to the balance of power within the local community (Buras, 2010; Gustavussen, 2018; Oluwole & Green, 2009; Morel, 2016; Rogers, 2012; Reckhow, 2016; Morel, 2018; Welsh & Williams, 2018; Wong & Shen, 2003). The latter refers specifically to the timing between state intervention and representatives of local school boards consisting of predominately Black and Brown people. This can be seen in the reconstitution of schools and school districts in comparable urban cities (Buras, 2011; Corrigan, 2018; Green & Carl, 2000; Gustavussen, 2018; Harris, 2019; Martisewicz, 2014; Nelson, 2018; Welsh, 2018; Wright, Whitaker, & Khalifa, 2020; Zimmer, Henry, & Kho, 2017). This research rests at the intersection of race and ethnicity in education law and policy and care. Reconstitutions of schools and school districts by the state have been and are tied to racialized policy agendas, particularly policy agendas that seek to disenfranchise, dispossess, and contain Black students, families, and communities. As a result, this research focuses on how the state's control of public schools and school districts is dripping with whiteness and anti-black sentiment. I argue that state takeovers of schools and school districts are problematic and can be interpreted as a deliberate attempt to
undercut local, predominantly Black and Brown leaders and hinder, if not erase, local communities' attempts toward their right to education, self-governance, and self-possession.

There is little evidence to shed light on positive student outcomes resulting from state takeovers (Wong & Shen, 2003). In fact, in their recent study, Schueler and Bleiberg (2021) found that not only is there a lack of evidence of positive academic outcomes, but state takeovers can also result in school disruption in its early years of implementation. Moreover, takeovers cause harm as they are linked to harsh discipline outcomes (Nelson, 2017). The current body of literature does not adequately address state takeover policy related to the voices of the communities impacted by the reform (Shueler & West, 2022). Moreover, while scholars have examined the concept of care in education, there is a void in the literature surrounding critical care as it relates to education policy within the context of power and race (Valenzuala, 1999). Given this information and the continued use of state takeover as a tool for education reform in urban, predominately Black and Brown communities, a closer examination into these policies and the role of race, racism, and care must take place.

**Purpose Statement**

The purpose of this study is to explore how policies and discourses that enable and sustain state takeovers of public schools and school districts contribute to and maintain Black and Brown peoples' racial subordination. This study focuses on the roles of race, racism, and civil rights within these policies and discourses, particularly as they pertain to current state takeovers. Addressing the gap in the literature regarding community voices and critical care in takeover policy, this research also explores the narratives of Black and Brown peoples now faced with a state takeover.
The questions this research seeks to answer are as follows:

1. How do policies and discourse(s) that allow for the implementation of maintenance of state takeovers of public schools and school districts create and maintain the racial subjugation of Black and Brown peoples?

2. What is the role of race, racism, and civil rights within policies and discourse(s) as they apply to current state takeovers?

3. What role does the intersection of care and race play in state takeover policy and implementation, particularly in urban areas?

4. What are the perceptions of marginalized individuals directly affected by state takeover policies and implementation in urban areas?

This research will highlight the role of education law and policy in creating, maintaining, and sustaining racialized oppression in marginalized communities. In particular, this work uses critical race frameworks and critical discourse analysis to critique how education law, policy, and discourses are operationalized to contain, disenfranchise, and dispossess Black and Brown communities living in urban settings. Through the lens of critical care, this work also contributes to the conversation by highlighting the lived realities of Black and Brown community members and stakeholders who are currently facing state takeover.

Conceptual Framework

Critical race theory (CRT) originated out of critical legal studies (CLS) when many scholars within CLS disagreed with matters of race being ignored in the context of their work (Donnor & Ladson-Billings, 2018). Race and racism mattering is the central component of CRT. Derrick Bell, the father of CRT, argued that racism is permanent (Bell, 1992). CRT scholars strive to reveal how institutional power, systemic racism, and law work to dominate Black and
Brown peoples. As much as we wish to downplay race's importance, we continue to be able to document its presence and prevalence in everyday life and public policy decisions in society. (Donnor & Ladson-Bilings, 2018). The emergence of critical race theory has caused a branching off or network of other theoretical concepts centered on the ideas of race, racism, and intersectionality. CRT scholars have also begun to apply these concepts to education and education policy. Delgado and Stefancic (2017) suggest these scholars “discuss the rise of biological racism in education theory and practice and urge attention to the resegregation of American schools” (p. 7). Essential to this study are the CRT branches of antiblackness, whiteness, and LatCrit.

There are several tenets that CRT scholars subscribe to. While scholars may alter the wording of these tenets, they cover the following ideas: 1) a belief that race and racism are endemic and permanent in society, 2) work on challenging the traditional ideology of the education system and its institutions, 3) social justice and activism are central to the work, 4) incorporate the counter-storytelling of the lived experiences of marginalized people, and 5) utilize interdisciplinary approaches Solorzano and Yosso (2001a).

My intention in using critical race frameworks is to highlight the implications of racism and race on the educational opportunities of Black and Brown communities. Nelson (2020) notes, "When applied to education research, CRT affords scholars the ability to critically examine the historical and societal impacts of education policies and practice, and to identify, name, and address the inequities arising from historical and contemporary education laws, policies, and practices," (p. 306). The examination of education policy and racialized discourse must address cultural contempt and repulsion towards blackness (Dumas, 2016). Relatively new to the field of education, antiblackness provides a lens for this, as scholars who are devoted to
the work suggest that Black people are dehumanized in American society, viewed as other, and deemed an already problem (Caldera, 2020; Dumas, 2016). According to Afro-pessimist scholars, the contemporary societal vision of Black people as less than human is inextricably linked to the Black experience under slavery, which renders Black people's quest for civil rights impossible (Dumas, 2016; Patterson, 1982). Antiblackness is integrally tied to whiteness; indeed, whiteness depends on antiblackness to survive.

The use of critical whiteness, a critical race theory, is to expose the invisible structures that produce, reproduce, and maintain white supremacy and privilege in the education system through policy. The pattern of racial advantage and inequity is rooted in dominance, and its continuation is an indication of implicit intentionality on the part of those in power and policymaking (Gillborn, 2005). Before digging into the components of this branch of CRT, I will use this moment to share that whiteness does not refer to white people. Whiteness refers to a manner of thinking, practices, and assumptions that is continuously centered on the interests of white people (Brown & Wisby, 2020). Critical perception of whiteness emphasizes two main themes: whiteness is a privilege in both a cultural and social context, and it is invisible or socially normalized (Marx, 2004; Warren, 2001). The latter part, normalization, combined with whiteness' malleability, is what I consider the more dangerous components. By adapting, changing the rules, reshaping its existence and ability to remain in power, whiteness keeps itself in control. Thus, there is an urgent need to see policy in general, and education policy in particular, through a lens that acknowledges the genuine struggles and conflicts that underpin the processes by which policy and practice are formed (Gillborn, 2005). Whiteness may not be overtly visible in education policy, but it is there, and it must be acknowledged and challenged.
Although LatCrit originated in legal studies and has been used as a framework in research over two decades, it has only lately spread into the field of education (Huber, 2010; Solorzano & Yosso, 2001a). LatCrit's framework is unique in that it combines multiple frameworks and highlights the intersections of racism and other forms of subordination. The Black-White binary dominates the discussion, potentially leaving out different ethnicities that also experience oppression in various forms, and LatCrit provides a framework to view the Latina/o experience in society (Davila & deBradely, 2010; Solorzano & Yosso, 2001b). LatCrit is a social justice project that acknowledges the power contradictions that exist within institutions (Solorzano & Yosso, 2001a). LatCrit scholars contend that these institutions extend to schools, and unique forms of oppression extend to Latina/o students and communities (Gujardo et al., 2020; Huber, 2010; Solorzano & Delgado Bernal, 2001).

An ethic of care, emerging from feminist framework, suggests caring is a collection of interpersonal acts that promote mutual acceptance and realization, growth, development, protection, empowerment, and human community, culture, and possibilities (Gordon, Benner, & Noddings, 1996). This makes care relational, and Diller (1998) suggests that we are born into relationships of varying types. Thinking and knowledge stem from relationships (de La Bellacasa, 2012; Hamlington, 2019; Noddings, 2012). Care should be considered human nature and an activity we conduct to maintain, continue, and repair our world (Engster, 2005). Care as a framework in education has been led by scholars such as Nel Noddings (1984, 1992, 2001, 2012) and is at the heart of feminist social and political thought (de La Bellacasa, 2012). While there has been a dominant feminist lens using care ethics, the often overlooked and the undervalued womanist lens is critical. The unique form of caring exhibited in womanist thought includes
embracing the maternal, political clarity, implementing ethics of risk, and utilizing care as a form of activism (Beauboeuf-Lafontant, 2002; Ramsey, 2012).

Mckenzie and Blenkinsop (2006) suggest compassion in education policy and practice is at the core of critical care research. Yet there is a void in the research related to the use of critical care and an analysis of education policy within the context of power and race (Rolon-Dow, 2005). Velenzuela (1999) expands on current (mis)understandings of care, suggesting that care in education is political when considering the power relationships within the institution.

**Methodology**

This study is divided into three articles and employs a dialectical relational approach (DRA) to critical discourse analysis (CDA) to analyze extant law, policy, and other public documents about the state takeovers of the school districts in Little Rock, Arkansas, and Lawrence, Massachusetts. CDA is advantageous for this study because it enables researchers to examine how discourses reproduce social power and how the oppressed respond to such abuse (Wodak & Meyer, 2016). Additionally, it comprises the modes by which humans express meaning and awareness of their environment (Gee, 1999, p.98; Mullet, 2018, p. 120). This study focuses on policies and discourses that display abuse of power, injustice, and inequality. Mullet (2018) suggests this is precisely the concern of critical discourse analysis in addition to the objective of exposing implicit or hidden power relations. By combining DRA and CDA, I was able to deconstruct the hegemony of specific discourses and study the concepts that serve to develop, perpetuate, or combat dominance. The four stages of DRA were used to analyze the document gathered and include: a) focusing on the social wrong, b) identifying obstacles to addressing the social wrong, c) considering whether the societal order needs the social wrong, and d) identifying ways past the social wrong.
Using a phenomenological approach to qualitative research, the third article consists of a thematic analysis of interview data gathered. Thematic analysis is beneficial to this study due to its ability to be a realist or constructionist method that investigates how events, realities, experiences, and interpretations are shaped by the interactions of multiple discourses within a society (Braun & Clarke, 2006). Approximately ten participants currently impacted by the state takeover of the Lawrence Public School District, including community members, policymakers, and educators, were interviewed. After the interviews took place, transcripts were created and read through multiple times. The following process entailed pulling significant statements from the transcripts. Next, I pulled the overarching ideas, or elements, from each significant statement. For example, from the significant statement, "So the community as a whole, I will say, even if it was something great or wasn't as great, still it was their community, they didn't want anybody (chuckles a bit) to come into their community," I created the element: Some did not want outsiders coming in. Once the elements were developed, they were placed into a grid that allowed me to determine commonalities among the elements in one statement/phrase. Common elements were bundled and relabeled, creating meaning units. The significant statements were decomposed in this manner each time to develop themes for the analysis.

**Significance of the Study**

This work has scholarly and practical significance. Findings present a significant call to action on behalf of scholars, policymakers, educational leaders, and community members, specifically in urban emergent spaces. This work has considerable potential to unveil the invisible nature of whiteness and the unforgiving, blatant nature of antiblackness in education reform while also providing counter-stories of the people currently impacted and left out of the state takeover narrative. This research moves beyond my personal goal of earning a doctorate, as
it contributes to a society that views Black and Brown people as other by acknowledging what is. Additionally, this work contributes to society by providing information that can be scaled out to communities impacted by state takeovers, opening up conversations for those who have been silenced, and providing potential pathways for overcoming the ever-changing obstacles posed by whiteness and antiblackness.

**Conclusion**

In conclusion, this qualitative study, divided into the following three articles focuses on the role of race, racism, and civil rights, explores how policies and discourses that enable and sustain state takeovers of schools and school districts contribute to and sustain Black and Brown peoples’ racial subordination. Additionally, this research focuses on the void in state takeover literature twofold by exploring the narrative of Black and Brown peoples impacted by state takeover as well as implementing a critical care lens on the policies that allow such seizures. The first article focuses on the policies that allow the implementation and maintenance of state takeovers of school districts and investigates market-based agendas embedded in the process of the recent state takeover of the Little Rock School district. The second article focuses on policies and discourses surrounding the current state takeover of the Lawrence Public School District and investigates the influence of the newer third-way approach. The third article focuses on the community voices currently impacted by the state seizure of the Lawrence Public School system with a critical view of care in education policy. This research aims to assert that state takeover policy is an act of dispossessing Black and Brown communities of their political power and right to self-determination. Moreover, this research seeks to challenge the current state takeover narrative of those in power by illuminating the voices of those who are silenced.
Chapter Two

Understanding Arkansas’ State Takeover of the Little Rock School District as Antiblackness: A Dialectical Relational Approach

Aaren N. Cassidy*

Steven L. Nelson**

ACCEPTED PUBLICATION

Abstract

State takeovers of schools and school districts in the United States have been rising for over thirty years, with a significant increase in the past decade. These takeovers raise questions of equity, accountability, integrity, and capability in many areas, specifically in terms of educating the nation's youth who live in urban settings. The state takeover of the Little Rock School District can be compared to the contestable acquisitions in major metropolitan cities such as Detroit, Memphis, and New Orleans. The purpose of this study is to explore the policies that allow the implementation and maintenance of state takeovers of school districts and investigate market-based agendas embedded in the process. Further, this study examines the role of racism and rights within these policies as it applies to the recent state takeover of the Little Rock School District. This study asserts that state takeover policies maintain whiteness and white supremacy as well as antiblackness in urban school districts and education policy. Provided that 85% of state takeovers occur in public schools and school districts that are predominately Black, we apply antiblackness and critical whiteness as frameworks within a dialectical-relational approach to better understand implications of state takeover legislation, policies, and practices. We assert that state takeovers of public schools and school districts are acts of dispossessing Black communities of their political power and their rights to self-determination, education, and existence in particular geographic locations.

* Aaren N. Cassidy is a doctoral student in Education Policy Studies at the University of Memphis. Her scholarship focuses on the variety of ways that education reform policies and practices are grounded in whiteness and neoliberalism.

** Steven L. Nelson is an associate professor of education law and education policy at the University of Memphis. His scholarship interrogates the impact of education law, education policy, and the politics of education on Black youth, families, and communities in urban areas.
Introduction

Since the early 1980s, governments in the United States have been nearly obsessed with school reform.¹ Proponents of school reform have argued in part that improving academic outcomes would help maintain the United States’ economic domination over the rest of the world.² The reconstitution, or unilateral state takeover, of public schools and school districts is one method of reforming public schools and school districts. The unilateral state takeover of public schools and school districts is not a new phenomenon in school reform policies and practices. We suggest, however, that the unilateral state takeover of public schools and school districts as a method of school reform raises questions of educational and racial inequity and injustice in urban areas. Specifically, we argue that reform strategies that are grounded in the unilateral reconstitution of public schools and school districts in urban areas are undergirded by an embracing of whiteness and white supremacy and the reification of antiblackness.

More recently, reauthorizations of the Elementary and Secondary Schools Act have mandated that states address—through school reform—public schools that rank in the bottom five percent of schools based on academic achievement.³ Most, if not all, states have developed and implemented to enact school reform policy via unilateral reconstitution of public schools and school districts.⁴ State takeovers of public schools and school districts have become an increasingly popular choice for implementing school reform. Given education federalism⁵, state

⁵ Kimberly Jenkins Robinson, The High Cost of Education Federalism. 48 Wake Forest L. Rev. 287 (2013) (explaining the intricate and unique form of federalism that impacts education policy. Specifically,
takeovers take many shapes and look different based on jurisdiction. However, state takeovers of public schools and school districts share one thing in common: predominantly Black communities in urban or urbanizing areas are disproportionately targeted for unilateral reconstitution. Provided that 85% of state takeovers occur in public schools and school districts occur that are predominantly Black, we apply antiblackness and whiteness as theoretical frameworks alongside a dialectical-relational approach to better understand the racial implications of state takeover legislation, policies, and practices. We assert that state takeovers of public schools and school districts are acts of dispossessing Black communities of their political power and their right to self-determination. Likewise, the unilateral reconstitution of public schools and school districts is an act of dispossessing Black communities of their right to education and their right to exist in particular geographic locations. In accomplishing this task, we analyze the discourse around the state takeover of the Little Rock School District, which can be compared to similar hostile takeovers of public schools and school districts in Detroit, Memphis, and New Orleans.

Broadly put, the purpose of this essay is to explore how policies that allow for the implementation and maintenance of state takeovers of public schools and school districts create

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Robinson notes that the federal government—despite having no constitutional powers—has inserted itself in education policy through funding).


and support the racial subjugation of Black peoples. In particular, this essay examines the roles of race, racism, and civil rights within state takeover policies as they apply to the current state takeover of the Little Rock School District. In Part I of this essay, we discuss the field and use of Critical Discourse Analysis; we highlight, in particular, the dialectical relational approach to Critical Discourse Analysis. Thereafter, we provide a brief review of the recent history of significant state takeovers in Part II of this essay. We follow Part II with a synopsis of the State of Arkansas’ takeover of the Little Rock School District in Part III. In Part IV, we introduce our theoretical perspectives: whiteness and antiblackness. In Part V, we apply a dialectical relational discourse analysis to the language surrounding Arkansas’ state takeover of the Little Rock School District. We follow part V with a theoretical framing, applying both whiteness and antiblackness in the context of education law. Finally, we offer a conclusion, which summarizes the essay and reiterates the many ways that Arkansas’ state takeover of the Little Rock School District was and is steeped in protecting whiteness and enacting antiblackness.

I. Critical Discourse Analysis and the Dialectical Relational Approach

The field of Critical Discourse Analysis is broad and contains many approaches to analyzing discourses as they are related to how power and the abuse of power influences contemporary actions. While definitions of discourse vary, discourse essentially refers to spoken or written language. However, Norman Fairclough expounded upon the semiotic nature of discourse as well as its inevitable ties to social contexts. With this addition, Fairclough initiated the subfield of the dialectical relational approach to Critical Discourse Analysis. Fairclough, in this subfield of Critical Discourse Analysis, suggested that discourse is “socially shaped, but it is also socially

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The general structure of a dialectical relational approach to Critical Discourse Analysis involves a four-step process that a) identifies a social wrong, b) identifies obstacles to resolving the social wrong, c) considers how society needs the social wrong, and d) conceptualizes how to circumvent the social wrong. Our essay follows Fairclough’s dialectical relational approach to Critical Discourse Analysis. This analysis allowed us to unveil how discursive events and tactics were used to maintain power, control, and a specific social structure. A Critical Discourse Analysis approach is especially appropriate for our analysis given that the scholarly conversation on the unilateral state takeover of public schools has revealed a) that such policies are ineffective at achieving the state goals, b) that these policies have a disproportionate impact on communities of color, especially Black communities, and c) the need to evaluate how the use of language is used to lure, trap, and prevent the resistance of Black communities subjected to the reconstitution of public schools and school districts.

11 Id. at 134.
12 Wodak & Meyer, supra note 9.
II. A Brief History of Federal Involvement in Education Law and Policy and the Politics of Education

Federal power to intervene in local governance has broadened and deepened over the past 55 years. The federal government’s increased power is notable in education law and policy and the politics of education. The origins of this broadening of federal power and control rest with the passage and enactment of the Elementary and Secondary Education Act of 1965 and the Act’s many reauthorizations, which span numerous presidencies. President Johnson signed the Elementary and Secondary Education Act as part of his war on poverty.\textsuperscript{15} Two significant goals of the Elementary and Secondary Education Act were to involve the federal government in education policy and to address the conspicuous disparities in educational equity and resources, particularly among students from low-income households.\textsuperscript{16} President Johnson aimed to accomplish these agenda items through the use of Title I funds.\textsuperscript{17} Since the initial passage of the Elementary and Secondary Education Act, there has been a series of back-and-forth politics between federal and state authorities regarding the power and governance of local schools and school districts.

Following the Johnson administration, the Nixon administration made efforts to reject the idea that President Johnson set forth in his war on poverty.\textsuperscript{18} Nixon’s response to Johnson’s war


\textsuperscript{17} Michael Heise, From No Child Left Behind to Every Student Succeeds: Back to the Future for Education Federalism, 117 Columbia Law Review, 1859 (2017); Helen F. Ladd, No Child Left Behind: A Deeply Flawed Federal Policy, 36 Journal of Policy Analysis and Management 461 (2017); Robinson supra note 15.

on poverty was New Federalism.\textsuperscript{19} Under New Federalism, state powers and autonomy over programs and funding allocation increased. As a consequence, the dependence of local authorities on state governments increased.\textsuperscript{20} The Reagan administration continued the idea of federal divestment in public arenas, such as schools and school systems, which scholars have argued contributed to poor student performance.\textsuperscript{21} With the Reagan administration’s release of \textit{A Nation at Risk: An Imperative for Education Reform}\textsuperscript{22}, public schools and school systems became discredited, and the federal government manufactured a crisis that required a total restructuring of entire public school systems.\textsuperscript{23} Market-based education reform practices became part-and-parcel of education reform policies and practices.\textsuperscript{24}

The federal government’s infiltration into the country’s many education systems reached its pinnacle in 2001\textsuperscript{25}; in particular, the federal government doubled down on its use of monetary enticements to coerce state education agencies to implement certain education reform-oriented policies.\textsuperscript{26} Before the Bush administration endorsed the No Child Left Behind Act, states received federal funding, but state and local authorities maintained autonomy over the education policymaking process.\textsuperscript{27} The Bush administration believed that the education system needed a hard reset if the United States was to compete with other rising economic powers in the global

\textsuperscript{24} Id.
\textsuperscript{25} Heise supra note 16.
\textsuperscript{26} Kristina P. Doan, \textit{No Child Left Behind Waivers: A Lesson in Federal Flexibility or Regulatory Failure?}, 60 Administrative Law Review 211 (2008).
\textsuperscript{27} Heise supra note 16.
economy. Through the No Child Left Behind Act, Title I funds dangled over the proverbial heads of state departments of education as states became required to ensure that 100% of their students reached proficiency in both reading and math by the 2013-2014 school year. School districts were labeled as failing if they failed to meet these mandates, which became known as Adequate Yearly Progress. Schools that received the failing label faced the possibility of severe consequences, including unilateral reconstitution or total closure. While legislators etched the potential of severe consequences into No Child Left Behind, the all-too-lofty goals of the legislation were unrealistic (especially as these goals came with very little additional financial support). The unrealistic nature of No Child Left Behind’s mandates is evidenced by the fact that half of the nation’s schools were considered failing under the Act’s requirements. To remedy the impending educational disaster, the Obama administration’s Secretary of Education, Arne Duncan, offered academic waivers to failing states in exchange for the states adopting federally favored education reform policies.

Faced with the fact that the nation would not reach its stated aims under the No Child Left Behind Act and with the reauthorization of the Elementary and Secondary Education Act almost seven years overdue, the Obama administration put forth the Every Student Succeeds Act in 2015. The Every Student Succeeds Act reversed the policies of the No Child Left Behind Act, its preceding version of the Elementary and Secondary Education Act, by shifting power over education law and policy and the politics of education back to states. In reversing some of the No Child Left Behind requirements, the Every Student Succeeds Act required states to

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28 Oluwole & Green supra note 6.
29 Oluwole & Green supra note 6.
30 Ladd supra note 16.
31 Heise supra note 16.
32 Robinson supra note 15.
intervene in the governance and operation of schools ranked in the bottom five percent of schools in academic achievement and high schools whose graduation rates were below 67%. Derek Black, an expert in education law, suggested that the Every Student Succeeds Act wildly overcorrected the errors of the No Child Left Behind Act. Specifically, Black asserted, “In some respects, the [Every Student Succeeds Act] asks even less than [No Child Left Behind] in terms of equity.” However, the Every Student Succeeds Act maintained some of No Child Left Behind’s mandates. For instance, the Every Student Succeeds Act still requires that 95% of students complete standardized testing for schools to be eligible for Title I funds. Under the Every Student Succeeds Act, the federal government’s power to demand academic progress is relatively attenuated in comparison to previous iterations of the Elementary and Secondary Education Act. Under the Every Student Succeeds Act, each state is given more autonomy with less accountability and is not responsible for ensuring equity, which defeats the initial purposes from which the Elementary and Secondary Education Act originated. Professor Black further suggests, “State intervention pursuant to the [Every Student Succeeds Act] will be more akin to a lightning strike than a predictable consequence of a well-designed accountability scheme.” Moreover, another scholar has noted that “History confirms that states and localities have repeatedly neglected the needs of minority students and provided them with inferior educational

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opportunities.” Through the Obama administration’s implementation of the Race to the Top grant program, state powers have broadened, allowing them to become more aggressive in their efforts to conduct takeovers of purportedly failing public schools and school districts. What is abundantly clear is that legislators’ attempts to improve schools through the No Child Left Behind Act and the Every Student Succeeds Act not only fell short in terms of academic gains, these attempts have also failed to meet the needs of students, families, and communities that face uphill battles with complex issues at the intersection of race and socioeconomics.

III. Contemporary State Takeovers of Public Schools and School District

State takeovers premised on purported academic failure are a rising trend in education reform. Prior to recent history, states have taken over local school districts due to actual or impending financial difficulties. However, recent state takeovers of public schools and school districts have occurred due to alleged academic failures. Professor Domingo Morel further suggests, “The increasing demand for state resources from local communities and the successful court decisions in favor of increasing state funding for local schools, led governors and state leaders to increase their involvement in local governance with state takeovers being a primary tool.” These state leaders have relied on a platform of school accountability to justify their co-opting of local schools and school districts. Indeed, Professors Joseph Oluwole and Preston

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40 Adler-Green supra note 36; Robinson supra note 15.
Green note, “State takeover of school districts is a form of education reform designed to promote educational and financial stability in school districts.”

State takeovers of public schools and school districts come in different forms and fashions, and states pursue different implementation plans for different forms and fashions of state takeovers. For example, there are gubernatorial takeovers, mayoral takeovers, and most recently, third way takeovers. The variety of approaches to takeovers evolved from the unique nature of each state’s political landscape and educational policies and procedures as well as the unique nature of each school and school district. Some state takeovers include keeping the locally elected school boards as advisory councils while other, more invasive takeovers include dismantling (or at least disempowering) the traditionally elected school board and replacing it with a state-appointed board. Many researchers suggest that a state’s dominant political party plays a role in determining if and how state takeovers of public schools and school districts occur. In all cases, whether the state absorbs control of the school or district or the state delegates control of the school or district, state officials obtain, maintain, and retain the final authority over schools and school districts subjected to state takeover.

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45 (Oluwole & Green supra note 6; Welsh & Williams supra note 6.
47 Oluwole & Green supra note 6.
Takeovers as Market-Based Reform

State takeovers have evolved over the years through a series of policy and political changes. More recent takeovers are backed by market-based reforms such as privatization through charter schools.\textsuperscript{50} Research suggests state takeovers of public schools and school districts are part-and-parcel of the neoliberal shift that the United States’ government has taken since the 1980s due to its decentralization of local authority and centralization of state authority.\textsuperscript{51} In his previous work, at least one scholar has noted, “At the federal level, education reform policies are so intertwined with market-based reforms that some policies explicitly require school choice as a part of education reform.”\textsuperscript{52} Some scholars of education policy argue that market-based reforms drive the push for state takeovers of public schools and school districts.\textsuperscript{53} In some analyses of state takeovers, such as in Newark, New Jersey, both local businesses and outside foundations encouraged the takeover because business owners saw the implementation of state takeover policies as a way to play a role in the reform of urban education.\textsuperscript{54} Likewise, there is a prominent link between state takeovers and an increased

\textsuperscript{52} Nelson supra note 13 at 22.
presence and influence of philanthropic foundations when those foundations become present in jurisdictions subjected to unilateral reconstitution of their public school(s) or school district.  

The push for charter schools and school choice is a typical next step after public schools and school districts are taken over by the state. In fact, some states intentionally amend their constitutions to ensure that takeovers allow for charter school reform to occur simultaneously with the state takeover of public schools and school districts. Some cities that have experienced a takeover of their schools and school districts, such as New Orleans, have chartered their entire district; thus, they have no traditional schools left. Richard Welsh, a noted scholar of education policy, asserts, “State takeover policies that situate charter schools as the central school improvement strategy have significant equity implications given the prevailing perception and evidence on this school reform.” As has been argued, when state takeovers happen, questions of equal protection and voting rights arise as locally elected school boards are dismantled, tensions are fostered between the state and local teachers’ unions, and neoliberal agendas are pushed through this method of implementing education policy. Most problematically, “The idea of school choice silences the idea that public education should be equitably and fully

57 Osborne supra note 56.
58 Welsh supra note 50 at 331.
60 Welsh & Williams supra note 6.
funded." To these points, the follow-up steps to state takeover present problems of equity and access for communities that are marginalized, disenfranchised, contained, and dispossessed.

Racial Ties and Implications as Takeovers Increase in Urban Areas

Urban cities are sites of experimentation on urban spaces. Scholars in the field of education, specifically those who research the antecedents and consequences of state takeovers, have expressed deep concerns about the ways in which state takeover districts target urban communities with disproportionately Black and Brown populations. Accordingly, one scholar notes, "In the context of state takeovers of locally governed public schools and school districts, schools and school districts that are disproportionately Black experience state takeovers at higher rates than do disproportionately White schools and school districts." With the vast majority of school reconstitutions taking place in Black and Brown communities, it is paramount that there is more scholarly discussion about the places and space and the people subjected to state takeover policies. State takeovers of public schools and school districts are one of the most prominent education policies in the realm of urban education. There is no denying the racial impact of state takeover legislation and policy; reflexively, there is no denying the impact of race on the development and implementation of education policy. State takeovers gained prominence in urban education policy at the moment when Black and Brown communities demanded more and

62 Rogers supra note 51.
63 Buras supra note 14.
65 Nelson supra note 13 at 57.
equitable allocation of educational resources. During the 1970s and 1980s, as urban, predominantly Black communities demanded equitable funding, both the Nixon and Reagan administrations passed legislation that stifled funding that solidified these communities’ reliance on the state. To access these state-based funds, communities agreed to face strict state accountability. It was this strict state accountability that paved the path to the state takeover of local schools and school districts. In what Professor Morel labels a power grab, state takeovers of public schools and school districts became a disempowerment strategy explicitly aimed at Black communities.  

Echoing the work of Morel, a coauthor of this paper previously noted, “In many cases, state takeover of public schools results in the replacement of Black policy brokers with white policy brokers.”

When referencing state takeovers, Green and Carl note that in urban communities proposed or actual takeovers have created conflict between these urban areas and their state overseeing bodies along geographic and racial boundaries; this has sparked conversations about and claims that state takeovers are unlawful and fail to fulfill its fundamental goal of initiating statistically significant school change. Social science research indicates that several urban cities have undergone state takeovers for both fiscal and academic performance, but the majority of contemporary takeovers are for the latter reasoning. Despite the Browning of the suburbs, urban centers are still disproportionately Black and Brown and more likely to house school

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69 Nelson supra note 14 at 2.
70 Green & Carl supra note 14.
districts that enroll students from lower social-economic statuses.73 Yet, in high poverty areas, schools still have the ability to create opportunities to build social capital for the students in the school and the parents in the community the school serves.74 Domingo Morel, one of the foremost scholars on state takeovers, suggests, “In the urban regime, the public is represented by their government leaders which presumably are given the consent to govern and represent the citizenry through the democratic process. The growing presence of state and local actors in local affairs complicates the understanding of the public official in the urban regime.”75

Furthermore, critics of state takeovers argue that these intrusions on local governance a) occur in predominantly low-income and disproportionately Black and Brown communities, b) disenfranchise Black and Brown communities, c) obliterate self-governance, and b) can be a form of modern-day colonialism.76 In most state-operated schools and school systems, Black and/ or Brown students make up more than three-quarters of the student population.77 Typically, Black and Brown leaders are often unceremoniously deposed when states take over a public school or school district. This gives rise to some worry about civil rights violations for both students and community members at-large.78 Black and Brown groups, who are historically

73 Jessica Shiller, Venture philanthropy’s market strategies fail urban kids: Endorsing schools that address the poverty that confronts low-income students would be a more effective way to spend foundation dollars 93 Phi Delta Kappan 12 (2012); U.S. Department of Education. Institute of Education Sciences, National Center for Education Statistics. Retrieved from https://nces.ed.gov/pubs/web/96184ex.asp
75 Morel supra note 43 at 492.
impacted by state takeovers, often opposed the implementation of policies calling for the hostile takeover of public schools and school districts. This resistance is primarily due to the fact that the state government, mostly consisting of white actors, infiltrates the governance and political power structures of Black and Latin@ populations. While the state appears to be a savior of failing schools in the context of state takeovers of public schools and school districts, the fact is that there is little to no uncontroverted evidence that this type of education reform has a positive impact on student performance and educational equity.\textsuperscript{79}

Through the implementations of No Child Left Behind and the Every Student Succeeds Act, states have placed a laser focus on academic performance. Additionally, through the Obama administration’s implementation of the Race to the Top grant program and the Every Student Succeeds Act, state powers have broadened, allowing states to become more aggressive in their takeover of purportedly failing public schools and school districts.\textsuperscript{80} This aggressive push to take over public schools and school districts is evident in public schools and school districts in Detroit, Memphis, and New Orleans. While each state takeover of the aforementioned public school district is unique, the contexts of the takeovers share some similarities. A brief review of these takeovers reveals that the district taken over underperformed academically and suffered fiscal setbacks.\textsuperscript{81} Despite the financial issues that each district shares in common with the other districts, the common thread that resulted in the takeover of the school district is perceived academic underperformance.\textsuperscript{82} Another common thread is that each of these school districts served a mostly Black student population in an urban setting.\textsuperscript{83} Additionally, the cities are tied by

\textsuperscript{79} Green & Carl supra note 14; Nelson supra note 13.
\textsuperscript{80} Mason & Reckhow supra note 39.
\textsuperscript{81} Buras supra note 14; Osborne supra note 56; Wright, Whitaker, Khalifa, & Briscoe supra note 71.
\textsuperscript{82} Buras supra note 14; Osborne supra note 56; Wright, Whitaker, Khalifa, & Briscoe supra note 71.
\textsuperscript{83} Green & Carl supra note 14.
their Southern roots: even in the case of Detroit, the Black population can be attributed to the
South’s industrial migration to the Midwest.\(^8^4\) Finally, in each case, a state district seized
authority of the locally elected school board (for all or part of the school district), initiated the
replacement of veteran educators, and shifted the blame of academic underperformance to urban
communities.

**Detroit**

Detroit’s public schools have a legacy rife with fiscal concerns, specifically racial
disparities in school funding based on property taxes.\(^8^5\) Additionally, Detroit’s public school
system has consistently reported academic deficiencies, including an alarming dropout rate.\(^8^6\)
Indeed, one report asserts, “Essentially decades of underinvestment/divestment coupled with the
marginalization of Black Detroit served as primary contributors to the existing financial crisis,
including the financial health of the Detroit Public Schools.”\(^8^7\) Through Public Act 4, Michigan
gave its district takeover authority to the Education Achievement Authority.\(^8^8\) The Education
Achievement Authority, which was privately funded and had a state-appointed board, dismantled
the predominantly Black local school board. Dennis Archer, the mayor of Detroit, was allowed
to appoint all but one of the new seven-member board.\(^8^9\) One author went on to note that the
takeover of Detroit’s public schools was, in fact, a nightmare and points out that the takeover
was “an intentional strategy to corporatize education, to make it a for-profit enterprise, using
taxpayer money but no longer accountable to the public.”\(^9^0\) Having created a separate subset of

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\(^8^4\) Wright, Whitaker, Khalifa, & Briscoe supra note 71.
\(^8^5\) Wright, Whitaker, Khalifa, & Briscoe supra note 71.
\(^8^6\) Wright, Whitaker, Khalifa, & Briscoe supra note 71.
\(^8^7\) Wright, Whitaker, Khalifa, & Briscoe supra note 71 at 5.
\(^8^8\) Wright, Whitaker, Khalifa, & Briscoe supra note 71.
\(^8^9\) Green & Carl supra note 14.
\(^9^0\) Rebecca A. Martusewicz, *Warrior in an educational nightmare*, 50 Educational Studies 99, 100 (2014).
schools in Detroit (and more broadly, in Michigan), questions of accountability and equity continue to arise as this new subset of would-be-public schools operates in an almost unchecked manner.\textsuperscript{91}

\textbf{Memphis}

Tennessee’s state takeover policy emerged from the Race to the Top initiative in 2009.\textsuperscript{92} Tennessee’s state takeover authority, the Achievement School District, enacted multiple school reforms, including opening charter schools and overhauling teacher evaluation systems. Once the Achievement School District took over a subset of schools in Shelby County, schools were either run directly through the Achievement School District, matched with a charter management organization, or turned into an Innovation Zone school (also referred to as a district-within-a-district).\textsuperscript{93} Schools placed under the authority of the Achievement School District were required to remain under the district’s oversight for at least five years while those handed over to charter management organizations were allowed autonomy to run the schools as they pleased. If the schools showed increased academic performance after five years, they were allowed to return to their home district.\textsuperscript{94} Under current legislation, the State Commissioner of Education has the authority to place any priority school\textsuperscript{95} under the governance of the Achievement School District, disempower local school boards, unilaterally replace teachers and school leaders, seize control of local budgets, and co-opt the day-to-day operations (i.e., curriculum and instruction) of public

schools and school districts.\textsuperscript{96} The Achievement School District is much like Michigan’s Education Achievement Authority: it is mostly located in a large urban area with a predominantly Black population. Moreover, the Achievement School District is also a neoliberal, market-based reform that values “decentralization, competition, and aversion to traditional bureaucratic structures.”\textsuperscript{97}

**New Orleans**

Following Hurricane Katrina, President George W. Bush invited the privatization of education in New Orleans’ public school system by offering significant tax benefits for corporations that invested in the area.\textsuperscript{98} Despite Bush’s promotion of the marketization of public schools in New Orleans, the neoliberal marketplace and, more importantly, the state takeover of public schools in New Orleans was already at work prior to the superstorm.\textsuperscript{99} However, the Recovery School District, Louisiana’s state takeover authority, seized the opportunity to dismantle and disempower the locally elected school board while the city was just beginning its recovery from the hurricane. Upon taking over New Orleans’ public schools, the leaders of the Recovery School District fired roughly 7,500 educators, mostly Black educators, and replaced those educators with white novice teachers who had received minimal to no training in the field. Alongside the mass firing of Black teachers and the overnight destruction of the Black middle class in New Orleans, the Recovery School District initiated the mass charterization of schools in the city. While the Recovery School District did return New Orleans’ public school to the locally elected Orleans Parish School Board in 2018, there are stipulations that hamstring the school


\textsuperscript{97} Glazer & Egan supra note 96 at 946.

\textsuperscript{98} Gustavussen supra note 53.

\textsuperscript{99} Buras supra note 14.
board. For instance, the local school board is unable to convert any former Recovery School District schools (all charter) to traditional public schools.\textsuperscript{100} Kristin Buras, professor of education policy, argued that the context of Louisiana’s state takeover of New Orleans’ public schools is “less about responding to the needs of racially oppressed communities and more about the reconstruction of the newly governed South—one in which white entrepreneurs (and Black allies) capitalize on Black schools and neighborhoods by obtaining public monies to build and manage charter schools.”\textsuperscript{101}

Social scientists suggest that Detroit, Memphis, and New Orleans share an underlying common thread: market-based reform is the driver of decisions in education policy.\textsuperscript{102} The push for charter schools is prominent in these state takeovers. For instance, almost every student in New Orleans’ public schools attends a charter school.\textsuperscript{103} In some of these cases, states amended their constitutions to advance legislation that enabled the state to take over public schools and school districts; additionally, these states leveraged federal support for neoliberal, market-based reforms that support the charter school movement.\textsuperscript{104} When examining the state takeover of these predominantly Black and Black-led school districts, policymakers appear to make up the rules as quickly as time moves, assuring the rules meet their endgame over the true needs of educational equity and justice. To date, there is no independent, unbiased evidence that state takeover policies and their implementation are a remedy for schools with academic struggles. On the contrary, most independent evidence suggests the opposite. Specifically, this evidence supports a

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\item \textsuperscript{100} Gustavussen supra note 53.
\item \textsuperscript{101} Buras supra note 14 at 297.
\item \textsuperscript{103} Osborne supra note 56.
\item \textsuperscript{104} Osborne supra note 56; Welsh supra note 50.
\end{itemize}
narrative that speaks to the plethora of ways that state takeover districts tear apart cities and communities. State takeover districts are sites of experimentation, specifically state takeover districts that are in urban areas and have a predominantly Black school district.

The State Takeover of the Little Rock School District

Unlike the extensive research on the state takeovers of schools in Detroit, Memphis, and New Orleans, there is a paucity of scholarly literature on the state takeover of the Little Rock School District. Little Rock has a history of deploying race and racism in education policy. The city is infamous for its desegregation crisis.\(^{105}\) During the 1950s, state leaders designed a variety of means to stop defying orders to desegregate its schools.\(^{106}\) The scheme that Arkansas’ leaders designed included state orders to defy the orders of federal courts\(^{107}\) and tuition schemes that would permit the closing of public schools, supplanting public schools with private schools.\(^{108}\) The use of education policy to disrupt the educational, social, and political outcomes of Black Americans was present in 1957, and the state takeover of the Little Rock School District seems to be based on an eerily similar premise as Arkansas’ use of race and racism.\(^{109}\) For these reasons, closer analyses of the state takeover of the Little Rock School District and the discourses around that takeover are of critical value.

Arkansas’ broadening of powers due to current policy is on full display in the state’s takeover of the Little Rock School District, a topic of contention and dissension since 2015. Since 2015, there have been a series of policies that the state legislature has enacted (and the

governor has implemented). These policies are worthy of examination. For instance, under the Arkansas Distress Program, Act 915 of 1995, the state is allowed to designate schools or school districts that have “failed to meet the required level of academic achievement for several years” as schools in distress. Act 915 is unique because it was not designed to meet federal requirements, as it established state law and state policy and procedures prior to the No Child Left Behind Act. The Academic Distress Program permits the state to define and classify school and school districts as distressed and determine the action steps required to improve the school’s status from failing. The requirements of school performance under Act 915 have not been static; performance indicators have shifted over the years. Before 2013, schools were not considered to be in academic distress unless 75% of their student population scored below basic on state standardized tests. However, since Act 600 of 2013, those requirements have evolved. Now, schools and school districts are considered in academic distress if less than 49% of their students score proficient or advanced on the state standardized test.

Additionally, under Act 600 of 2013, individual schools, not just school districts, can be classified as academically distressed. School districts designated as academically distressed

111 Bureau of Legislative Research supra note 110.
112 Bureau of Legislative Research supra note 110.
113 Bureau of Legislative Research supra note 110.
115 Bureau of Legislative Research supra note 114.
116 Bureau of Legislative Research supra note 114.
are subject to state takeovers that include removing and disempowering the school
superintendent and local school board members under the more current and rigid guidelines of
Act 600 of 2013 as compared to Act 900 of 1995. As currently written, academic distress
status is temporary. The school district has five years to meet the exit criteria, or the state board
of education is required to consolidate, annex, or reconstitute the school district after the school
district is classified as being in academic distress.

Before the 2013 amendment to Act 915 (Act 600), barely any schools in Arkansas met
the qualifications to be considered academically distressed. However, the State of Arkansas
declared six of the 48 schools in the Little Rock School District as academically distressed under
the Academic Distress Program. According to Act 600, the state was allowed to “take any action
against a district with a school in academic distress that allowed for a district where the who
district is in distress.” In other words, the state—under Act 600—could take over an entire
district if even one school was found to be academically distressed. In January 2015, using the
qualifications under Act 915, the state of Arkansas assumed control of the Little Rock School
District and immediately removed its seven-member, locally-elected school board. The state took
control of the Little Rock School District almost immediately after a federal judge put a halt to
25 years of school desegregation payments which pulled a significant amount of money from the
school district. The state took over the leadership of the Little Rock School District just as the
school district had elected its first Black majority. The then-superintendent, Dexter Suggs, was
kept on a temporary, interim basis, but the state quickly replaced him with a state-appointed

118 Bureau of Legislative Research supra note 110.
119 Daniel Breen, As LRSD Approaches Five Years of State Control, Its Future Is Still Uncertain (Nov. 13,
120 Bureau of Legislative Research supra note 110
121 Corrigan supra note 109.
leader, Baker Kurras. Asa Hutchinson, Arkansas’ governor, appointed Johnny Key, a former senator, the director of the State Department of Education. Key did not and does not meet the requirements of the position. Johnny Key became the Little Rock School District’s de facto school board once the school district was declared in academic distress. Key, the Republican-appointed Secretary of Education, state board chair, Diane Zook, and Governor Asa Hutchinson became the three most prominent players in the state takeover of public schools in Little Rock. All three of these officials supported market-based reforms such as privatization through charter schools. They were quick to welcome and commend the involvement of outside philanthropists, such as the Walton Family Foundation. Key, who is a supporter of charter schools, removed Kurras from leadership of the Little Rock School District after Key learned of Kurras’ negative remarks and dispositions about charter schools and the potential harms of charter schools. Key appointed Michael Poore, the current superintendent, in the place of Kurras.

There has been a significant backlash against decisions that Key has made under his leadership of the Little Rock School District, particularly his obliteration of the local teachers’ union. Act 915 of 1995 bans the waiver of the Teacher Fair Dismissal Act. However, under

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123 Max Brantley, Arkansas Times, Hutchinson Taps Johnny Key to Lead Education Department (March 2, 2015, 6:09 PM), https://arktimes.com/arkansas-blog/2015/03/02/hutchinson-taps-johnny-key-to-lead-education-department (noting that Johnny Key was not qualified to be state secretary of education, and further noting that the governor of Arkansas was working with the state legislature to alter the position’s minimum qualifications to help Key meet the minimum qualifications to be state secretary of education).


Key’s authority and under Act 930 of 2017, the Teacher Fair Dismissal Act was, in fact, waived. Key is the designee to approve contracts between the district and its workers while he serves in the stead of the locally elected school board. Key’s actions prompted Professor Lisa Corrigan to suggest, “The control of the Little Rock School District is fundamentally about a white city government poaching the resources of a predominately Black school and district after labeling it in distress without reasonable public input in transforming the small number of underperforming schools.”

Per the statutory requirements, the Little Rock School District takeover, under the direction of Johnny Key, had five years to meet the exit criteria or be forced to consolidate, annex, or reconstitute. The Little Rock School District did not meet the exit criteria and in fact, had increased academic struggles as the number of academically distressed schools increased after the state takeover. It has been reported that consolidation and annexation are not options because of ongoing desegregation lawsuits, and reconstitution has already taken place. The Arkansas state senate put forth Senate Bill 668 in April 2019. Senate Bill 668 would allow the state to maintain control of the Little Rock School District for four more years; however, the bill faced opposition from Mayor Frank Scott, Jr., parents, teachers, and community members.

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127 Corrigan supra note 109 at 67.
130 Hunter Field, Arkansas Democrat-Gazette, (April 9, 2019, 4:30 AM), Longer School-Control Bill Fails in Arkansas Senate, But Another Vote Possible, https://www.arkansasonline.com/news/2019/apr/09/longer-school-control-bill-fails-vote-i/ (suggesting that Senate Bill 668 was targeted towards maintaining state control of the Little Rock School District in addition to several other school districts under state control).
Senate Bill 668 failed in the state senate. With no clear exit plan in place, the Little Rock School District’s designation as a system in academic distress was modified to a designation as a system in need of intensive support. In October 2019, the state board, comprised of state-appointed officials, proposed a tiered plan to allow the community to elect a school board, but the board would only be responsible for the schools that were in good academic standing. The plan would ultimately divide the city by race as academically distressed schools—schools with a disproportionate enrollment of Black students—would remain under the supervision of the state of Arkansas.¹³¹ Key shifted his plan. He agreed to return local control of the Little Rock School District if the local school board would follow certain stipulations. Working under a Memorandum of Agreement drafted by Mayor Frank Scott, Jr., the district would work under a community schools initiative; however, in cooperation with the state, the school board would have strict limitations, including not having control over the budget, not being able to hire or terminate the superintendent of schools, not being empowered to recognize collective bargaining agents, such as the Little Rock Education Association¹³² These restrictions bring into question whether local control has been or will be restored. As of March 31, 2020, community members filed a lawsuit attacking the state’s continuation of control over the Little Rock School District and its current plans to impose restrictions on the soon-to-be elected school board.¹³³ Despite its issues, some apparently racial, the state takeover of the Little Rock School District has been cast

as a panacea for academically struggling school districts, particularly by those who are in favor of market-based reforms.\textsuperscript{134}

**Theoretical Frameworks: Antiblackness and Whiteness**

Although Afropessimism, and particularly antiblackness, has been fairly explicated in several major texts in other fields\textsuperscript{135}, the theoretical framework is relatively new in the fields of education and law. Introduced by scholars such as Michael J. Dumas\textsuperscript{136} and Connie Wun\textsuperscript{137}, antiblackness in education posits that the Black peoples’ very struggle for equal—much less equitable—educational opportunities is mired by and directly connected to the Black experience in slavery. Professor Saidiya Hartman instructs us that the United States is in the “afterlife of slavery.”\textsuperscript{138} Thus, scholars in the developing lineage of antiblackness in education are warranted in our study of school policy and the practice of schooling as a part-and-parcel of the immortality of chattel slavery in the United States. Specifically, we, scholars in the burgeoning field of antiblackness in education, rightfully position this current historical moment as well as future historical moments as points where Black peoples are not just othered but also viewed as something “other than human.”\textsuperscript{139} Professor Dumas further argues, "Any incisive analyses of racial(ized) discourse and policy processes in education must grapple with cultural disregard for and disgust with blackness."\textsuperscript{140} In school policy and the practice of schooling, this should be interpreted as Black peoples not having a presumed right to inhabit spaces intended for

\textsuperscript{134} Corrigan supra note 109.
\textsuperscript{135} Afropessimism, and to that extent antiblackness, has been covered by scholars in African-American or Black Studies, History, etc.
\textsuperscript{136} Michael J. Dumas, *Against the Dark: Antiblackness in Education Policy and Discourse*, 55 Theory Into Practice 11 (2016).
\textsuperscript{139} Dumas supra note 136 at 13.
\textsuperscript{140} Dumas supra note 136 at 12.
schooling; therefore, it should also be understood that Black peoples are subjected to violence in these places. With particular interest to this essay, it should be noted that Black peoples are subjected to gratuitous violence, especially gratuitous violence in the development, implementation, and evaluation of education policy aimed at education reform. Since education reform often uproots Black administration for white initiatives, it is sensible to contend that education reform tries to enslave Black individuals by controlling Black bodies and political access/thought and confining and dispossessioning Black communities. Moreover, repeated state takeovers of public schools and school districts in predominantly Black jurisdictions suggests that antiblackness manifests itself in an inability for Black peoples to pursue self-determination and self-governance.

Akin to Professor Hartman’s argument that we are living in the afterlife of slavery, other scholars have asserted that contemporary education policies that contain, dispossess, dehumanize, and disenfranchise Black Americans are inextricably connected to the slave codes. Specifically, those scholars identify the number of ways in which Black peoples experienced limited agency, self-possession, self-governance, and self-determination. The state takeover of public schools and school districts continues this limited agentive experience

144 Hartman supra note 138.
146 Nelson & Williams supra note 145.
for Black peoples. These takeovers have been linked to disparate and harsh disciplinary outcomes for Black students in urban settings.\textsuperscript{147} Likewise, similar research isolates the state takeover of public schools and school districts as being linked to lower academic outcomes for Black students.\textsuperscript{148} These trends are the contemporary manifestations of antiblackness in education, and these trends are manifestations of the gratuitous political violence that Black peoples experience in the United States. Extending Professor DeMarcus Jenkins’ argument\textsuperscript{149}, we argue that Black peoples are not only unwelcomed in school buildings and schooling: Black peoples are unwanted and disallowed from participation in the education policy process, especially as the education policy process relates to the self-possession, self-governance, and self-determination of Black peoples. This argument aligns with Professor Hartman’s suggestion that we are living in the afterlife of slavery.\textsuperscript{150} However, we reframe Hartman’s argument with more recent scholarly arguments to insist that the afterlife of slavery is a mere retake of slavery.\textsuperscript{151} In particular, we suggest that antiblackness could and should envision this current historical moment as slavery by another name.

Alongside living in the afterlife of slavery, afropessimism, through antiblackness, posits that the enslaved person experiences a social death.\textsuperscript{152} Orlando Patterson discusses the enslaved person’s social death as a divorcing of the person from their prior existence while incorporating the person into her or his current lived experience only after experiencing stages of rebirth, a

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\textsuperscript{147} Nelson, Ridgeway, Baker, Greene & Campbell supra note 67; Nelson supra note 13; Nelson supra note 14.  
\textsuperscript{149} Jenkins supra note 141.  
\textsuperscript{150} Hartman supra note 138.  
\textsuperscript{151} Nelson & Williams supra note 145.  
\textsuperscript{152} Orlando Patterson, \textit{Slavery and Social Death: A Comparative Study} (1982).
\end{flushleft}
rebranding (or replacement) of the person’s history and existence.\textsuperscript{153} Despite the phrase \textit{social death}, Patterson chiefly argues that the enslaved person lives in somewhat of a purgatory: clearly socially alive within enslaved populations but clearly socially dead, or nonexistent, within free populations.\textsuperscript{154} If we extend this argument to contemporary times, Black peoples are certainly experiencing a continued social death, a second enslavement, in the making and implementation of education policy. Not only are Professor Hartman’s suggestions that Black peoples remain imperiled by treatment as something other than human correct, Black peoples’ experiences with education policy, especially the state takeover of public schools and school districts, further positions blackness as the antithesis to humanity. Specifically, blackness is not associated with the human right to self-possession, self-governance, and self-determination. Researchers suggest that antiblackness is not reserved for individuals alone; institutions, such as schools, can create and reinforce this concept.\textsuperscript{155} This points to the cruciality of examining education reform through both lenses of both whiteness and Antiblackness. Previously I have written, "The education reform movement has, in actuality, maintained the economic systems that aid and abet the oppression of Black Americans."\textsuperscript{156} Antibleackness is inherently intertwined with whiteness. Patterson argues that the master in the slave-master relationship needs the slave, potentially more than the slave needs the master.\textsuperscript{157} Thus, Patterson’s argument can readily be extended to the relationship between whiteness and antiblackness: without blackness, whiteness is nothing. Thus,

\textsuperscript{153} Patterson supra note 152.
\textsuperscript{154} Patterson supra note 152.
\textsuperscript{156} Nelson supra note 14 at 10.
\textsuperscript{157} Patterson supra note 152.
whiteness might very well need blackness—and perhaps Black suffering—to maintain its existence.

Supporting the suggestion that whiteness is omnipresent and blackness, as a concept, will last through this current historical moment and in the foreseeable future, research suggests whiteness is a permanent, ever-evolving structure in society that focuses on two main themes.\textsuperscript{158} Whiteness functions through privilege and white supremacy culture in the cultural and social context; likewise, whiteness functions through its invisibility and the normalization of whiteness privilege and supremacy.\textsuperscript{159} Professor David Gillborn further suggests, "One of the most powerful and dangerous aspects of whiteness is that many (possibly the majority) of white people have no awareness of whiteness as a construction, let alone their role in sustaining and playing out the inequities at the heart of whiteness."\textsuperscript{160} Professor Nolan Cabrera provides another analysis,

\begin{quote}
Within the superstructure of White supremacy, whiteness is attributed value as a privileged, dominant, and frequently invisible social identity. Cultural and discursive practices (hegemonic whiteness) serve to naturalize unequal social relations along the color line. Within a civil society, this results in White privilege, racial inequality, and an anti-minority effect. Each one of these three levels is mutually reinforcing as the cultural sphere normalizes inequality and
\end{quote}

racism that, in turn, serves to leave systemic White supremacy uninterrogated and unchallenged.\textsuperscript{161}

Whiteness adapts; it changes the rules; it shapeshifts as necessary to maintain its existence and its ability to stay in control.\textsuperscript{162} Whiteness is ever-present in society writ-large and, with specificity to this paper, in education policy and practice. Whiteness is the ability to set society’s ground rules—through settler colonialism\textsuperscript{163}—shift those very ground rules when necessary to maintain a social order that preferences whiteness, white privilege, white supremacy, and ultimately, white people.\textsuperscript{164} These shifts, which are seismic for Black peoples, are both intentional (active) and unintentional (passive).\textsuperscript{165} However, intentions are of little value to this analysis as the results are the same. According to Dryer, "Whiteness reproduces itself regardless of intention."\textsuperscript{166}

In keeping with the arguments in the two previous paragraphs, whiteness may not be overtly visible in education policy. Yet, whiteness still actively exists in education policy. As Professor Cheryl Matias and colleagues note not only is whiteness present, but it also continues to be upheld to support white supremacy's institutionalization.\textsuperscript{167} Therefore, whiteness must be

\textsuperscript{163} Here, we rely on the definition of \textit{settler colonialism} that Eve Tuck and colleagues employ (“Settler colonialism is the specific formation of colonialism in which the colonizer comes to stay, making himself the sovereign, and the arbiter of citizenship, civility, and knowing.”) Eve Tuck & Ruben A. Gaztambide-Fernandez, \textit{Curriculum, Replacement, and Settler Futurity}, 29 Journal of Curriculum Theorizing 72, 73-75 (2013).
\textsuperscript{164} Nelson supra note 162.
\textsuperscript{165} Nelson supra note 162.
identified, called out, and challenged. There are several ways acts of whiteness and oppression exist in education policy, such as, but not limited to, the implementation of a master narrative curriculum, dress codes, and day-to-day happenings in the classroom. A transparent embodiment of whiteness is that whiteness and white supremacy presume to be able to identify the composition, structure, and outcomes of good schools and the right way to implement schooling.\textsuperscript{168} Whiteness also exists and persists through the various systems of capitalism and neoliberal agendas. The privatization of schools, market-based reforms, and the appearance of school choice are thinly veiled coverups for the constant shapeshifting nature of whiteness and the upholding of white supremacy culture. However, we remind you that whiteness does not exist without the concept of antiblackness\textsuperscript{169}, and these concepts rear their ugly heads in schools through education reform strategies. Perhaps this is not by chance. The intention of schools and schooling was never to support children, families, and communities, for Black peoples in the United States could potentially receive a death sentence for learning to read and write.\textsuperscript{170} Schools, therefore, were reserved as white property.\textsuperscript{171}

**Methodology**

In this study, we employed a Critical Discourse Analysis (CDA) of extant law and policy as well as other public documents related to the development, implementation, and evaluation of the unilateral reconstitution—or state takeover—of the Little Rock School District. We collected various documents that represented various discourses and discursive events. These documents


\textsuperscript{170} Grey Gundaker, *Hidden Education Among African Americans During Slavery*, 109 Teachers College Record, 1591, 1607 (discussing how Dave, a Black worker at a newspaper read and wrote during the 1830s-1850s, a time when it was illegal for Black people to read and write).

\textsuperscript{171} Buras supra note 14.
included a) the various laws and policies that the state implemented and b) public statements regarding the state takeover of Little Rock School District. Using a dialectical relational approach to CDA required that we approach the case in four stages. The four stages include: 1) focus upon a social wrong in its semiotic aspects, 2) identify obstacles to addressing the social wrong, 3) consider whether the social order 'needs' the social wrong, and 4) identify possible ways past the obstacles.\textsuperscript{172}

\textit{Focusing on a Social Wrong: The State Takeover of Little Rock School District as a Societal Wrong}

The state takeover of public schools and school districts, though purporting to advance access to equal educational opportunities and outcomes, is steeped in antiblackness. As Professor Domingo Morel\textsuperscript{173} and Professors Joseph Oluwole and Preston Green\textsuperscript{174} assert, nearly all districts that are subjected to unilateral reconstitution are predominantly Black. Thus, scholars have reported that policymakers and school leaders in predominantly Black school districts feel targeted for takeover.\textsuperscript{175} Arkansas’ unilateral takeover of the Little Rock School District supports Professor Osamudia James’ statement that Black policymakers and school leaders feel disproportionately targeted for takeover.\textsuperscript{176} Moreover, Arkansas’ timing of the unilateral takeover of the Little Rock School District suggests that the takeover occurred with the undertone of antiblackness. The state of Arkansas did not intervene in the operation of the Little Rock School District as long as the district maintained a predominantly white school board that oversaw a disproportionately Black school district. Then, despite decades of trouble with

\begin{footnotes}
\item[172] Wodak & Meyer supra note 9 at 91.
\item[174] Oluwole & Green supra note 6.
\item[176] Id.
\end{footnotes}
segregation and struggling academic performance, the state of Arkansas only conducted a takeover of the Little Rock School District after the city of Little Rock elected its first predominantly Black school board.\textsuperscript{177} Further displaying the antiblackness of education law and policy purportedly aimed at securing racial justice, a federal court upheld this racially-biased takeover of the Little Rock School District. The plaintiffs in \textit{Doe v. Arkansas Department of Education} argued specifically that the state takeover of the Little Rock School District was racially motivated.\textsuperscript{178} The federal court hearing the case did not dismiss this claim as impossible.\textsuperscript{179} Instead, the court noted, “It’s conceivable that, somewhere in all of this, someone had a foul intention”.\textsuperscript{180} However, the court, relying on previous court decisions, argues that there could be no relief for the plaintiffs because there was no direct evidence of discriminatory intent.\textsuperscript{181} In particular, the court notes, “But the settled precedent is clear; discriminatory effects alone are insufficient to show discriminatory intentions.”\textsuperscript{182} Ironically, the federal court hearing this case held that the court could offer no relief nor intervention to the plaintiffs—seeking to maintain control of the predominantly Black school district by a predominantly Black school board—because no person came forward and stated a clear intention to use the state takeover of the Little Rock School District to racially subjugate Black peoples.\textsuperscript{183} As I previously asserted, the state takeover of public schools and school districts—with particular application to predominantly Black school districts with predominantly Black school boards—is steeped in

\begin{footnotes}
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\item[177] Harris supra note 131.
\item[179] \textit{Id}.
\item[180] \textit{Id.} at 2.
\item[182] \textit{Id.} at 2.
\item[183] \textit{See generally,} Doe v. Arkansas Department of Education, 2016 U.S. District Lexis 135265 (2016) (following precedent that racial discrimination cases require evidence of discriminatory intent and discriminatory impact and that discriminatory impact is not enough to sustain a cause of action).
\end{footnotes}
antiblackness because it robs Black peoples of a right to self-possession and self-governance.\textsuperscript{184} I have further suggested that the state takeover of public schools and school districts in predominantly Black districts with predominantly Black school boards are taken over, and civil rights laws have provided little, if any, recourse to these race-based aggressions against Black communities.\textsuperscript{185}

According to state law, Arkansas had many options to consider when unilaterally taking governance of the Little Rock School District.\textsuperscript{186} Specifically, the state could have a) called for the election of a new public school district board of directors, b) required that the school district operate without a board and under the supervision of a superintendent, an individual, or a panel appointed by the commissioner, or c) direct the commissioner to assume some or all authority.\textsuperscript{187} Certainly, the state could have employed options that would expand or empower the Black community’s voice in the politics of education; instead, the state deployed antiblack policies, choosing to create political (and legal) obstacles to the Black community’s involvement in the politics of education. The state commenced its governance of the Little Rock School District by dismantling the predominantly Black, popularly elected school board.\textsuperscript{188} The state of Arkansas replaced the disempowered predominantly Black school board with Johnny Key: a white male who thereafter singlehandedly governed the school district.\textsuperscript{189} Key, who did not originally meet

\textsuperscript{184} Nelson supra note 14.
\textsuperscript{185} Nelson & Bennett supra note 59.
\textsuperscript{186} A.C.A. § 6-15-2916
\textsuperscript{187} A.C.A. § 6-15-2916
the qualifications for the position, obtained the position after the state legislature nullified the educational and experiential requirements for the position. After his appointment, Key, a white male who replaced a popularly elected, predominantly Black school board, represented an overtly underrepresented Black community as its one-and-only source of education policy and educational leadership in the Little Rock School District. Key’s lording over the Little Rock School District’s affairs as a white man overseeing the Black community smacks of antiblackness in that his presence and authority stripped Black students, families, and communities of their rights to self-governance. Referencing back to Hartman’s and my previous assertions, today’s policies are retreads of policies developed and implemented during the era of chattel slavery, and Black people are currently suffering through an era where the policies developed in the era of chattel slavery have lingering effects. Thus, that Johnny Key’s appointment and empowerment displaced Black political power and influence to the detriment of Black peoples’ right to self-governance and self-possession is antiblackness at its core.

Even upon the end of his tenure as czar of education in the Little Rock School District, Johnny Key, in collusion with the State Board of Education, continued to propagate antiblackness. Upon the end of the state takeover, Key and the State Board of Education were required to return control of the Little Rock School District to its local school board, which

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190 Max Brantley, Arkansas Times, Hutchinson Taps Johnny Key to Lead Education Department (March 2, 2015, 6:09 PM), https://arktimes.com/arkansas-blog/2015/03/02/hutchinson-taps-johnny-key-to-lead-education-department
192 Hartman supra note 138.
193 Nelson & Williams supra note 145.
would likely be once again predominantly Black. However, Key and the State Board of Education concocted a plan to allow Little Rock to elect its own school board, but the school board would have to operate within certain *guardrails*. These guardrails effectively neutered the newly elected school board, greatly limiting their power over and governance of the school district. In particular, the newly elected board did not have the authority to hire or fire a superintendent, control the district’s budget, or engage in litigation. The State Board of Education ultimately proposed other antiblack policies. For instance, the State Board of Education sought to implement a policy that would return schools to local control with certain *guardrails*. Schools that are considered failing (largely schools that are predominantly Black) would remain under state control while other schools (predominantly white schools) would return to local control. Given the racial demographics of the LRSD, this plan would result in a resegregation of the school district: the schools with the highest proportion of Black students would remain under state control while schools with comparatively whiter populations would return to local control. As I have written concerning the state takeover of New Orleans’ public schools, the state takeover of the Little Rock School District obliterated the Black community’s

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voting rights, and there were no legal or political pathways for the Black community to pursue to protect their right(s) to participate in the political process.199

Identifying Obstacles to Addressing the Social Wrong: Neoliberal Reform as Whiteness

Neoliberal education reform in the Little Rock School District can be viewed as an act of whiteness. This is specifically the case for charter school reform in the district. As Professor Nolan Cabrera states, “Within the superstructure of White supremacy, whiteness is attributed value as a privileged, dominant, and frequently invisible social identity….Within a civil society, this results in [w]hite privilege, racial inequality, and anti-minority effect.”200 We use Cabrera’s tri-level structure to best capture how neoliberal education reform, through the charter school movement, could and should be captured as whiteness. Thinking to Cabrera’s first level, white privilege, white people in Little Rock and the Little Rock School District, in particular, have experienced a privilege of governance over Black peoples. Specifically, this privilege has allowed key white actors to obtain, maintain, and sustain their hold on the politics of education through the development, implementation, and evaluation of policy in a manner that disproportionately benefits white students, families, and communities. Cabrera’s second level, racial inequality, is tied to the resegregation and maintenance of segregation in the Little Rock School District. Some charter schools in the Little Rock School District, such as Quest and E-STEM, are not supported by key white actors (listed previously), and these charter schools are also predominantly and disproportionately white.201 Due to white flight, white families have flocked to the areas of the city north of Interstate 630.202 These areas have become

199 Nelson & Bennett supra note 59.
200 Cabrera supra note 161.
predominantly white and wealthy, and the students in these areas are inequitably resourced as compared to students south of Interstate 630, an area that is disproportionately Black.\(^{203}\) Siting these disproportionately white charter schools north of Interstate 630 inherently results in a schism between Black and white students. The difference between resources provided to schools north and south of Interstate 630 reflects an anti-minority, specifically antiblack, effect in which Black students, families, and communities are set up for lackluster performance as compared to their white counterparts.

Neoliberal education reform policies and practices embrace whiteness (and antiblackness) through yet another mechanism. Neoliberal education reform policies and practices create obstacles for addressing the antiblackness of state takeover policies, in general, and specifically in Little Rock. Like many locations with predominantly Black public schools and school systems and predominantly Black, popularly elected school boards (see Detroit, Memphis, and New Orleans, as mentioned earlier), Little Rock has seen an increase in the presence of charter schools within its school district.\(^{204}\) The increased presence of charter schools and charter school-influenced reform in Little Rock is not coincidental. The State Board of Education’s vote to take over of the Little Rock School District was rife with conflicts of interest. Particularly, these conflicts of interest involved the close connection between State Board of Education officials, charter school operators, and the Walton Family Foundation. As reported by Journalist Max Brantley in the *Arkansas Times*, every person on the state board who voted for the takeover of the Little Rock School District (Diane Zook, Vicki Saviers, Kim Davis, 


and Toyce Newton) had either direct or indirect connections to the charter school movement and funding the Walton Family Foundation, which financially backed the state takeover of the LRSD. For instance, Diane Zook’s family is a dominant force of advocates for school privatization; Zook serves as chairperson and gavel holder for the State Board of Education. At the same time, her husband, Randy Zook, and nephew, Gary Newton, held high positions on boards such as Arkansas Learns, KIPP Charter Schools, the Arkansas Chamber of Commerce, and the Arkansas for Education Reform Foundation. All of these entities receive funds from the Walton Foundation. As a result of these conflicts of interests, neoliberal education reform, through the implementation of pro-charter school policies, arose en masse. For example, Commissioner Johnny Key made affirmative steps to ensure the growth and proliferation of charter schools. Specifically, Key’s selection for superintendent of LRSD, Baker Kurras, resisted the hasty implementation of pro-charter policies, suggesting that more research needed to take place due to the possibility of further segregating the school district. Consequently,

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Key relieved Kurras of his duties as superintendent of the Little Rock School District. In embracing whiteness, neoliberal education reformers who create obstacles to addressing antiblackness in the LRSD embody antiblackness through policy and practice.

Considering Whether the Societal Order Needs the Social Wrong: Whiteness’ Need for Antiblackness

As we have noted previously, antiblackness and whiteness are inseparable concepts. Antiblackness—at its root—stems from the need to uphold whiteness. Extrapolating Patterson’s argument that the slaveholder was nothing without the slave, we argue that whiteness is nothing without antiblackness. According to Professor Ian Haney Lopez, empowering whiteness—albeit through defining who was (is) or was not (is not) white—has been the business of the United States’ judicial system since the 19th Century. Moreover, Professors Carol Anderson and Saidiya Hartman recount the many ways that whiteness has manifested itself as rage and terror, culminating in the physical, psychological, and emotional trauma of Black peoples in the United States. Because the United States and its legal structures (including those delineating who is a citizen and how (non)citizens are to be treated) are founded on whiteness and whiteness, in totality, has resulted in white terrorism against Black peoples, the state takeover of the Little Rock School District, especially as the takeover can be identified

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211 Patterson supra note 152.
215 Haney Lopez supra note 212.
216 Anderson supra note 213; Hartman supra note 214.
as an attack on Black peoples’ being, is a natural consequence of antiblackness. If Hartman\textsuperscript{217}, Haney Lopez\textsuperscript{218}, and Anderson\textsuperscript{219} are correct in acknowledging the ways in which whiteness has manifested \textit{and} the ways in which whiteness has installed and relied upon antiblackness, then several facts of the takeover of the Little Rock School District stand out as reasonable simply because of the need to uphold antiblackness. For instance, the result of the gratuitous violence that is the state takeover of the Little Rock School District, a predominantly Black school district with a predominantly Black school board, makes sense. Specifically, one need only consider that prior to the takeover the Little Rock School District contained six schools that were in academic distress; after the takeover, there were eight.\textsuperscript{220} This suggests that the takeover was a) unsuccessful and b) did more harm than good. Also, the state of Arkansas maintained its governance of the Little Rock School District beyond the time allowed in the law.\textsuperscript{221} Specifically, the state forced the Little Rock School District into a deal that would allow the state to put into place guardrails to assure that the state maintained power and avoided handing power back to the predominantly Black school board.\textsuperscript{222} Thus, even after the state disrupted Black peoples’ right to self-governance and self-possession for five years (legally allowable but ethically questionable), the state extended its use of antiblackness and its pursuit of whiteness by

\begin{itemize}
  \item \textsuperscript{217} Hartman supra note 214.
  \item \textsuperscript{218} Haney Lopez supra note 212.
  \item \textsuperscript{219} Anderson supra note 213.
  \item \textsuperscript{220} Daniel Breen, As LRSD Approaches Five Years of State Control, Its Future Is Still Uncertain (Nov. 13, 2019), \url{https://www.ualrpublicradio.org/post/lrsd-approaches-five-years-state-control-its-future-still-uncertain}
  \item \textsuperscript{221} Max Brantley, Supreme Court Refuses to to Dismiss Lawsuit Over State Control of Little Rock School District, Arkansas Times, (June 17, 2021; 11:23 am), \url{https://arktimes.com/arkansas-blog/2021/06/17/supreme-court-refuses-to-dismiss-lawsuit-over-state-control-of-little-rock-school-district}
  \item \textsuperscript{222} Scott Carroll, Mayor, Board of Directors Propose Full Local Control of Little Rock School District (October 7, 2019), \url{https://katv.com/news/local/mayor-board-of-directors-to-propose-local-control-of-little-rock-school-district}
\end{itemize}
maintaining power and denying that same power to Black peoples in Little Rock. As noted above, the pursuit of whiteness requires the maintenance of antiblackness.

In other words, the current social order (whiteness) needs the social wrong (antiblackness) to continue its existence. This is particularly the case when whiteness seeks to maintain the status quo through promoting the marketization of schools and maintaining current leaders' political status. State takeovers are an act of dispossessing Black communities of more than just their space and opportunity for equitable education. It is a dispossession of any form of Black advancement, self-possession, and self-determination. Whiteness mutates, and in order to maintain white dominance in schooling and local governance, Black advancement must be diminished or eradicated. The social order of whiteness needs to maintain the status quo, and it will shapeshift by any means necessary to uphold the status quo.\textsuperscript{223} Cyclically, state takeover policies lead to and promote the neoliberal agenda behind the marketization of schools and the involvement of venture philanthropists, which intern maintains white leaders' political status.\textsuperscript{224} Thus, the very nature of antiblackness is to uphold the very obstacles that prevent the eradication of antiblackness.


Identifying Ways Past the Social Wrong

We posit that there are few pathways to disrupting antiblackness in education and the pursuit of whiteness in education. Here, however, we will provide some ideas of how to disrupt the state takeover of public schools. There are chiefly two ways that we believe Black communities can reduce the level at which disproportionately white political structures strip Black communities of their rights to self-governance, self-possession, and self-determination. Firstly, Black communities should attempt to take over and reform their own schools. There is evidence from the Memphis and Nashville school districts that such takeovers are effective and efficient at a) preventing the state takeover of public schools and b) improving the test scores of schools under local takeover and reform.\(^{225}\) Similar to this plan (and possibly part of the plan), schools could simply change school names and school codes to disrupt state boards of education’s ability to track which schools are considered *habitually failing*. Secondly, Black communities could pursue separatism. In other words, Black parents could use existing structures to employ and deploy strategies towards self-possession. In the spirit of educational marronage, Black students, parents, and communities could participate in homeschooling and/or private schooling (assuming access to Black-owned, Black-oriented, and Black-supporting private schools). Of course, this also assumes access to some level of economic and educational upward mobility. However, even Black students, families, and communities who would otherwise not have access to such schools or plans could have enhanced access to homeschooling and private schooling under the right conditions of community cohesion and support (and rejection of the United States’ concept of individualism, which in and of itself, supports capitalism and white

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supremacy). This is, of course, just two of few, if any, pathways to overcoming the antiblackness of education policy; however, we assert that these strategies could, under the right conditions, aid Black students, families, and communities in reacting to and coping with antiblackness in education.

Conclusion

State takeovers of schools and school districts are a critical problem in education reform, and this choice of reform does not seem to be going anywhere. The state takeover of public schools and school districts has been and is tied to racialized policy agendas, particularly policy agendas that seek to disenfranchise, dispossess, and contain Black students, families, and communities who live in urban settings. The continued use of school and district takeover raises concerns since these reconstitutions are ineffective, at best, in improving the schools and school districts they take over. Moreover, these takeovers further promote opportunity gaps and racialized academic outcomes in predominantly Black school districts and impede Black people's advancement and empowerment within the community.

Using the four-step process for a dialectical-relational approach to CDA, our essay revealed the under-resourcing of schools in Black communities in Little Rock, the role of antiblackness and whiteness in state takeover policies, oppressive barriers that have been set by state legislatures and policymakers in Little Rock, and how society needs to maintain a population of citizens who are undereducated and impoverished. Through analysis of the state takeover of the Little Rock School District, we highlight how policies and systems that purportedly give pathways to annihilating imbalance and providing educational growth and

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In general, we employ the phrase opportunity gap over achievement gap to focus on the systemic issues that plague Black students and prevent them from reaching their full academic potential, per the work of H. Richard Milner.
equity are frequently commandeered to persecute and disempower Black communities. This essay highlights the nefarious beliefs and actions that stymie Black communities' political voice and the right to self-determination in public schools. Thus, this work also broadens the conversations—grounded in practice and praxis—about school reform strategies and methods to resist Black communities' disempowerment in the development, implementation, and evaluation of school reform strategies.
Chapter Three

Takeover as the Third Way: Antecedents and Consequences of State Takeover

Introduction

Education reform is the focus of many policymakers. Eighty-five percent of state takeovers occur in predominately Black and Brown communities (Morel, 2018; Oluwole & Green, 2009). It is reasonable to assume leaders repeatedly choose educational reform options due to the positive effects on their intended outcome(s). Unfortunately, this may not be the case when state legislatures' increasingly popular course of action is state takeovers of schools and school districts with little evidence to prove these appropriations have significant positive academic outcomes for students and communities and even less regarding social-emotional well-being (Schueler & Bleiberg 2022; Wong & Shen, 2003). Urban education policies such as reconstitutions raise educational and racial equity concerns, as they are an act of dispossessing Black and Brown communities of political and self-advancement (Nelson & Williams, 2019). Since many state takeovers occur in urban, predominately minority communities, scholars must focus on the effectiveness of state takeover reform and its impact on the surrounding community to understand and redress educational inequalities and systems. The purpose of this study is to explore and examine policies and discourses that allow implementation and maintenance of state takeovers of school districts and investigate the influence of the newer third-way approach.

Further, this study examines the role of racism and rights within these policies as it applies to the current state takeover of Massachusetts's Lawrence Public School system. By investigating the state's takeover of public schools in Lawrence, Massachusetts, I demonstrate how structural, systemic, and policy processes purporting to address educational racism, unfairness, and injustice are frequently abused to further subjugate Black and Brown communities.
Critical Discourse Analysis and the Dialectical Relational Approach

A dialectical-relational approach (DRA) to Critical Discourse Analysis (CDA) was employed within this study to analyze the law, policy, public documents, news, and media related to the state takeover of the Lawrence Public School system in Lawrence, Massachusetts. CDA is beneficial to this study as it allows researchers to analyze how discourses reproduce social dominance and how the dominated fight against such abuse (Wodak & Meyer, 2016). While discourse includes "talk, text, media, interaction, and institutions," it also goes beyond those ideas and into the realm of how individuals express meaning and understanding of the world around them (Gee, 1999, p.98; Mullet, 2018, p. 120). Critical discourse analysis deals specifically with "power abuse, injustice, and inequality and attempts to uncover implicit or concealed power relations" (Mullet, 2018, p. 117). Characteristics of CDA include: a) problem-oriented focus; b) analysis of semiotic data; c) the view that power relations are discursive to some extent; d) the view that discourses are situated in time and place; e) the idea that expressions of language are never neutral; f) analysis that is systematic, interpretive, descriptive, and explanatory; and g) interdisciplinary and eclectic methodologies (Van Dijk, 1993; Wodak & Meyer, 2009, as cited in Mullet, 2018, p. 118). CDA is appropriate for this study as a) state takeover policies are ineffective at their stated goals (Hammer, 2005; Nelson, 2018; Ziebarth, 2002), b) state takeover policies have a disproportionate impact on communities of color, especially in Black and Brown communities (Buras, 2011; Burns, 2003; Green & Carl, 2000; Hunt & Watkins, 2015; Nelson, 2017; Nelson, 2018; Morel, 2018; Wong & Shen 2001), and b) evaluation is required of the way language is used to entice and restrain the resistance of minority communities subjected to the reconstitution of public schools and school (Wodak & Meyer, 2016). Incorporating a dialectical-relational approach to CDA allows one to reveal that
power goes beyond the language, as "it is a means to gain and maintain power via the use that powerful people make of it" (Wodak & Meyer, 2016). Moreover, employing DRA with CDA will allow the researchers to dismantle the hegemony of certain discourses and analyze ideas that serve to build, perpetuate, or fight dominance.

**Historical Perspective of State Takeovers**

Education is not a fundamental right granted to citizens of the United States under the federal Constitution (Black, 2019; McCarthy et al., 2014; Harris, 2019). With this being the case, states absorb the responsibility of public education, and implementation of this authority varies from state to state. While the state controls education, it is typically locally administered (McCarthy et al., 2014). However, the state's power to intervene in local governance has broadened and deepened over the past fifty-five years, with a particular focus on schools and school districts. The enactment of the Elementary and Secondary Education Act of 1965 (ESEA) and its multiple reauthorizations by different presidential administrations can be considered the beginnings of states spreading authority and control. ESEA was enacted as part of President Johnson's anti-poverty campaign (Bishop & Jackson, 2015; Robinson, 2018). ESEA had two important goals: to involve the federal government in education policy and address significant inequities in educational equality and resources, particularly among low-income students, by using Title I money to provide additional funding (Heise, 2017; Ladd, 2017; Robinson, 2018).

Since ESEA's inception, there has been a succession of back-and-forth politics over power and accountability in local administration and schools between federal and state authorities. Following the Johnson administration, the Nixon administration developed a new plan known as New Federalism to reject the objectives outlined in Johnson's war on poverty (Bennet, 2019). State authority and autonomy over programs and budget allocation in schools
were strengthened under this new strategy. As a result, local governments' reliance on state
governments has grown (Morel, 2018). The Reagan administration kept the idea of federal
divestment in public spheres like schools and school systems alive, which some experts believe
contributed to low student performance (Bennet, 2019). We can see the beginnings of
discrediting the public school system and a manufactured crisis with the Reagan administration's
release of *A Nation at Risk: The Imperative for Education Reform* (1983), which called for a
restructuring of the entire system, including the use of market-based education reform strategies
(Baltodano, 2017).

The federal government's infiltration of the country's multiple education systems peaked
in 2001 (Heise, 2017); specifically, the federal government used monetary incentives to direct
state education authorities to implement specific policies (Doan, 2008). States received federal
funding before the Bush administration approved No Child Left Behind (NCLB), but states and
local governments retained control over education policymaking (Heise, 2017). The Bush
administration decided that the educational system needed a complete overhaul to compete in the
global economy. Title I monies were held over the heads of states under NCLB, and they were
supposed to ensure that 100% of their kids in their schools and school districts achieved 100%
proficiency in both reading and arithmetic by the 2013-2014 school year (Green-Adler, 2019;
Ladd, 2017). Schools and districts failing to meet these requirements, commonly known as
Adequate Yearly Progress (AYP), were labeled failing, with severe penalties such as state
takeover and shutdown potential (Oluwole & Green, 2009). These expectations were unrealistic,
especially since they were accompanied by little to no assistance in reaching, as nearly half of
the country's schools were deemed failing under NCLB regulations (Ladd, 2017). At this point,
the Obama administration's Secretary of Education, Arne Duncan, granted academic waivers to
failed states in exchange for them adopting federally supported education reforms outside of congressional norms (Heise, 2017).

The Obama administration introduced the Every Child Succeeds Act in 2015, almost seven years after the ESEA was reauthorized (Robinson, 2018). This Act returned the baton to the states in terms of education decision-making. ESSA compels states to intervene in schools in the worst 5% of the state and high schools with graduation rates below 67 percent, reversing some of NCLB's obligations (Hunt & Watkins, 2015). ESSA vastly overcorrects NCLB, and "in some aspects, ESSA asks even less in terms of equity than NCLB" (Black, 2017, p. 26). Some NCLB standards, such as guaranteeing that 95 percent of children tested to earn Title I monies, were preserved under ESSA (Green-Adler, 2019). The federal government's ability to compel progress is limited under ESSA. Each state is allowed more authority with less accountability, and they are not responsible for maintaining equity, which defeats the goal of the Elementary and Secondary Education Act (Black, 2017). Renowned education law professor Derek Black (2017) posits that the likelihood of well-designed accountability from the state is bleak. Furthermore, Robinson (2018) asserts that throughout history, states and municipal governments have routinely overlooked the needs of minority students and provided them with poorer educational opportunities. State powers have widened due to the Obama administration's implementation of the Race to the Top Act of 2009 (RttT), allowing them to be more aggressive in their takeover of allegedly underperforming schools and school districts (Mason & Reckhow, 2016). NCLB and ESSA failed to improve schools in terms of academic improvements and in terms of meeting the needs of kids who face socioeconomic and racial difficulties (Green-Adler, 2019; Robinson, 2018).
Historically, takeovers of governments have been motivated by economic concerns. On the other hand, more current state takeovers have been progressively growing as a result of alleged academic failure (Wong & Shen, 2003). State takeover of school districts is a kind of education reform intended to improve school districts' educational and financial stability (Oluwole & Green, 2009). Governors and state leaders increased their engagement in local administration due to growing requests for state resources from local communities and successful court decisions in favor of expanding state financing for local schools, with state takeovers being the mechanism of choice (Morel, 2018).

State takeovers exist in several different forms, and they can be performed in various ways. There are three types of takeovers: gubernatorial, mayoral, and the third-way of takeover, which will be discussed further later (Oluwole & Green, 2009; Schueler, 2019; Welsh & Williams, 2018). The distinctive nature of each state's political and educational rules and procedures, as well as the unique nature of each school and school district, contribute to the range of methods to takeovers (Wong & Shen, 2003). Some state takeovers preserve locally elected school boards as advisory councils, while others, which are more invasive, dismantle the school board and replace it with a state-appointed board (Oluwole & Green, 2009). Many experts believe that the political party of a state's government has a crucial influence in predicting if and how a takeover happens (Wong & Shen 2002; Morel, 2018). State officials have final authority over school takeovers in all situations, whether the state absorbed control or delegated responsibility (Wong & Shen, 2003).

The Third-Way

The "third-way" approach to state takeovers of schools and school districts is becoming increasingly popular. The "third-way" approach to state takeovers seeks to eliminate the stigma
of a right-wing vs. a left-wing strategy, implying that both can be used (Schueler, 2019). Its goal is to promote charter and traditional schools through union-district collaboration, merging school autonomy with centralized district management. California and Massachusetts are two state examples that have adopted this different approach to takeovers in Compton, CA., and Lawrence, MA. In these circumstances, the state allows day-to-day operations to be run by local governments. On the other hand, the state retains veto authority over financial and administrative choices. This strategy has sparked conflict between community members and state and municipal actors (Wong & Shen, 2003). Even though certain state and city players in places like Lawrence say that this new technique is the future of state takeovers, several experts, notably Wong and Shen (2002), believe that data suggests that these takeovers are inefficient. The "third-way" has a small body of literature, and the literature that does exist primarily examines student achievement outcomes. Through their analysis, which included the varying types of takeovers, Schueler and Bleiberg (2022) found no evidence that state takeovers improve academic achievement, and these takeovers have a moderately negative effect on ELA achievement particularly in the early years of implementation. Schueler and Bleiberg (2022) note the outlying positive academic improvements in the beginning years of the takeover in Lawrence, Massachusetts. The validity of the positive results is questionable considering, as Schueler and Bleiberg (2022) note, that the states are the rule makers regarding how achievement is measured. Still, these results do not consider the impact on the students and community. It's critical to implement further research on this strategy, how it's linked to neoliberal education reform tactics, and how it affects urban schools and communities.
Market-Oriented Takeover Reform

State takeovers have developed over time as policy changes have occurred. Recent takeovers have been accompanied by market-based reforms such as charter school privatization (Welsh, 2018). According to research, state takeovers of schools and educational systems result from our government's neoliberal shift during the 1980s, including decentralization of local authority and centralization of state authority (Rogers, 2012; Reckhow, 2013). "At the federal level, education reform policies are so intertwined with market-based reforms that some policies explicitly require school choice as a part of education reform," Nelson (2018) writes in his study on state takeovers (p. 22). As locally elected school boards are abolished, conflicts between the state and teacher unions grow, and neoliberal objectives are pushed through education policy, questions of equal protection and voting arise (Welsh & Williams, 2018; Morel, 2018). Some academics suggest that the demand for state takeovers of schools and school districts is motivated by market-based reforms (Buras, 2010; Gustavussen, 2018). In certain state takeover analyses, such as in Newark, NJ, both local businesses and outside foundations support the takeover because the business owners perceive it as a way to contribute to urban school reform (Burns, 2003). According to Reckhow (2013), state takeovers are associated with an increase in the presence and influence of charitable organizations in schools and school districts. The campaign for charter schools and school choice is also prevalent within state takeovers. Some places, such as New Orleans, have had their schools and school districts taken over have no traditional schools remaining (Osborne, 2020). Approaches to school choice undermine the notion that public education should be equal and fully supported (Rogers, 2012). Some states alter their constitutions specifically to allow for charter school reform in the event of a takeover (Osborne, 2020; Welsh, 2018). State takeover plans that prioritize charter schools as the primary
option for school improvement have significant unequal effects in light of current views and research about this type of school reform (Welsh, 2018).

**Racial Relationships and Their Consequences as Takeovers Proliferate in Urban Cities**

One of the most visible policy developments in urban education is the state's takeover of schools and school systems (Burns, 2003; DiLeo, 1998). There can be no doubt about the influence of race and power on state takeover policy (Morel 2018; Oluwole & Green III, 2009; Welsh & Williams, 2018). With the majority of school reconfigurations occurring in marginalized communities, it is critical to conduct additional studies on the impact on the populations served by the schools.

State takeovers acquired significance in urban education policy during a period of increased demand for fair educational resources by minority communities. Throughout the 1970s and 1980s, as urban, predominantly Black communities demanded equal funding, both the Nixon and Reagan administrations enacted legislation and blocked funds, further entrenching these areas' dependency on the state. Nonetheless, these communities were subjected to intense scrutiny due to their reliance. Takeovers, according to research, are an explicit technique of disempowerment directed at Black communities (Morel, 2018). "In many cases, state takeover of public schools result in the replacement of Black policy brokers with white policy brokers" (Nelson, 2017, p. 2). Urban cities are laboratories for urban experimentation (Buras, 2011), and these experiments are catching fire. There is widespread concern about targeting urban neighborhoods and historically marginalized individuals by state takeovers and their impact (Nelson, 2018; Hunt & Watkins, 2015). Nelson (2018) notes that "in the context of state takeovers of locally governed public schools and school districts that are disproportionately Black experience state takeovers at higher rates than do disproportionately White schools and
school districts" (p.57). Furthermore, Morel (2018) shows that when the state takes over a school in a minority community, notably a Black and Brown neighborhoods, the takeover generally demolishes locally elected school boards, contributing to the increased eroding of Black and Latino political empowerment and advancement. However, this is not typically the case in majority-white communities.

Minority groups, who have historically been adversely affected by state takeovers, frequently oppose them. This resistance is primarily a result of the state government, composed mainly of white players, infiltrating the governance and advancement of African American and Latino populations. Civil rights are violated when minority populations are removed from elected positions (Burns, 2003; Reinhard, 1998; Walsh, 1998). These minority groups account for more than 75% of students in the majority of state-run schools (Burns, 2003; Wong & Shen, 2001). According to research, numerous large communities have been taken over by the state for budgetary and academic performance, but the emphasis has been primarily on the latter (Buras, 2011; Osborne, 2020; Wright, Whitaker, Khalifa, & Briscoe, 2020). Despite suburban browning, metropolitan centers continue to be disproportionately Black and Brown and enroll pupils from lower socioeconomic positions. In high-poverty communities, schools provide an opportunity for kids and parents to develop social capital (Wilson, 1987; Wong and Shen, 2003). According to Morel (2018), "In the urban regime, the public is represented by their government leaders which presumable are given the consent to govern and represent the citizenry through democratic process. The growing presence of state and local actors in local affairs complicates the understanding of the public official in the urban regime” (p.492).

Additionally, critics of state takeovers claim that these intrusions into local governance disproportionately affect low-income and minority communities, disenfranchise residents,
demolish self-government, and should be viewed as a sort of modern-day colonialism (Buras, 2011; Morel, 2018). When Green and Carl (2000) discuss state takeovers, they note that across the country, proposed or genuine takeovers have isolated areas, urban communities, and state overseeing bodies along geographic and racial lines, igniting necessary debate and claims about their legality and potential to serve as the fundamentally required impetus for comprehensive urban school change. In each of these scenarios, the state looks to be a savior of failing schools, but this is dubious given the scant to non-existent evidence that this type of education reform improves student performance and equity (Green & Carl, 2000; Nelson, 2018).

**Comparable State Takeovers of Urban Cities**

States have placed a premium on academic performance due to the implementation of NCLB and ESSA. Additionally, as a result of the Obama administration's adoption of the Race to the Top Act of 2009 (RttT), state authority has been expanded, allowing states to be more aggressive in their takeover of ostensibly "failed" schools and school districts (Mason & Reckhow, 2016). This may be observed in the state takeovers of the educational districts in New Orleans, Detroit, Memphis, and Little Rock. Louisiana, Michigan, Tennessee, and Little Rock serve as case studies for evaluating state takeovers. While each state takeover is distinct, there are certain commonalities. According to research, these states took over these schools or school districts for fiscal and academic performance, but the emphasis was primarily on the latter (Buras, 2011; Osborne, 2020; Wright, Whitaker, Khalifa, & Briscoe, 2020). It is critical to observe the demographics of the urban centers included in these state takeovers, as they are all urban areas with a majority non-white population (Green & Carl, 2000). Additionally, while only two of these states are geographically located in the South, a sizable amount of Michigan's African American population can be traced to industrial migration from the South (Wright et al., 2020).
In each case, a state district authority assumed control of a locally elected school board, removed seasoned educators, and posed a threat to the urban areas served by the schools.

**New Orleans**

Following Hurricane Katrina, George W. Bush facilitated the privatization of the New Orleans educational system by offering considerable tax breaks to firms that invested in the area (Gustavussen, 2018). It is critical to emphasize that the acquisition of the Orleans Parish School Board (OPSB) and the city's public school district began far before the Katrina disaster (Buras, 2011). The Recovery School District (RSD) put in place by the state dismissed 7,500 educators, the majority of whom were African Americans, replaced them with primarily white newbie teachers who had gotten little to no training in the subject, and launched a massive charter school initiative. While the RSD returned schools to the OPSB in 2018, the OPSB's authority is limited. For example, they are not permitted to convert any existing RSD schools to regular schools (Gustavussen, 2018). Buras (2011) refers to the New Orleans charter school framework as the “remaking of the newly governed south,” suggesting white elite (and their Black allies) are more concerned with profiting from Black schools and neighborhoods through public funding than addressing the needs of racially oppressed communities (p. 297).

**Detroit**

Detroit's public schools have a long history of fiscal difficulties, including inequities in school funding based on property taxes and academic shortcomings, including an alarming dropout rate (Wright, Whitaker, & Khalifa, 2020). According to Wright, Whitaker, and Khalifa (2020), "essentially decades of underinvestment/divestment combined with the marginalization of Black Detroit served as primary contributors to the existing financial crisis, including the financial health of the Detroit Public Schools" (p. 5). Michigan delegated district takeover
authority to the Education Achievement Authority (EAA) through Public Act 4 (PA4) (Wright et al., 2020). The EAA, privately funded and governed by a state-appointed board, abolished the majority-Black local school board. Dennis Archer, the mayor of Detroit, was permitted to appoint all but one of the new seven-member board (Green & Carl, 2000; Nelson, 2018). Martusewicz (2014) refers to the Detroit takeover as the "Nightmare in Detroit," stating that the seizure is "an intentional strategy to corporatize education, to make it a for-profit enterprise, using taxpayer money but no longer accountable to the public" (p. 10). Due to creating a distinct group of schools in Detroit, accountability concerns have arisen.

**Memphis**

Tennessee's state takeover policy originated in 2009 as part of the Race to the Top program (Welsh, 2018). The Achievement Educational District (ASD), Tennessee's state-appointed takeover authority, implemented various school reforms, including charter schools and teacher assessment systems. Once taken over, schools were either administered directly by the ASD, partnered with a charter management business, or converted into Innovation Zones, often known as districts inside districts (Welsh, 2018; Zimmer, Henry, & Kho, 2017). Schools placed in the ASD must remain there for five years, during which time charter management corporations are allowed to administer the schools independently. After five years, if the schools demonstrate improved academic performance, they may return to their original district (Welsh, 2018; Zimmer, Henry, & Kho, 2017). The State Commissioner of Education has the jurisdiction under existing law to place any priority school into the ASD, remove local control, replace teachers and principals, control the budget, and exercise autonomy over day-to-day operations such as curriculum and instruction (Glazer & Egan, 2018). Due to creating a distinct group of schools in both Detroit and Michigan, concerns about accountability continue to grow as these
schools frequently operate unchecked (Nelson, 2018). In Tennessee, the Achievement School Districts, more notably in Memphis, highlight concerns about neoliberal market-based reforms that prioritize "decentralization, competitiveness, and an antipathy to old bureaucratic institutions" (Glazer & Egan, 2018, p. 946). Moreover, research indicates that these cases are motivated by an underlying market-based reform (Buras, 2010; Gustavussen, 2018). The proponents of charter schools are also prominent in these state takeovers. Every student in New Orleans attends a charter school (Osborne, 2020). These states amended their constitutions to expedite the passage of the Acts authorizing state takeovers and establishing the federally sanctioned practice of charter schools (Osborne, 2020; Welsh, 2018). When legislators examine takeovers, it appears as though they are making up the rules as they go along, prioritizing their desires over the needs of others. The research on these state takeovers is insufficient to demonstrate the effectiveness of state takeover policies as a cure for low-performing schools. However, it illustrates how they tear cities and communities apart in the process and how these cities are laboratories for urban experimentation (Buras, 2011) and are sweeping across the nation.

**Little Rock**

Little Rock, Arkansas, is well-known for its 1957 desegregation crisis (Johnson, 2007). During this historical period, state authorities will employ every means required to prevent integration. These initiatives included tuition systems that would allow for the closure of public schools and their replacement with private ones (Carl, 2001). Policy intervention in 1957 seems uncannily similar to the present takeover situation in Little Rock (Corrigan, 2018). According to the Academic Distress program, six of the LRSD's forty-eight schools were labeled in academic distress in 2014 (Academic Distress, 2016). State takeovers of school systems in the LRSD
included the removal of the superintendent and the local school board members. Once a district is identified as academically distressed in Arkansas, it has five years to achieve the departure criteria or face consolidation, annexation, or reconstitution by the state board.

In January 2015, the state of Arkansas acquired control of the LRSD and dismissed its seven-member locally elected school board, citing the requirements of ACT 915. The seven-member school board was predominately composed of Black officials. Dexter Suggs, the superintendent at the time, was retained on an interim basis but was swiftly replaced by state-appointed Baker Kurras (Geswein et al., 2016). Arkansas Governor Asa Hutchinson selected former senator Johnny Key as director of the state Education Department, even though Key lacks the required degree for the position (Brantley, 2015). Johnny Key was appointed to the Little Rock School District's board of education after being labeled academically distressed.

Republican Secretary of State Johnny Key, state board chair Diane Zook, and Governor Asa Hutchinson are the key participants in the state takeover. These elected leaders advocate for market-based reforms such as privatization and charter schools. They are quick to praise outside philanthropists such as the Walton Family Foundation for their efforts. Key is well-known for his pro-charter school stance. Key replaced Kurras with current superintendent Michael Poore after learning of Kurras' harsh comments on the hazards of such organizations (Peacock, 2019). There has been a rise of opposition to Key's decisions for the LRSD, especially his role in destroying the teachers' union. Act 915 of 1995 prohibits the Teacher Fair Dismissal Act from being waived (Academic Distress, 2016); nevertheless, these safeguards were abolished under Key's authority and Act 930 of 2017. Key, who serves as the board, is responsible for approving contracts between the district and its employees (Stromquist, 2018). According to Corrigan (2018), "The control of the Little Rock School District is fundamentally about a white city government
poaching resources of a predominantly black school and district after labeling it in distress without reasonable public input in transforming the small number of underperforming schools" (p. 67). Under the guidance of Johnny Key, the LRSD takeover had five years to achieve exit conditions or face forcible consolidation, annexation, or reconstitution. LRSD did not accomplish the exit criterion and increased its number of academically distressed schools from six to eight. Consolidation and annexation, it is said, are not viable possibilities due to pending desegregation challenges, and reconstitution has already occurred (Breen, 2019). So, what are the remaining options? SB 668 was proposed in April 2019 in an attempt to keep control of the district for another four years, despite objections from incumbent Mayor Frank Scott Jr., parents, teachers, and community people (Brantley, 2019). SB 668 was defeated in the Senate and was purged, but it may resurface in the future.

Without a well-defined departure strategy, the LRSD classification of academic distress was changed to "intensive support." In October 2019, the state board, formed of state-appointed officials, suggested a tiered approach that would allow residents to elect a school board, but that board would be accountable solely for schools that were not failing. While "failing" schools would remain under the state's control, thereby splitting the district by race (Harris, 2019). Key currently intends to return LRSD to local control, subject to certain conditions. Under the terms of a Memorandum of Agreement drafted by Mayor Frank Scott Jr., the district would implement a community schools initiative; however, in collaboration with the state, the school board would be subject to strict restrictions, including the inability to control the budget, hire and fire the superintendent, or recognize collective bargaining agents such as the Little Rock Education Association (Breen, 2019). This raises concerns about the restoration of local control. As of March 31, 2020, a lawsuit has been filed challenging the state's continued control of the LRSD
and its current plans to place limits on the newly elected school board in November 2020. (Brantley, 2020). As has been the case with numerous other state takeovers, the Little Rock School District is now considered another panacea for for-profit charter schools such as the Walton Family Foundation (Corrigan, 2018).

**Lawrence**

Lawrence, a Gateway city, is approximately 25 miles north of Boston and was once a thriving industrial town offering good jobs and serving as a "gateway" to the American Dream. Lawrence has historically been referred to as the "Immigrant City" due to its high proportion of foreign-born people. Lawrence had a flood of Puerto Rican and Dominican inhabitants from the 1970s to 1990s (Barber, 2018), who now make up the majority of the population, with 86 percent being Latino and half being Afro-Latino. Barber (2010) notes the racialized struggle that took place over space and resources as Lawrence became New England’s first majority Latino city. The Lawrence school system serves around 13,000 children, with 90% of kids living in poverty and 70% using English as a second language (Borg, 2019).

Following the Massachusetts Business Alliance's 1991 study Every Child a Winner and *McDuffy v Robertson's* landmark case, the Massachusetts Education Reform Act of 1993 (MERA) was drafted and enacted (Chester, 2014). This statute enhanced state support for public education. However, this funding brought with them increased accountability, as the state of Massachusetts gained the right to classify schools as "underperforming" or "chronically underperforming," as well as opening the way to charter school expansion. More importantly, for this effort, the state of Massachusetts was now empowered to intervene in such schools and districts (Driscoll et al., 2005). This is crucial to emphasize because this new jurisdiction was
provided prior to the passage of the No Child Left Behind Act and thus did not comply with federal criteria at the time.

Lawrence Public School District (LPSD) has seen its share of dubious leadership and mismanagement at the local level throughout the years, including actions of fraud and embezzlement and the district going without a permanent superintendent for two years (Baroody, Rho, & Huberlie, 2015). In 2010, in response to the Race to the Top Initiative, the state of Massachusetts enacted An Act Relating to the Achievement Gap, colloquially referred to as the Massachusetts Achievement Gap Act (Chester, 2014). This Act authorizes the state to designate schools scoring in the bottom 20% statewide as "underperforming" or "chronically underperforming," empowers an external receiver with full authority to operate and manage schools and school districts and reports only to the commissioner and expands the state's charter school capacity (M.G.L. Ch 69, Section 1K).

According to the 2010 Gap Act legislation, the state was responsible for convening a stakeholder meeting that included the commissioner, a designee from the school committee, the president of the local teacher's union, a school administrator, a teacher selected from the school's faculty, a parent, and various community representatives (G.L. c.69, §1K). While the state did hold such a meeting, it was not held in Lawrence (Kim, An, & Marietta, 2015). The meeting took place in Malden, Massachusetts, approximately 25 miles from Lawrence (Schworm, P. & Guilfoil, J.M, 2011; WBUR News, 2011). Two schools were designated as underperforming at the time of this legislation (WBUR News, 2010). Five schools were labeled as underperforming in 2011 as a result of the Gap Act, placing them in the Level 4 category. Mitchell Chester and The Massachusetts Board of Elementary and Secondary Education (BESE) used this data, along with concerns about prior local officials’ administration of the Lawrence school system,
graduation rates, and state assessment data, to recommend the take over the whole LPSD (Massachusetts Department of Education, 2011). While the turnaround plan states the receivership is authorized for three years, the document does not detail a plan for exit (Riley & Chester, 2012). Mitchell Chester, Commissioner of Education, named Jeff Riley as receiver of the LPSD (Kim, An, & Marietta, 2015).

Riley chose to assume absolute authority over the district and the school board’s governance functions, fired half of the district's administrators and approximately 10% of its instructors, and removed voices of the local teacher’s union by stripping them of collective bargaining agreements (Eddings, 2017; Harmacinski, 2012). Riley's Open Architecture turnaround concept differentiated autonomy among the schools (Baroody, Rho, & Huberlie, 2015). That is, additional autonomy was granted to schools that were not identified as underperforming while the receiver retained control. Riley was also able to turn over all Level four schools to management corporations, as the Gap Act increased the number of permitted charter school operators (Lehigh, 2018). Level five schools would be subject to the state's stringent supervision. Riley also established Acceleration Academies and expanded the school day. Receiver Riley's strategy, dubbed the third way to takeovers, has been widely acknowledged to be successful and to have produced some benefits, particularly in mathematics, during the first few years of operation (Schueler, 2019; Scheuler & Bleiberg, 2022). However, the LPSD remained a level five district, or "chronically underperforming," according to the 2015 Massachusetts District Report Card Overview (2015). As a result of this designation, Riley was permitted to continue receivership of the LPSD when the three-year renewal procedure occurred.

Lawrence's community was able to elect a local school committee in 2017 while the district was still in receivership and "chronically underperforming" (Massachusetts District
Report Card Overview, 2017). However, the school committee lacked the authority to make decisions or even set meeting dates (Diaz, 2020).

Jeff Riley resigned from his job in November 2017 and was appointed Commissioner of Education of Massachusetts in January 2018 (Eddings, 2018; WBUR News, 2018). Subsequently, the state formed a state-appointed body known as the Lawrence Alliance for Education with receivership authority over the LPSD with John Connolly as its chair (Eddings, 2018, Jonas, 2018). Without consulting the Lawrence School Committee (Eddings, 2018), the newly constituted receiver board chose Cynthia Paris as the LPSD superintendent, who then requested that the LPSD remain in receivership. After eleven years under state administration, the LPSD remains in receivership, and Commissioner Jeff Riley has once again renewed the district’s turnaround plan (Massachusetts Department of Education, 2022). While math and graduation rates have improved in the LPSD, they are still underperforming per the state guidelines. There is a growing worry among the Lawrence Community regarding the social-emotional well-being of pupils in schools, as this has never been a priority for the state, in addition to the state’s complete disregard of the voices of the people it is supposed to serve (Gans, 2021; The Greater Lawrence Education Justice Alliance, 2021).

**Theoretical Framework**

**LatCrit**

LatCrit's theoretical framework is an extension of Critical Race Theory; it analyses the Latina/o community's unique experiences while shedding light on the linkages between racism and nativism (Huber, 2010). Complementing rather than competing with Critical Race Theory, LatCirt is an unapologetic framework that schools use to include how Latinx experience visible and invisible forms of oppression (Gujardo et al., 2020, Huber, 2010; Solorzano & Delgado
Bernal, 2001). LatCrit provides scholars with a prism through which to articulate the types of oppression encountered by this population in terms of invisibility, race, class, gender, immigration, language, and sexual orientation (Gujardo et al., 2020; Huber, 2010; Solorzano & Delgado Bernal, 2001; Solorzano & Yosso, 2001a; Solorzano & Yosso, 2001b). The framework of LatCrit uniquely combines various frameworks and highlight where racism intersects with other forms of subordination and is a social justice project that acknowledges the contradictions of power that rest within institutions (Solorzano & Yosso, 2001a). Five themes are critical to consider when incorporating LatCrit into research, and they are a) the centrality of the intersectionality of race and racism, b) challenge to dominant ideology, c) commitment to social justice, and d) centrality to experiential knowledge (Solorzao & Yosso, 2001a). Research suggests that the Black-White binary is the dominant conversation while other cultures and ethnicities can be left out of the conversation (Davila & deBradely, 2010; Solorzano & Yosso, 2001b). As with many critical studies. LatCrit emerged from legal studies, and although it has been a framework of consideration for over twenty years, it has more recently expanded into the field of education (Huber, 2010; Solorzano & Yosso, 2001a). Solorzano and Yosso (2001b) inform us that LatCrit in education recognizes that educational institutions work in contradictory ways, with their capacity to oppress and marginalize coexisting with their capacity to emancipate and empower. Davila and deBradley (2010) suggest that schools have changed little in their efforts to ensure that schooling is means of serving the needs of those in control. LatCrit provides educational researchers a viewpoint to understand the unique school experiences of Latina/o students as a step towards calling out and challenging inequities and dominant ideologies (Davila & deBradely, 2010). Viewing this work, in particular, through a LatCrit lens allows the researcher to examine and illuminate the intersectionalities of oppression that exist
within the Afro-Latino population directly impacted by the state takeover of Lawrence Public School District more accurately.

**Antiblackness**

Relatively new to the field of education, antiblackness scholars suggest that Black humanity is an impossibility due to the constant othering or referencing Black as something as other than human (Dumas, 2016). Dumas (2016) and Wun (2016) introduce antiblackness in education and the ideas of Afro-pessimism and that this more critical approach is necessary for us to truly acknowledge, grapple with, and reveal to educational inequities and racism in policy and practice. Antiblackness as a framework does not necessarily offer hope but provides a lens for scholars to view the social and cultural dispossession of Black people as it stems from the relationship between slaves and slave owners, yet also insists that Black people be seen as human (Dumas, 2016). Furthermore, antiblackness scholars, such as Hartman (2007), link racism in education policy and practice directly to the Black suffering in slavery suggesting Black people are living in the “afterlife of slavery” (p. 6). This afterlife of slavery can be seen as continued marginalization and Black suffering (in multiple forms) in schools as schools are “sites of spatialized terror where the existence and consequence of the anti-Black spatial imaginary are pervasive, (Jenkins, 2020, p. 119). While slavery has (formally) ended, the power relations that it represents have not as it lives on in the social imagination and continued suffering of Black bodies, contributing to the notion of Black people as socially dead (Dumas, 2016; Patterson, 1982). Jenkins (2021) expounds on the concept of antiblackness and Afropessimism both inside and outside the K-12 sphere suggesting how Black people are perceived as something other, inhuman, and how access to and use of space have provided consequences for Black people. American classrooms are dominated by whiteness concerning various concepts, including but not
limited to curricula, notions of respect, dress codes, conduct, and Black people are seen as an already problem, in need of being fixed, and unable to be educated (Caldera, 2020). It should be mentioned that Black people are subjected to gratuitous violence, particularly in the development, implementation, and evaluation of education policy targeted at school reform, which is of particular importance to this article. Because education reform frequently uproots Black administration in favor of white projects, it is reasonable to argue that education reform attempts to imprison Black people by restricting Black people's political access and thought and constricting Black communities' instructive open doors. (Nelson, 2018). Schools are not saved from the demonstration of antiblackness, and Blaisdell (2020) suggests they can contribute to its creation and reinforcement. Antiblackness manifests itself in the incapacity of Black people to achieve self-determination and self-governance, as seen by repeated state takeovers of public schools and school districts in largely Black jurisdictions. These takeovers limit and sometimes abolish Black agency and right to self-determination. Even more concerning and specifically related to Black suffering is that disparate and harsh disciplinary consequences for Black, urban students have been related to these takeovers (Nelson, 2019; Nelson, 2018; Nelson, 2017). Additionally, Caldera (2020) concurs with Nelson’s suggestions of harsh and disproportionate disciplinary actions and highlights further forms of abuse to include withholding resources, denying cultural relevance, corporate takeovers of public education, biased assessments, the overrepresentation of Black students in resources, and the underrepresentation of Black students in gifted programs. Considering Hartman’s (2007) afterlife of slavery argument combined with Patterson’s (1982) and Dumas’ (2016) social death concept and the current educational conditions that stymie Black advancement, I argue that current education policy implementation and practice are saturated in antiblackness.
Within Caldera’s (2020) work that digs into the Black/white binary and the author indicates the inhumanity of Black people affirms the humanity of white people. Thus, leading to the inextricable relationship between antiblackness and whiteness, whiteness does not exist without the concept of antiblackness (Yancy, 2017). Therefore, it is imperative to examine education reform through both frameworks when considering the use of either.

**Whiteness**

To bolster the argument that whiteness is pervasive and blackness as a notion will endure past this current historical moment and into the foreseeable future, research indicates that whiteness is a permanent, ever-evolving structure in society that is centered on two primary themes. Whiteness acts in the cultural and social context through privilege and white supremacy culture; similarly, whiteness functions through its invisibility and the normalizing of whiteness (Marx, 2004; Warren, 2001). According to Gillborn (2005), "one of the most powerful and dangerous aspects of whiteness is that many (possibly the majority) of white people have no awareness of whiteness as a construction, let alone their role in sustaining and playing out the inequities at the heart of whiteness" (p. 490). Cabrera (2018) continues, Whiteness is valued as a privileged, dominant, and frequently invisible social identity inside the White supremacy superstructure. Cultural and rhetorical practices (hegemonic whiteness) contribute to the naturalization of unequal social interactions along racial lines. This results in White privilege, racial inequity, and an anti-minority influence inside civil society. These three levels reinforce the others since the cultural sphere normalizes inequality and racism, allowing systemic White supremacy to remain unquestioned and unchallenged. Whiteness adapts, modifies the laws or whatever it deems necessary, and reshapes itself to preserve its existence and ability to maintain control.
Whiteness is pervasive across society and, more specifically for this research, in educational policy and practice. Whiteness is the capacity to establish society's ground rules — through settler colonialism — and to modify those ground rules as necessary to preserve a social order that values whiteness, white privilege, white supremacy, and, ultimately, white people (Nelson, 2016). These seismic alterations are purposeful (active) and unintended for Black people (passive). However, intentions are irrelevant in this analysis because the effects are identical. Dryer (2008) asserts that "whiteness reproduces itself regardless of aim" (p. 12). To the extent that the two preceding statements are correct, whiteness may not be obviously visible in educational policy.

Nonetheless, white supremacy continues to play a significant role in educational policy. As Matias, Walker, and Hierro (2019) point out, whiteness is not only existent but is also maintained to sustain white supremacy's institutionalization. As a result, whiteness must be identified, confronted, and contested. There are numerous ways in which white power and oppression manifest themselves in educational policy, including, but not limited to, the establishment of a master narrative curriculum, dress codes, and day-to-day classroom activities. A clear manifestation of whiteness is the assumption that whiteness and white supremacy are capable of identifying the composition, structure, and outcomes of effective schools and the proper approach to administer education (Mitchell & Lizotte, 2014).

Additionally, whiteness exists and survives across capitalism's many structures and neoliberal ambitions. Privatization of schools, market-based reforms, and the emergence of school choice provide an opening playground for whiteness's ongoing reshaping and the perpetuation of white supremacy culture. However, as previously mentioned, whiteness does not exist in isolation from the concept of antiblackness (Yancy, 2017), and both ideas manifest
themselves in schools due to education reform strategies. This may not be coincidental. Schools and education were never intended to serve children, families, and communities, as Black people in the United States face the possibility of death for learning to read and write. As a result, schools were designated as white property (Buras, 2011).

**Methodology**

This study specifically examined and investigated the policies that permit the implementation and maintenance of state takeovers of school districts and the influence of the more recent third-way approach. Additionally, this paper investigated the role of racism and civil rights in these practices pertaining to the current state takeover of the Lawrence Public School system in Massachusetts. By examining the state's takeover of public schools in Lawrence, Massachusetts, I question how frequently structural, systemic, and policy mechanisms intended to alleviate educational racism, inequity, and injustice are abused to further enslave Black and Brown communities.

I conducted a Dialectical Relational Approach (DRA) to Critical Discourse Analysis (CDA) of existing law and policy and other public documents regarding the conception, implementation, and evaluation of the Lawrence Public School District (LPSD) unilateral reconstitution—or state takeover. CDA is advantageous for this study because it enables the researcher to examine how discourses reproduce social power and how the oppressed respond to such abuse (Van Dijk, 2013; Wodak & Meyer, 2016). Additionally, DRA enables the incorporation of the relative persistence of social structures in dialectical connection to processes of meaning formation (Marissa, 2020). Discourse(s) are presented through various mediums and encompass how humans convey meaning and comprehension of the world around them (Gee, 1999; Mullet 2018).
I compiled a collection of documents that reflected a variety of discourses and discursive events. These documents comprised different state-enacted legislation and policies and public remarks regarding the state's control of the LPSD. Using a dialectical relational approach to CDA necessitated a four-stage strategy by the researchers. The four stages are as follows: 1) focus upon a social wrong in its semiotic aspects, 2) identify obstacles to addressing the social wrong, 3) consider whether the social order 'needs' the social wrong, and 4) identify possible ways past the obstacles (Wodak & Meyer, 2016, p. 91).

**Findings**

*Focusing on a Social Wrong: The State Takeover of the Lawrence Public School District as a Societal Wrong*

The state's takeover of the Lawrence Public School District is a societal wrong. Lawrence's demographics compelled me to investigate the intersections of race throughout the community as I analyzed the case through LatCrit, antiblackness, and whiteness perspectives. Lawrence's population is predominantly Latina/o, with a sizable portion being Afro-Latina/o. These intersectionalities demand that I include all three lenses when analyzing the state takeover of the LSPD. Though it purports to expand access to equal educational opportunities and results, the state takeover of public schools and school districts is rooted in antiblackness. According to Morel (2018) and Oluwole and Green (2009), practically all districts subjected to unilateral reconstruction had a majority of Black or Brown residents.

Massachusetts had several alternatives when it came to implementing the state takeover. Mitchell Chester, Commissioner of Education, stated in a 2011 letter to the BESE, "While we could approach receivership with a more limited goal of stabilizing the district and securing the most expeditious transition back to the community, I believe our focus must be on the long-term
quality and effectiveness of the educational program for the students" (Massachusetts Department of Education, 2011). The state might have collaborated with the locally elected school board to create a plan that incorporated community input. The state, on the other hand, chose to do the reverse, robbing the board of authority, limiting community voice, and establishing two white males as the sole authority over a racially oppressed and blatantly underrepresented population. Riley's dominance and the state's failure to explore an exit strategy for Lawrence are antiblack, as these actions rob the majority Afro-Latino students, families, and communities of their ability to self-governance. Even when Jeff Riley resigned and a state-appointed board was created to take over the LSPD, antiblackness reared its ugly head. The Lawrence Alliance for Education formation was another smack in the face of Lawrence residents since it increased the state's ability to prescribe what they determined was best for the pupils. Michael Moriarty, a current state education board member, regarding the need for state receivership to maintain in the LPSD, stated, "We know they can't change themselves, 'cause they never do" (Gans & Martin, 2021). Not only is this statement insulting and antiblack, but it is also not a reasonable statement to make when the community has not had a say in school matters for over a decade. Moreover, this comment supports the antiblack notions of Black people being an already problem (Dumas, 2016). Even though the community elected the Lawrence School Committee, the committee acts only as a symbol. The committee is not permitted to make valid decisions, plan or hold meetings, and act solely as a listening ear for community members (Diaz, 2020). Concerning Moriarty's comment above, one could argue that the same could be said of the majority of state takeovers of schools and school districts, as little data indicates that the state achieves significant beneficial outcomes when it seizes control.
Neoliberal education reform in the LPSD can be viewed as an act that disproportionately benefits white students, families, and communities. By implementing the seizure of the LPSD, charter schools have been granted the autonomy to expand within the city. Neoliberal education reform policies and practices embrace whiteness (and antiblackness) through yet another mechanism. Neoliberal education reform policies and practices create obstacles for addressing the antiblackness of state takeover policies, in general and specifically in Lawrence. Community voices in Lawrence are silenced. The required stakeholder meeting per the state’s takeover policy was strategically placed in a city approximately 25 miles away from Lawrence. With Lawrence being the poorest community in the state, it would be more reasonable to provide access to the meeting to all of its residents by holding the meeting within the city limits. Privilege is what permitted those in attendance, and privilege kept people out.

Considering neoliberalism as an obstacle for addressing antiblackness and whiteness in education, it is essential to note that several members of the current state-appointed receiver, the Lawrence Alliance for Education, have conflicting relationships with outside vendors working within the schools. The board’s chair, John Connolly founded the non-profit 1647 that works in LPSD (Jonas, M. 2018). Noemi Custodia-Lora serves on the board and is vice president of Northern Essex Community College, which means her institution receives funds from students attending courses (Eddings, 2018). Jessica Andors is the executive director of Lawrence Community Works, which currently holds a contract with the schools (Eddings, 2018). The conflicts of interest between the key players in who has a say in what takes place in the LPSD. It is reasonable to question their personal and institutional interests in maintaining control over the LPSD.
An additional obstacle is that the state is providing the community of Lawrence what looks like voice and choice, but they are merely symbols of such. For example, the elected School Committee is representative of the community. However, they serve no real purpose other than means for the community to vent. They have no power to do anything with the problems and concerns the people they serve bring to them. The Lawrence Alliance for Education appointed a Latina, Cynthia Paris, as superintendent. This is yet again merely a symbol rather than a bold move towards Latinx advancement, as Paris has no absolute power to bring the long-awaited receivership to an end. These circumstances align with LatCrit scholars’ notions of societies’ institutions having the ability to empower yet choosing to oppress (Solorzano & Yosso, 2001b).

**Considering Whether the Societal Order Needs the Social Wrong: Whiteness’ Need for Antiblackness**

Antiblackness and whiteness, as previously said, are inseparable ideas. Antiblackness is fundamentally motivated by the desire to maintain whiteness. If Hartman (1997), Haney Lopez (2006), and Anderson (2017) are correct in recognizing how whiteness manifested and how whiteness established and relied on antiblackness, then specific facts about the takeover of LPSD stand out as reasonable solely to sustain antiblackness. Consider, for example, that the LPSD has maintained an "underperforming" position since the state seized control and is currently in a state of chaos regarding its kids' social and emotional health. This indicates that the takeover attempt was a) futile and b) caused more harm than benefit.

Additionally, the state of Massachusetts continues to rule the LPSD without a clear exit strategy in place and avoids ceding power to the primarily Black and Brown population. Thus, even after disrupting Black and Brown peoples' right to self-governance and self-possession for
over a decade, the state continues to employ antiblackness and the pursuit of whiteness in Lawrence by retaining power and denying it to Black and Brown peoples. As previously stated, the objective of whiteness necessitates the perpetuation of antiblackness. In other words, the current social order (whiteness) is dependent on the social wrong to survive. This is especially true when whiteness wants to protect the status quo by pushing school marketization and preserving the political standing of present leaders. State takeovers deprive Black communities of more than just their physical space and access to equal education. It is the erasure of all forms of Black advancement, self-possession, and self-determination. Whiteness evolves, and to preserve white control in education and municipal government, Black progress must be stifled or eliminated. Whiteness' social order must sustain the status quo, and it will shapeshift in any way required to do so (Gillborn, 2005; Matias, Henry, & Darland, 2017; Matias, Walker, & Heirro, 2019; Matias, 2020; Warren, 2001). Cyclically, state takeover policies contribute to and further the neoliberal objective behind school marketization and venture philanthropy, which serves to retain white leaders' political power (Baltodano, 2017; Carr & Holley, 2014; Dixson, Buras, & Jeffers, 2015; Levine & Levine, 2014; Reckhow & Snyder, 2014; Reckhow, 2016). Thus, the very nature of antiblackness is to perpetuate the precise barriers that hinder its removal.

Identifying Ways Past the Social Wrong

There are currently limited avenues for interrupting anti-blackness and promoting whiteness in education. However, here are some suggestions for thwarting the state's takeover of public schools. There are primarily two methods in which Black and Brown communities can mitigate the extent to which disproportionately white political structures deny them their rights to self-governance, self-possession, and self-determination. To begin, African American and Latino communities should strive to take over and reform their own schools. There is evidence from the
Memphis and Nashville school districts that such takeovers are effective and efficient at a) preventing the state from taking over public schools and b) raising test scores in schools that have been taken over and reformed locally. Second, similar to this proposal (and maybe as part of it), schools could alter their names and codes to obstruct state boards of education from tracking which schools are judged to be regularly failing. There are few, if any, avenues to overcome antiblackness; these tactics could assist Black and Brown kids, families, and communities in responding to and coping with antiblackness in education under the right conditions.

**Discussion**

Takeovers of schools and school districts by the state are a significant issue in education reform, and this course of action does not appear to be changing anytime soon. State takeover of public schools has been and continues to be linked to racialized policy goals, most notably those that seek to disenfranchise, dispossess, and restrict Black students, families, and communities living in urban areas. Interestingly, state takeovers continue to grow in popularity even though these reconstitutions are ineffectual at best at improving the schools and districts they take over. Contributing to the ideas of whiteness, state takeover reform has shapeshifted and morphed to meet the needs of those in power. Calling a takeover by another name, such as the Third Way, has yet to prove significant gains in achievement or social-emotional well-being and has certainly not improved in lifting the voices of those silenced. Additionally, these takeovers perpetuate opportunity inequalities and racialized academic outcomes in predominantly Black school districts, impeding Black people's advancement and empowerment within the community. Using a four-step dialectical-relational approach to CDA and LatCrit, antiblackness and whiteness frameworks, research revealed the role of antiblackness and whiteness in state
takeover policies, oppressive barriers erected by state legislatures and policymakers in Lawrence, and how society requires a population of undereducated and impoverished citizens. Thus, this study broadens the conversation concerning school reform ideas and ways to resist Black and Brown communities' disempowerment in formulating, implementing, and evaluating school reform strategies—discussions anchored in practice and praxis.

Conclusion

This examination into the policies and discourses concerning the state takeover of the Lawrence Public School District used LatCrit, antiblackness, and whiteness as frameworks to study how frequently policies and systems that pretend to eliminate disparities and promote educational advancement and equity are subverted to oppress Black and Brown communities further. Derrick Bell (1992) instructs us on the permanence of racism and how it is embedded in all institutions, including schools. Therefore, scholars must make every attempt possible to examine policies and practices within schools, acknowledge antiblackness-whiteness and the intersectionalities that exist, call out injustices, scale out this information and provide pathways of actual choice to the communities impacted, and demand respect and voice for all.
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Chapter Four

Care: The Missing Link in State Takeover Policy

Introduction

The notion of care has been explored by many scholars across time suggesting that it is universal and a fundamental human need, while at the same time being contextual and varying in meaning from one society to another (Gilligan, 1993; Noddings, 1992; Tronto, 1993). Caring is the foundation of all effective education, and everyone in the community is central to ensuring that an Ethic of Care is the primary objective of education (Noddings, 1992; Noddings, 2012). However, education policymakers are missing from this list of responsible parties. Noddings (2013) does note, “that those who have succeeded in the traditional masculine structure may not easily or graciously give up their hard-won power,” (p. 200). This one area where Noddings’ notion of an Ethic of Care in education can be stretched by calling out those in power within the policy process and challenging the idea that an Ethic of Care in education must extend beyond the school walls and into the spaces where rules are made, bent, broken, and changed. How can the trickle down of caring for all students begin once the policy is already established? Scholars indicate the critical nature of care, extends from administrator to teacher and teacher to student and suggest care should be modeled so that our students learn what it means to truly build meaningful relationships in a way that promotes our very humanity (Engster, 2005; Korkmaz, 2007). Therefore, it seems superficial to suggest that policymakers and politicians are outside of this realm of care. Noddings’ interpretation of an Ethic of Care can also be stretched in terms of the racial dynamics of the social sphere. Many scholars such as Beauchef-Lafontant (2002), Thompson (1998), and Valenzuela (1999) have dug into the work of what care is and how it is received in marginalized groups. Moreover, these scholars have provided frameworks of critical
care that address race and power in a way that opens a pathway of care for the oppressed (Rolon-Dow, 2005). I support scholars working in the field of critical care in education. Knowing there is a dearth in the literature surrounding critical care inclusive of current racial dynamics as it relates to education policy, I contend that care is the missing link, specifically within state takeover policy impacting marginalized communities in the United States.

Examining the narratives of Lawrence, Massachusetts residents currently impacted by state takeover policy, this research aims to answer the following questions: a) What role does the intersection of care and race play in state takeover policy and implementation, particularly in urban areas, and b) What are the perceptions of marginalized individuals directly affected by state takeover policies and implementation in urban areas? In the field of education policy, there is a glaring absence of genuine care and caring relationships, which is the central issue of this study. Care has a significant impact on the social, emotional, and academic development of students (Noddings, 2008). With this knowledge, it is reasonable to assume that education policy is formulated with the care of those directly affected in mind. If a policy’s results do not support this conception of care, then the policy should be modified, adjusted, and/or corrected. This generalization may appear reasonable and humanistic, but there are factors at play that make it difficult to assert that it is in fact accurate. State takeovers of schools and school districts have increased over the past several decades (Oluwole & Green, 2009; Welsh, 2019; Welsh & Williams, 2018) despite evidence that their professed academic achievement goals result in substantial and long-lasting gains (Shueler & Bleiberg, 2021; Wong & Shen, 2003).

Furthermore, and pertinent to this study, it is essential to note that school seizures occur primarily in Black and Brown communities and are frequently accompanied by harsh disciplinary measures and the expansion of privatization (Morel, 2018; Nelson, 2016). What is
the purpose of the repeated use of a policy that notoriously fails and causes harm to those in its wake? Exploring the intersections between race, power, and care, this study has significant implications, as it is imperative that scholars investigate and develop strategies for education policymakers to influence all school communities positively by placing critical care at the forefront of their practices.

A Look into State Takeovers

*Historical Perspective*

Education is not a fundamental right accorded to American citizens by the federal Constitution (Black, 2019; McCarthy et al., 2014; Harris, 2019). Consequently, states assume responsibility for public education, with implementation varying from state to state. Over the past fifty-five years, the state's authority to intervene in local governance has expanded. The enactment of the Elementary and Secondary Education Act of 1965 (ESEA) can be viewed as the beginning of states increasing their control and authority (Bishop Jackson, 2015; Heise, 2017; Ladd; 2017, Robinson, 2018).

Nixon's New Federalism sought to reject the objectives of Johnson's war on poverty (Bennett, 2019). Under this new strategy, state authority and autonomy over school programs and budget allocation were strengthened, resulting in local governments growing increasingly dependent on the state (Morel, 2018). With the release of *A Nation at Risk: The Imperative for Education Reform* (1983) by the Reagan administration, the public school system lost its credibility, and a manufactured crisis began to unfold (Baltodano, 2017). At this point, the United States saw the emergence of market-based education reform strategies as a remedy for the proclaimed crisis.
The Bush Administration determined that the United States education system needed a complete reboot with more federal funds (and influence) to compete globally. No Child Left Behind was pushed forward, and states were required to ensure that 100 percent of their students in their schools and school districts achieved 100 percent proficiency in reading and mathematics. If schools and districts did not perform to these standards, they would become subject to takeover by the state or closure (Oluwole & Green, 2009). This is despite the fact that these expectations were accompanied by little to no assistance (Ladd, 2017).

In 2015, nearly seven years after ESEA was reauthorized, the Obama administration introduced the Every Child Succeeds Act (ESSA) (Robinson, 2018). This Act returned decision-making authority over education to the states. ESSA reversed some of NCLB as the new guidelines required states to intervene in the bottom five percent of schools and high schools with graduation rates below sixty-seven percent (Hunt & Watkins, 2015). ESSA limits the federal government's ability to compel progress. The purpose of the Elementary and Secondary Education Act was defeated because each state was given more authority with less accountability and was not responsible for maintaining equity (Black, 2017). Moreover, the Obama administration's implementation of the Race to the Top Act of 2009 (RttT) has resulted in an expansion of state authority, allowing for a more aggressive takeover of allegedly underperforming schools and school districts (Mason & Reckhow, 2016). Both NCLB and ESSA failed to improve schools in terms of academic progress and meeting students' needs with socioeconomic and racial challenges (Green-Adler, 2019; Robinson, 2018).

There are three types of takeovers: gubernatorial, mayoral, and the newly implemented third-way (Oluwole & Green, 2009; Schueler, 2019; Welsh & Williams, 2018). While gubernatorial and mayoral takeovers are relatively self-explanatory, the third way is not. The
third-way is presented to the public as a means of eliminating the stigma of a right-wing versus a left-wing strategy, implying that both can be used (Schueler, 2019). It promotes charter and traditional schools through union-district collaboration, fusing school autonomy with centralized district management. California and Massachusetts are two examples of states that have adopted this distinct approach to takeovers. Each state's political and educational regulations and procedures contribute to the variety of takeover strategies (Wong & Shen, 2003). States have options when deciding how to take over schools and school districts. Some states choose to work in tandem with the local government. However, more intrusive takeovers dismantle the locally elected school board and replace them with a state-appointed board (Oluwole & Green, 2009).

Experts believe that the political party of a state's government has a substantial impact on whether and how a takeover will take place (Wong & Shen, 2002; Morel, 2018). Regardless of how a takeover is implemented, the state assumes or delegates responsibility (Wong & Shen, 2003).

**Market-Based Takeovers**

State takeovers of schools and educational systems result from our government's 1980s neoliberal shift (Rogers, 2012; Reckhow, 2013). Recent takeovers have been accompanied by market-based reforms, such as charter school privatization (Welsh, 2018). Approaches to school choice undermine the belief that public education should be equal and fully supported (Osborne, 2020). Some states specifically amend their constitutions to permit charter school reform in the event of a takeover (Osborne, 2020; Welsh, 2018). As locally elected school boards are eliminated through the state takeover process, conflicts between the state and teacher unions escalate, and neoliberal objectives are pushed through education policy, questions of equal protection and voting arise. (Welsh & Williams, 2018; Morel, 2018). According to some
scholars, the demand for state takeovers of schools and school districts is driven by market-based reforms, is often accompanied by a push for charter school reform, and is viewed by local businesses and foundations as a way to contribute to urban school reform (Buras, 2010; Burns, 2003; Gustavussen, 2018). In light of current perspectives and research on this type of school reform, state takeover plans that prioritize charter schools as the primary option for school improvement have significant disparate effects (Welsh, 2018).

*Seizures of Urban Cities*

With eighty-five percent of state takeovers occurring in predominately Black and Brown communities, there is no denying the influence of race and power on the process (Morel, 2018; Oluwole & Green, 2009; Welsh & Williams, 2018). Takeovers acquired significance in urban education policy during a period of increased demand for adequate educational resources by minority communities (Morel, 2018). There is widespread concern about targeting urban neighborhoods and historically marginalized individuals by state takeovers. Buras (2003) argues that we have an endemic on our hands with urban cities being targeted for experimentation. When the state takes over a school in a minority community, notably a Black and Brown neighborhoods, the takeover generally demolishes locally elected school boards, yet this is typically not the case in majority-white communities (Morel, 2018). Examples of such hostile seizures can be seen in the takeovers of comparable urban cities like New Orleans, Detroit, Memphis, Little Rock, and Lawrence (Buras, 2003; Cassidy & Nelson, 2021; Green & Carl, 2000; Gustavussen, 2018; Martusewicz, 2014; Welsh, 2018; Wright, Whitaker, & Khalifa, 2020; Zimmer, Henry & Kho, 2017). Critics of state takeovers claim that these intrusions into local governance disproportionately affect low-income and minority communities, cause harsh discipline outcomes for students and teachers, disenfranchise residents, demolish self-
government, and should be viewed as a sort of modern-day colonialism (Buras, 2003; Nelson 2018; Morel, 2018). In each of these scenarios, the state looks to be a savior of failing schools, but this is dubious given the scant to non-existent evidence that this type of education reform improves student performance and equity (Green & Carl, 2000; Nelson, 2018; Schueler & Bleiberg, 2021).

**Critical Care**

Care is, for many, an innate human characteristic. It is human nature to care for others and to return that care. We are born to be in a variety of relationships (Diller, 1998). Relationships give rise to thought and knowledge (Bellacasa, 2012; Hamington, 2019; Noddings, 2012). Relational development should be prioritized over content knowledge in the curriculum of schools (Noddings, 2008). Care and caring relationships must be modeled and present for students to acquire the skills required to care for themselves and others. There is a distinction between ethical care and natural care (Noddings, 2012). Care should be viewed as a human characteristic and an activity we engage in to preserve, continue, and restore our world (Engster, 2005). Engster (2005) argues that we must reconsider care in terms of individual survival, growth, and social reproduction. Care is an act that occurs between oneself and others (Noddings, 2012).

Receptive attention and empathy are essential for the development of care (Hamington, 2019; Noddings, 2012). Empathy is the capacity to comprehend what another person is experiencing. This is a departure from the prevalent data-driven approach to business and education decision-making (Hamington, 2019). Care involves relationships with oneself and others, as well as the restoration of our world (Zembylas, Bozalek, Shefer, 2014). Morally, one could say that educators are obligated or oriented toward care, and they should demonstrate
political clarity, critical hope, and asset-based thought, as these are all important care principles (Bondy & Hambacher, 2016). Engster (2005) also provides caring themes relevant to this work and they include care for oneself, others, strangers, the global other, the world created by humans, and for ideas.

There is a distinction between natural caring and ethical caring, but care is unavoidable because creating knowledge is a relational process and all relationships involve some degree of care (Brackett, Reyes, River, Elbertson, & Salovey, 2011; Gasser, Grutter, Buholzer, Wettsteing, 2018; Goldstein, 1999). Teaching is rooted in interpersonal relationships. The student-teacher relationship is essential not only for the development of students' knowledge but also their social capital (Noddings, 2012; Murphy & Holste, 2016). Care offers students opportunities (Nolbit, Rogers, McCadden, 1995). A teacher may be the single most influential person in a child's life, second only to family members (Kesner, 2000).

There is a societal obligation to care for total strangers in order for society to continue (Engster, 2005). Education must place a premium on care and relationships. Who bears the responsibility for care? Some have argued that care and relationship have been removed from the educational agenda, while others contend that it was never included to begin with (McLeod, 2017). Dadvand and Cuervo (2020) suggest that an ethic of care in education has been appropriated by neoliberal agendas transformed into meaning of a so that care is based on student achievement and performance.

Effective leadership requires quality social relationships, including attentiveness and genuine knowledge of others, as well as other fundamental qualities. According to research, these positive, caring relationships benefit students academically, emotionally, and socially, while also supporting teachers' collective responsibility (Louis, Murphy, & Smylie, 2016;
As leaders, we must recognize the necessary shift in our commitment to one another and our students. Some use the term relational leadership to refer to caring leadership (Nicholson & Kurucz, 2019). There are intersections between leadership and ethics of care, as well as connections between follower perceptions and the type of leadership implemented (Simola, Barling, & Turner, 2010). According to numerous researchers, the other elements of care leadership include positive traits, an attitude, and self- and other awareness (Smylie, Murphy, & Louis, 2016). Careful leadership involves resisting dominant forces and forming alliances, as we should view care as a group effort (Bondy & Hambacher, 2016; Zembylas, Bozalek, & Shefer, 2014). Empathy is essential to caring, but it is not the only factor involved. Leaders must initiate, maintain, and participate in dialogue by posing questions and collectively reflecting on the responses (Noddings, 2012). These actions will also increase a building's collective effectiveness. Collective efficacy refers to the development of confidence in the abilities of those around you (Demir, 2008; McGuigan & Hoy, 2006). If caring is to become the integral part of education that it must be, leaders must also create opportunities and time to build the climate and teacher capacity of schools (Nolbit, Rogers, & McCadden, 1995).

In general, we should assume the best in one another. According to Noddings (2012), "A climate of care and trust is one in which the majority of people will want to do the right thing and be good" (p.777). To develop a culture of collective efficacy based on the beliefs of others, the leader must build relationships not only with his or her staff but also with the staff members themselves (Nordick, Putney, & Jones, 2019). In order for learning to occur, schools should be safe and nurturing environments. The current climate of high-stakes testing and data-driven instruction conflicts with the objective of fostering a caring environment. Rather than relying on high-stakes exams, leaders should seek out a way to evaluate students' performance on a
universal level and in student-selected specialties (Noddings, 2012). As this is a complex issue, there is no universal approach to creating a caring environment. Leaders should invest in a collaborative strategy when fostering a caring environment (Cohen & Hamilton, 2009).

Care is an action that is collectively expressed and reciprocated by all individuals involved in one way or another. According to Engster (2005), "Caring means more than meeting needs, developing basic capabilities, and relieving pain; it means doing so in a way that is attentive, responsive, and respectful to the individual requiring care" (p. 70). Listening, establishing trust, taking the time to get to know students' needs and interests, and creating an environment that prioritizes care over discipline and control are all ways to demonstrate care (Dillon, 1989; Jeffrey, Auger, Pepperell, 2013). It entails verbal and nonverbal communication in a secure social setting where assisting students beyond the school level is crucial (Ellerbrock & Keifer, 2010; Teven & Gorham, 1998). It is critical to point out though, that if those receiving care do not truly experience it, care does not exist (Bondy and Hambacher, 2016).

Relational pedagogy adherents have a profound belief in the positive implications of teacher-student relationships (Reeves & Le Mare, 2017). Teachers have deemed meeting physical needs, fostering well-being, and providing strategic assistance to be crucial expressions of care (Jeffrey, Auger, & Pepperell, 2013). Regarding teacher perceptions, specifically regarding gender and ethnicity, more research is required (Kesner, 2000).

According to research conducted by Cassidy and Bates (2005), students prefer classrooms that have a community-like atmosphere, where teachers are good people, take a personal interest, treat them with respect, and want them to succeed. Students have reported that positive teacher-student relationships helped them feel more at ease and a part of the classroom community (Brackett et al. 2011). Furthermore, research indicates that students from different
ethnic backgrounds may perceive care differently, a fact that must not be overlooked (Tracey, Barr, Rothman, 2009; Garza, 2009). Care must be evident in urban classrooms if an urban student is to care about what is being said (Alder, 2002). Kindness, care, knowledge, love, and vision are essential qualities of an effective urban teacher in an urban school, as is the teacher's capacity to be inconvenienced (Robinson and Lewis, 2017). Literature review reveals the need for additional research on the perceptions of care among students, teachers, and school administrators in all classroom settings.

Goldstein (1999) writes, "Caring, then, is simultaneously a choice, a responsibility, and an obligation involving both effect and volition," (p. 656). The development of a care ethic has been a topic of educational discussion for decades, but it has recently gained prominence, specifically due to the traditional color-blind views of care (Alder, 2002; Beauboeuf-Lafontant, 2002; Thompson, 1998; Rolon-Dow, 2005; Villavicencio, 2021). Caring is central to both feminist social and political theory (Bellacasa, 2012) and womanist education theory. Critical care in education from a womanist perspective includes embracing the maternal, maintaining political clarity, and taking risks (Beauboeuf-Lafontant, 2002). Additionally, womanist critical caring emphasizes the activist function care can play in promoting positive change (Ramsey, 2012; Reeves & Le Mare, 2017).

There is scant literature on the application of critical care to state takeover policy of schools and school districts. However, there has been work in terms of critical care and school policy and practices. In their analysis of care in the schooling experiences of Puerto Rican girls, Rolon-Dow (2005), suggest that critical care efforts can be thwarted without addressing care at the institutional level. This study aims to begin to fill the gap with the work of critical care as it relates to the state takeover of schools and school districts.
Theoretical Framework

Critical Race Care

Framed through the lens of Critical Race Care, this study integrates a) Womanist Caring, b) LatCrit, and c) Whiteness. The idea of care ethics in education lends itself to a moral obligation to form natural and ethical relationships with others and the world around us (Noddings, 2012; Zembylas, Bozalek, Shefer, 2014). Due to the absence of racial critique in the initial interpretations of care, which assumed the white experience to be universal (Cozart & Gordon, 2006), it is imperative that I include womanist care in this study. Dadvand & Cuervo (2020) assert, “An ethic of care that is oblivious to inequities along the already existing social divides further disadvantages those who have more complex needs and social backgrounds,” (p.143). With this assertion in mind, LatCrit and whiteness, two branches of critical race theory, are intertwined in this framework to provide the appropriate lens for which to unveil racist power structures within education policy severely impacting Black and Brown people within the community of Lawrence, Massachusetts.

Critical Care as a Framework

While there has been a dominant feminist lens with the use of care ethics, the often overlooked and undervalued womanist lens is critical. The unique form of caring exhibited in the pedagogy of womanist thought includes embracing the maternal, political clarity, implementing ethics of risk, and utilizing care as a form of activism (Beauboeuf-Lafontant, 2002; Ramsey, 2012). Womanist teaching offers repair and hope in the field of education by allowing educators to care for and provide agency for people who are not their own and accepting responsibility to ensure that “our actions contribute to the larger human goal of freedom” (Beauboeuf-Lafontant, 2002). In the United States, schools are sites of pervasive oppression (Fernandez, 2002).
Womanist caring provides a framework for evaluating the functions of schools. Womanist caring views relationships as social, political, and ethical, and it relocates relationships within schools from the private to the politicized public sphere, situating these relationships within pre-existing power dynamics, such as race, culture, and social class (Cozart & Gordon, 2006).

**LatCrit**

LatCrit is a scholarly movement that emerged from legal studies and extends critical race theories to illuminate the historical presence and marginalization of Latinx in law, theory, policy, and society (Valdez, 1997). Although LatCrit originated in the field of legal studies and has been used as a research framework for over two decades, it has only recently spread to the field of education (Huber, 2010; Solorzano & Yosso, 2001a). The LatCrit framework is distinctive because it combines multiple frameworks and emphasizes the intersections of racism, nativism, and other forms of subordination (Huber, 2010). LatCrit is a framework for understanding the Latina/o experience in society (Davila & deBradely, 2010; Solorzano & Yosso, 2001b). LatCrit is a social justice initiative that recognizes power disparities within institutions (Solorzano & Yosso, 2001a). LatCrit scholars argue that these institutions extend to schools and that Latina/o students and communities face unique forms of oppression (Guajardo et al., 2020; Huber, 2010; Solorzano & Delgado Bernal, 2001). Davila and deBradley (2010) suggest, as many scholars do, that LatCrit is more of a cousin to CRT versus a competitor, as it exposes how the critical conversations of race can and must move beyond just Black and white. In addition to the critical race theory components that allow researchers to see how racism, power, and law are used to oppress and marginalize, LatCrit as a framework adds the Latinx-specific characteristics of language, immigration, culture, and sexual orientation (Huber, 2010). Guajardo, et al. (2020) describe four essential functions of LatCrit as follows: a) produce knowledge for and about
Latinx people, culture, voices, and communities; b) advance transformation and incite change in and for Latinx communities; c) expand and connect diverse Latinx experiences; d) cultivate community and coalition; and e) take race, ethnicity, and intersectional identities into account (p. 70).

Latinx has been defined as a person or descendant of a person from the various countries in the Western hemisphere extending from Mexico to South America, as well as Puerto Rico, Cuba, the Dominican Republic, and the United States Virgin Islands (Guajardo, et al., 2020; Sanchez, 2021). In this study, I use the gender-neutral term Latinx with the intention of including the broader cultural or racial identity. The pan-ethnic construction of the Latinx population requires frameworks that address its specific intersectionalities, such as, but not limited to, Afro-Latinos or LGBTQ+ Latinxs (Adames et al., 2018; Cortes, 2021; Mazzula & Sanchez, 2021; Sanchez, 2021; Sternthal et al, 2011). My use of LatCrit is to elevate the narratives of the participants who identify as Latino, but I want to push forward that more work is required to be fully inclusive of individuals who identify at the intersections of Latinidad.

**Whiteness**

Whiteness, which is a permanent and ever-changing social structure, functions in the cultural and social context through privilege and white supremacy culture, and similarly through its invisibility and normalization (Marx, 2004; Warren, 2001). Whiteness is valued as a privileged, dominant, and frequently invisible social identity within the White supremacy superstructure, according to Cabrera (2018). The invisibility of whiteness and the fact that many (possibly the majority) of white people are oblivious to its construction and their role in sustaining it is quite possibly its most dangerous feature (Gillborn, 2005). The normalization of whiteness perpetuates the White privilege, racial inequality, and an unforgiving bias against
minorities in society. Moreover, this normalizing permits whiteness and white supremacy to dominate unchallenged and unquestioned. Cultural and rhetorical practices (hegemonic whiteness) help normalize inequitable social interactions along racial lines.

Whiteness is a shapeshifter, meaning it adapts, modifying whatever it deems necessary (including law and policy) to maintain its existence and control. Whiteness is pervasive in society and, in the context of this study, in educational policy and practice. Through settler colonialism, whiteness is the capacity to establish society's ground rules and to modify them as needed to preserve a social order that values whiteness, white privilege, and, ultimately, white people (Nelson, 2016). According to Dryer (2008), "whiteness reproduces itself regardless of intent" (p. 12). It is not a matter of intention, as the outcomes of oppression are consistent. Whiteness is not only present but maintained to sustain the institutionalization of white supremacy (Matias, et al., 2019). Whiteness must therefore be identified, confronted, and contested.

White power and oppression manifest themselves in educational policy in numerous ways, including but not limited to the establishment of a master narrative curriculum, dress codes, and daily classroom activities. A clear manifestation of whiteness is the belief that whiteness and white supremacy can identify the composition, structure, and outcomes of effective schools, as well as the correct way to administer education (Mitchell & Lizotte, 2014). Privatization of schools, market-based reforms, and emergence of school choice create a fertile environment for the ongoing reshaping of whiteness. In their work with examining education for Latinx, Davila and deBradley (2010), question who and what schools were intended for and suggest that little effort has been made change how schooling is a means of serving those in power. Buras (2011) contends that schools are classified as white property. Therefore, it has
never been the intention that schools and education were to be of the benefit of Black and Brown children, families, and communities.

**Methods**

This study's objective was to examine the intersections of race, racism, and care through the lens of Critical Race Care in order to highlight the lived realities of Latinx peoples currently under hostile seizure of the state in Lawrence, Massachusetts. This research aimed to answer the following questions:

1. What role does the intersection of care and race play in state takeover policy, particularly in urban areas?
2. What are the perceptions of marginalized individuals directly impacted by state takeover policies in urban areas?

A phenomenological approach to qualitative research was employed for this study. Those who utilize phenomenology as an approach are interested in the human experience and consciousness. This approach developed from Edmund Husserl's idea that, "what needed to be examined was the way people lived in the world, rather than the world being seen as a separate entity from the person," (Savin-Baden & Major, 2013, p. 213). Savin-Baden and Major (2013) note that phenomenologists seek to understand the essence of the human experience and how humans experience the phenomena. A phenomenological approach shaped this study; however, it was also informed by sociogenic phenomenology methods (SPM). While traditional phenomenology is historically framed by white logic and methods, SPM provides the necessary humanizing quality for emancipatory research (LaViscount & Jeffers, 2021; Zuberi & Bonilla Silva, 2008). LaViscount and Jeffers (2021) suggests SPM, “better captures racial realities as the lived experiences of the colonized cannot be completely reduced through traditional data
gathering methods,“ and goes on to note, "data is something to be experienced, researched, and learned through common dialogue, and self- investigation of consciousness, all of which expand beyond the degree of which the richness of lived experiences can be captured in simple interview transcriptions,” (p 53-54). Given that data is something that must be experienced, researched, and learned, my consideration of SPM requires me to rely on the participants' credible experiences for validity.

**Participants**

Principal to phenomenological research is that all participants must have personally encountered the phenomenon being studied (Creswell, 2013). This study included the participation of ten politicians, political operatives, and community activists from or residing in Lawrence, Massachusetts. A significant portion of the participants had either run for or held public office or were community activists. The participants' time in Lawrence ranged from prior to the state takeover to the present.

**Data Collection**

This work is but a piece of an expansive study on the state takeover of the Lawrence Massachusetts School District. Interviews are the best method for collecting data for phenomenological research (Creswell, 2013). Approximately one-hour, semi-structured, open-ended interviews to collect data. The interviews were conducted in accordance with the themes of the literature review and conceptual/theoretical framework within this study as well as a part of the larger study previously mentioned. Keeping the concepts of SPM in mind, I have also had the privilege of sitting in on a school committee meeting that allowed me to learn about many of the participants experiences through community dialogue.
Data Analysis

This study's data collection was analyzed using thematic analysis. I reviewed transcribed interview multiple times before a final review where I identified significant statements. There were 456 statements of significance. Each statement was aligned with its corresponding research question, literature review theme, theoretical/conceptual framework, and interview question on a spreadsheet. I then labeled each statement as an element using open coding. *Race playing a role in the takeover, privatization, and harsh discipline for students* were among the components.

Next, I conducted a second review of data to group similar elements and label them as meaning units. This process generated 17 meaning units, including *Takeover Was Not the Answer, False Care,* and *Care as Activism.* After creating and reviewing meaning units, I conducted a review of the developed data to combine the meaning units into themes. This analysis revealed five themes ranging from *Takeover Branded as Care* to *If You Care About Us, Let Us Go.*

Findings

Five themes describing the participants' experiences with the current state takeover in Lawrence emerged from a comprehensive analysis of interview transcripts. These themes are:

1. Takeover Branded as Care
2. False Care
3. Lack of Care for Lawrence
4. Takeover is About Race, Power, and Class not Care
5. If You Care About Us, Let Us Go

The order of the themes is deliberate, as it guides us through the process of what the state of Massachusetts presented to Lawrence as care, what the city and school district received, how
the community perceives this care, and what the participants would like to be considered as care moving forward.

**Takeover Branded as Care**

Historically, Lawrence, located about 25 miles north of Boston, has been known as the "Immigrant City" due to its high proportion of foreign-born residents. From the 1970s to the 1990s, Lawrence experienced an influx of Puerto Rican and Dominican residents, who now make up the majority of the population (Barber, 2018). The Lawrence school system educates approximately 13,000 students, of whom 90 percent live in poverty and 70 percent speak English as a second language (Borg, 2019).

Lawrence Public School District (LPSD) has experienced its fair share of questionable leadership and mismanagement at the local level over the years, including fraud and embezzlement and a two-year absence of a permanent superintendent (Baroody, Rho, & Huberlie, 2015). The ideas of dysfunction and mismanagement of the LPSD prior to the intervention of the state came up in every interview. Jonathan stated, “It's true that the district was in rough shape. We were dealing with a lot of dysfunctional leadership. And so politically, the city was in really rough shape and the schools were obviously feeling the impact of that.” Rosa confirmed the community was aware of the lack in leadership in place before the receivership process began when she stated:

A lot of people in the community felt that we just had really bad leadership in place, and the narrative that was put out was that our schools were chronically underperforming. And so there was just lots of concerns in terms of our schools performing poorly, and so most of the community at the time, they were open to the idea of the state taking over because we had failed to manage our schools.
The state pushed forward a narrative that the LPSD was chronically underperforming, and it was due to the corruption and dysfunctional leadership at the local level. Since the enactment of the Massachusetts Achievement Gap Act (Chester, 2014) and several other policy window openings, the state gained the ability to label schools as "underperforming" or "chronically underperforming", opened the door for charter school expansion, and authorized the state of Massachusetts to intervene in such schools and districts (Driscoll et al., 2005). As a result of the Gap Act, five schools were labeled as underperforming in 2011, placing them in the Level 4 category. Mitchell Chester and the Massachusetts Board of Elementary and Secondary Education (BESE) recommended the takeover of the entire Lawrence Public School District (LPSD) based on this information, as well as concerns about previous local officials' administration of the Lawrence school system, graduation rates, and state assessment data (Massachusetts Department of Education, 2011). Mitchell Chester, Commissioner of Education, named Jeff Riley as receiver of the LPSD (Kim, An, & Marietta, 2015). Riley designated his approach to the takeover is Lawrence as the third-way, promoting it as a collaboration with the city and merging both traditional public schools and the private sector. With the hardships facing Lawrence at the time, many of the members of the community welcomed the idea of the state taking over. Rosa explained, “It was sold to us as the next best thing since sliced bread.”

With this crisis narrative deployed the state was able to label their next move as care and brand their seizure as being what was in the best interest of the students- allowing a white receiver, Jeff Riley, to assume complete authority of an underrepresented people with the reported purpose of increasing standardized test scores and expanding privatization within the school system. This form of care resembles what Dadvand and Curevo (2020) assert as the neoliberal transformation of an ethic of care in education by creating this sense of crisis within
the city that their schools are “failing” and assuming the only way to help the students of Lawrence through the white saviorism of the state.

False Care

The takeover of the LPSD could be seen as an act of care by the state if they in fact made progress within the school system. However, this is not the case. The state provided a false sense of care for the people of Lawrence. The participant shared that the state left and continues to leave out many items out of their narrative including years of underfunding and under-resourcing of an already impoverished school community and the fact that even after being in receivership for over a decade they have not fulfilled the promises that were made. Regarding underfunding and under-resourcing Rosa stated:

But the problem is with that narrative that was put out in the media, there was no discussions about how chronically underfunded our schools were at the same time too. You know what I mean? So, the emphasis, is what we saw a lot, was the chronic under performance, and so that type of language and narrative being put out, in addition to some of the corrupt behaviors of the superintendent at the time, and issues with the school committee and the mayor.

The state never mentioned the underperformance of the school district as part and parcel to their lack of care in properly funding an already impoverished community. Rosa went on to elaborate, “I was going into classes where kids didn't even have textbooks for, you know what I mean, where teachers were forced to Xerox copy handouts for students because they didn't have anything, and then our buildings are falling apart.”

Many of the participants shared they concerns with the fact that the state has failed at what it promised to do, failed the students of Lawrence, and manipulated data to continue to push
their narrative of Lawrence as a model of state takeover success. Bob explained, “We could tell a lot of things they weren’t learning like writing papers, doing research, [and] problem solving.” Fredrick shared, “Since Lawrence public schools were put into receivership back in 2011, we have seen a decline overall”. Graduation rates are improving per the state data, but Oliver stated, “Lawrence is being highlighted as a success when the reality is quite different,”. He went on to add, “A lot of kids graduate from Lawrence High and then they have to turn around and take remedial courses at a community college.” There was an overwhelming consensus from the participants that the state has been manipulating the data to support the receivership of the LPSD to remain intact. Fredrick noted:

What has been happening throughout the years, when we celebrated the rise in graduation rates in Lawrence, we see the lowering standards that they have been doing just to accomplish their goals. They're passing students from grade to grade in high school, with knowing that these students are not mastering the academic content.

Oliver noted that the state uses attendance and graduation rates to measure success, but he expressed concern with manipulation of the data and whether the students in Lawrence are genuinely benefiting from the proposed success of the takeover. In response to sharing information about the receivership process, Oliver informed:

The only thing they're using as an indicator of success, well, they're using a few things. One is attendance, which I think is doctored. One is graduation rates also saying that and I think both are at the surface, it looks good. But then when you peel back, what's really going on, you see that the success rate isn't there.
Pedro also had concerns with data regarding the number of suspensions and expulsions taking place in the LPSD. As member of the community Pedro passionately expressed concern about the presented suspension rate data when he stated:

> I know that's not true, I have family, you know what I mean, my cousins, I live here, that's not true. I know people are suspended and expelled every day for the stupidest infractions, for not tucking in your shirt, you know what I mean? How was this possibly zero? We started to talk about just how they're gaining the numbers and all that stuff and different ways of doing that and pushing people into alternative programs and all that stuff and I'm just like, wow.

According to the participants, the data that is being delivered does not match what is seen on a day-to-day basis in the LPSD. Rosa’s thoughts on the inaccurate suspension rate aligned with Pedro’s when she stated:

> And because I live and work in this community and have friends that work everywhere, I was told that rather than suspending students, marking them down as suspension, they would just dismiss, they would send the problematic students home early, but they wouldn't track it as suspension, but technically it was a suspension because they're not accessing their education, they're being sent home early. And so some of the data doesn't really accurately portray what was happening within our schools.

Regarding the takeover being presented as what was best for Lawrence, many of the participants felt betrayed, swindled even. Rosa shared, “I feel like I was deceived because what was sold to us at the start, wasn’t really what we received.” Yet, the state still remains in control of the LPSD and continues to push the narrative of success. The receivership in Lawrence is
even being dubbed as a model for takeovers by Ivy League institutions. Emilia elaborated on this from her experience at one of these notable institutions:

My experience as a grad student at Hampton very much reinforced that narrative, that it was a very kumbaya process, the receivership was welcome. The Lawrence Miracle is what it's called, as a case study to show that receivership can be "successful" and having a very outer body experience to see people talking about my community who probably don't know a lot about Lawrence, and really feeling like my on the ground experience as a school community member, as a community organizer, did not match this narrative that Hampton was perpetuating.

*Lack of Care for Lawrence*

The participants were asked what impact they felt the receivership had on the community of Lawrence. The lack of care for Lawrence by the state presented itself in the participants responses in terms of the community, teachers, and students. Fredrick’s response captures the disregard for community voice by saying:

I saw how the district was always saying, "We're advocating for students, we're advocating for teachers, we're advocating for the next generation of this community." But every time they made a decision, we were not there. We were not part of that table. They cherry pick the individuals that already agreed with them on how they manipulated this whole propaganda, and how they were doing well for the community, when many of us didn't make it out.

Lack of community representation and voice were common statements made by the participants. Jonathan expressed the process of the takeover was done so through autocratic decision-making
by the state where those in power made the ultimate decisions and did not care to consider what those in the community thought. They noted:

A lot of the decisions that were made quite frankly, through this top-down hierarchical, technocratic, behind closed doors, authoritarian leadership style. It became very clear, very quickly that it was about the state is here, the receiver is here, and the receiver is in charge and whatever the receiver wants will be the way that we do things, and really it didn't matter what anybody else thought.

Oliver echoed Jonathan’s notions of the authoritarian leadership that took place with the takeover of the LPSD by adding:

There was no opportunity. I mean, yes, the mayor is a citizen and his staff, but the average citizen, the parent who has children in the district, all of that was not part of the planning itself. It simply was a very tight knit group that made the decision in the first place. And then the decision once it was made, they just brought a receivership in and disempowered, everybody involved in the school district and Riley came in and set up a very dictatorial system

Rosa referred to a false sense of care for the community when she brought up the state cherry-picking individuals to join conversations about how the receivership would roll out. According to Rosa and many of the participants, when the state did allow community voice at the table, the voices were “cherry-picked” to ensure that there would be minimal push back. Additionally, when push back occurred, it was simply ignored. Rosa shared:

So in the beginning it was my understanding that the school committee voted on it and they voted in favor of the receivership. There were focus groups that were put together in the community, but from conversations I had with participants in those focus groups,
their feedback wasn't incorporated in the turnaround plan. So, there wasn't an authentic engagement of the community, it was more like we're just going to cherry pick folks, put them in these focus groups and go through the motions of getting feedback, but not incorporating that feedback within the implementation of the turnaround plan, if that makes sense.

Jeff Riley dismantled the locally elected school board when he arrived in Lawrence as the receiver. In doing so, he stripped away the communities’ ability to provide voice into any of the processes taking place in the school as well as dispute any future/current problems with the LPSD. In 2017, the community of Lawrence was allowed to elect a school committee. However, the school committee has no authority to make decisions or even schedule meetings (Diaz, 2020). Oliver brought up the frustration level with the current school committee not being able to do anything in terms of providing support for the community when they do reach out with concerns:

I mean, most of them are uncontested and because running, you get elected and then you don't have any meetings. Or if you have meetings, you don't have any power to do anything. And it becomes imminently frustrating. For parents in the community, it's frustrating, because who do they go to?

Emilia acknowledged the lack of support and power within the locally elected school committee when she stated, “They are set up to fail.” This statement is further supported in her following response:

I'd be curious to learn more about why the state decided to keep the school committee. From my experience and what people talk about is they wanted to maintain the facade of democracy, or at least show that they cared about maintaining that, but there was no
intention and there continues to be no intention of working with, uplifting, or get giving the school committee any real purpose. They actually don't even give us any direction. I can't tell you how many times as a school committee member I'd speak to a parent, they'd have concern, I'd go to the superintendent, and I would either be ignored, or I'd get a response that didn't offer any solution.

Participants who formerly and currently serve on the local school committee all shared a sense of heartbreak and frustration. Rosa noted, “So I think that for me, that was one of the things that walking away from the school committee that broke my heart the most, is that I didn't have any power to help impact change for those students.” Fredrick’s frustration with the current school committee’s lack of ability to support the voice community shined through with the following response:

We have not been given the chance to grow. We have not been given the chance to participate. We have not been given the chance To be part Of the day by day and what happens in our schools. We're not given the opportunity at all. We're told to move aside, we're told that we have no voice, no right, and again, we are told that we are a disturbance.

Aligning with the majority of the participants’ responses towards the school committee’s absence of influence Jonathan asked, “Is this just a symbolic position that was created in order to appease the powers that be, or appease the community?” Moreover, Pedro’s response suggested that school committee is also being blocked at the local level. They stated:

Then I get elected start working with or trying to work with the mayor at the time, Mayor Rivera and just trying to hold meetings. We could talk about things and put items on the
agenda. And Mayor Rivera basically straight out blocked us from having meetings since he's the chair of the school committee.

The lack of care for teachers in Lawrence is evident in Riley’s dissolution of the teachers union as soon as he became receiver. However, the participants shared even more questionable actions suggesting that rather than creating a culture of care the state put in place a culture of fear in an effort to silence the voices of teachers who spoke out about the wrongdoings and harm taking place within the LPSD. Fear of speaking out is captured most notably in Jonathan and Fredrick’s responses. Jonathan stated, “It became known that if anybody in my school attended the district union meeting, you would be almost blacklisted.” They followed up by stating, “It's almost like the union can't help you so don't bother and you're only going to get yourself in trouble trying to go to the union for help.” Fredrick explicitly shared barriers that occur as a result of educators speaking up against the takeover by stating:

But when it comes to the administration and to staff and teachers, that's when there's a huge hiccup. Where they themselves see the disadvantage that this receivership has cost the so-called promise that it has been given to Lawrence in our school district, and how we still today have failed to deliver. They keep it to themselves, because in many occasions that they have come out and said something, they have been targeted, they have been disciplined, they have been stripped from duty, they have been sent home on leave and then fired, they have been cut on salaries, and they have been manipulated into thinking that what is happening, it is indeed the solution of making our district better.

The culture of fear that was implemented installed a blockade for educators of Lawrence from the ability to care for each other and their students. Jonathan elaborated on the continued culture of fear among teachers in the following response:
That culture of fear that we were seeing that I was experiencing when I was teaching is still present very much so, even though a lot of the administrators have come and gone, some are still there, but there are many new administrators and many new teachers, and yet we still have that lingering climate of fear.

The ongoing lack of care for the students in Lawrence was presented by the participants. Many of the participants discussed the silencing of student voices and harsh disciplinary outcomes as a direct result of the hostile takeover of the LPSD. Fredrick pointed out, “What is happening is crazy, because they have pushed aside the frontline workers in our school, our educators, and they have harmed both students and teacher voices. Emilia explained the silencing of students when she stated, “There is no platform for young people to effectively challenge or even raise concerns.” Emilia went on to note:

I'll give you an example, every time we organize students or parents to speak at a forum, or connected them to the superintendent, or we would bring a student from our glacier group to bring a student to, for example, a safety forum that the superintendent was moderating, and there would just be silence. They just wouldn't be heard, or they'd be gaslighted.

Pedro shared similar feelings around student voice, and he also brought to light how the students are aware of this silencing. They noted, “The students definitely recognize that a top-down model is in place, that they don't really have any say, they don't have agency over their own learning processes.” Many participants shared concerns with the social and emotional status and how the state has done nothing to address these concerns. Pedro added:

The students are very demoralized and stressed, especially throughout COVID and they know that there's an issue you, and they know that when they have used the quote
unquote, appropriate channels to address their grievances, nothing is actually done. If something is done, they recognize that it's not being done for the student body as a whole like it should be, and they individualize the issues and the kids said that themselves, they know what's up.

Adding to the concept of students feeling demoralized and stressed in schools, Oscar brought up the lack of trust between students and adults and the normalization of students being seen as an already problem. Oscar’s words were, “Yeah, I don't think there's much trust in the adults and there's not a lot of trust, I would say in students,” and “When you're ready being told and anticipated and you feel the anticipation that you're already going to do the wrong thing.”

There was a consensus among many that students are coming into the LPSD every day with the belief that very people and systems that are supposed to uplift and support them are the ones who have no belief in their ability to succeed. Pedro also stated, “There’s a lot of dehumanization and no real student-centered practices to bring in students existing experiences and knowledge.”

These contributions to the conversation lead into a discussion of the harsh disciplinary outcomes that have and continue to take place in the LPSD. Jeff Riley implemented what has been labeled as an Open Architecture approach, which differentiated autonomy among some of the schools in the LPSD (Baroody, Rho, & Huberlie, 2015). Rosa shared concerns with this plan suggesting that it is one of the reasons discipline is out of control in the LPSD. They noted:

Very harsh discipline standards. And because of the turnaround plan, different schools have different disciplining policies, there's not a set standard throughout the district because of the open architecture system that Riley started, each of the schools have their own autonomy to create their disciplining guidelines. And some of the schools might lean more toward restorative justice practices, whereas others might have more zero tolerance
policies, so there's no consistency throughout the district because of the open architecture structure that Commissioner Riley started when he was receiver.

State takeovers are often coupled with market-based reforms such as the expansion of charter schools (Welsh, 2018). The influx of charter schools due to the state takeover policy in Lawrence and Jeff Riley’s Open Architecture plan has created inequities across the LPSD, specifically with zero tolerance policies and harsh discipline. During the interviews, Rosa, Pedro, and Oscar spoke passionately about their concerns with discipline in the LPSD. Rosa mentioned the use of quiet rooms, which essentially imprisons students within the school. They stated:

We also had issues with "quiet rooms," these isolation chambers where students that were engaging and maladaptive behaviors, aggressive behaviors or whatever, they were put in these quiet rooms for extended periods of time. And then when that story hit the paper, then it was like, oh, supposedly they were eliminating use of the quiet rooms, but to my knowledge, they're still being used to this day.

As previously mentioned, students in the LPSD are seen as an already problem. This on top of the zero tolerance policies in place create a place of hostility within the school. Pedro’s thoughts on such policies were:

It's zero tolerance policies across the schools or very little tolerance for things. I was just speaking to a bunch of sixth graders this morning at a charter school here, and they were just all over the kids with telling them to sit up and fucking shut up and stop squirming and I'm just like, yo, let them breathe, bro.

Oscar’s response supported the statements of concern with harsh discipline. Oscar’s addition to the conversation was gut-wrenching and supported the ideas of dehumanization and
demoralization of students. They stated:

Oh, so particularly at Phillips, we didn't provide, we still don't provide, well I don't work anymore, but I know they don't provide transportation. So, students would have to walk from detention had... They could serve detention in the morning or after school and they would have to walk to or from school. So to give you an example, we had policies like, we will close the door, school door at 9:00 AM, so if students showed up in the middle of winter, let's say February where it's the coldest and it was 9:05 and they had just walked for 45 minutes, They were turned away at the door.

**Takeover is About Race, Class, and Power Not Care**

There was an overwhelming consensus that the state takeover was not about care, not about the next best thing for the students, and not what the community was sold. Instead race, class and power were presented as the motivating and maintaining forces behind the process.

Before the takeover occurred, the community of Lawrence had just elected its first ever Dominican mayor. Oscar explained, “It wasn’t until we had a minority mayor that like the state conducted a hostile takeover.” Jonathan also noted:

I gave you the context of we've had decades of dysfunctional leadership. But somehow the state starts looking closer only after we have a mayor of color for the first time. And so I can't help, but wonder why is it that all of this has to happen when finally the Latinx community, the community of color finally has elected their leaders and the leaders...

This is the first time [inaudible 01:12:10] of the city since it became a majority Latinx community, maybe 30 years, we finally have a majority of representatives that look like the people who live in the community. And now all of a sudden, the state's coming in and trying to take things over. It's not a good look.
The current leadership in Lawrence implies race is still a factor. This was presented when Emilia responded by saying, “Last year, one of the board members for DECE was basically caught talking about Lawrence in a really racist way, and basically saying, ‘We know that they're not going to turn themselves around because they never do.’ And so, we have to ask who's they that he's referring to? He's talking about low income black and brown communities.” When asked if race, ethnicity, class, or any other identity marker, contributed to the plan to place the Lawrence Public Schools in receivership, Emilia exclaimed:

Yes. 100% yes. I think that Lawrence is one of the only cities in the state in which our local elected officials accurately reflect the racial ethnic demographics of the city, and so we have a majority Latin X city council, school committee. Even when you think about our nonprofits and our anchor institutions in the city, we're representative, and you really can't say the same for a lot of other places. And honestly, I think that threatens the state and DESE for some reason, because it shows them if we're running things it's going to be on our terms, and I don't think they like that.

Research suggests that there can be no doubt about the influence of race and power within state takeover policy, as they occur in predominately Black and Brown communities (Morel, 2018; Oluwole & Green, 2009; Welsh & Williams, 2018). The participants in this study have a first-hand account of this injustice. Fredrick referred to the overtly obvious ties the takeover has to race and racism when they stated:

Oh yes. Definitely. It has it has been a pattern. If we see that districts are getting into or pushed into receivership, our minority communities, communities of low income, communities that need more resources right than other neighboring communities. And it's right there painted in black and white. It's always the same communities.
Oliver echoed Fredrick’s thoughts and brought up how such takeovers would not occur in surrounding, more white communities:

I think absolutely. Race intertwined with class is where they go because they realize people don’t have power and they can come in. And so, I think it absolutely is targeted at communities like this that are mostly, communities of color and also of lower socioeconomic strata. So, I would agree with that statement that that’s why they’re doing it, because they’re not going to go in the Andover because they would get blasted away and in a city like this, they got away with it.

The current invasion of schools and school districts in predominately Black and Brown communities causes disproportionate effects. Pedro did not hesitate when asked if they felt the takeover of the LPSD was motivated the concept of race. They responded:

Please quote this. Fuck yes. Hell yeah. Yes, race, class, I think is unquestionably part of the decision to bring Lawrence under of receivership. Absolutely racial class dynamics, it's so clear. You could barely see and breathe. You know what I mean?

It is imperative to point out how contradiction defines the United States education system. Its founding values embrace the ideals of liberty and equality, yet the country was built on the deliberate exclusion and oppression of Black and Brown people. The state takeover policy in Lawrence disproportionately impacts the majority minority community. Rosa elaborated on this by stating:

Without a shadow of a doubt, race, ethnicity plays a role in it because our children are expected to perform to a standard, which is suburban white students that are setting the bar for these standardized scores, our kids just aren't performing to that level. And so
tying accountability standards to this racist assessment tool, I mean, it's a racist policy, period, period, because it's disproportion impacting communities of color.

Power, or rather disempowerment was also brought up through the discussion of identity markers as a reason for the takeover of the LPSD. Jonathan stated, “We have this problem where we don't have the political power. The voters of the city have not been able to organize in such a way that they can demand to have a seat at the table.” Emilia remarked:

This receivership is not about raising student achievement, it's about power, maintaining power. And ultimately, we're like a testing ground, we we're one of the only school districts, I think the only school district under receivership, and they just want to use us as this case study.

Oliver alluded to the premise of state takeover policy within the LPSD as a deliberate move to obliterate any form of power within the community. They remarked:

When you move to a receivership, what you're doing is you're really taking power away from the communities. And the community's not going to learn how to have power if they don't... you increase power, you don't decrease power if you're trying to develop a strong school district, because it needs everyone in the community involved in it. And the receivership did just the opposite. It took all that away from the community. And the only one that benefited was Jeff Riley who got himself a great job on it.

Disempowering a predominately Black and Brown city, permits whiteness and white supremacy to infiltrate the community. When listening to Pedro speak upon this it sounded like an encroaching, noxious cloud had made its way into Lawrence by means of the state takeover
policy. Pedro responded:

I think that the receivership has come in to disenfranchise our community and give more of a top down, do as I say atmosphere, and to instill a more white supremacist atmosphere here. White supremacist political class, wealthy class atmosphere here. I see it as very deeply rooted in class and racial politics.

People in Lawrence have no way of navigating through the toxicity of the whiteness and white supremacy that coincides with the state takeover, as they are disempowered and disenfranchised. Democracy has been stripped from their very hands. Oscar brought this up when he stated:

We don't have any democratic powers, the power over the schools so, that has its implications of, we have no way of advocating or addressing somebody these concerns, because we just don't have people or there's no way for people to connect and advocate for the issues that are going on in the schools.

Within the context of the question of the influence of race, class, or any other identity factors being an influence on takeover of the LPSD, many participants brought up the concept of a neoliberal shift in the education system and receivership as means of doing so, specifically in terms of privatization. Rosa declared, “It's a money game. It's a money game. All about privatization.” Emilia stated, “I personally believe the broader scope or privatizing education is also a political force that's moving receiverships into low income Black and Brown communities.” She added on:

This is a part of a larger move to privatize. And the proof is that along with talking about receivership as an effective strategy to address "failing schools", there was also a push to talk about how ineffective school committees are in governing schools.....So it's like it all works together to undermine, in my perception, our public school system and democracy.
Oliver elaborated on Emilia’s ideas of privatization being a motivator for the takeover in Lawrence. They stated:

There are all sorts of economic benefits to be had by investing in these gateway immigrant cities and investing in charter schools and the tax breaks are available to take the capital gains tax. And if you park it in a city like this for five years in an investment, you can erase all your taxes, you get, I think it's a 38% tax rebate also for investing in charter school property, EMOS education management organizations come in to run a lot of these schools and they turn and around. And if their costs efficient, the money they save, they get to skedaddle with and use it for their own purposes.

_If You Care About Us, Let Us Go_

Despite making academic gains, harsh outcomes for teachers and students, and denying the outcry for return to local control, the LPSD remains in receivership. When asked what the participants would like to see in the next phase of the takeover, the response was the same concept kept coming up—end the receivership. Unfortunately, many of the participants expressed concerns of no way out of the receivership. Bob explained, “There was never a time limit as to the receivership ending.” Emilia shared, “I feel like we end up here because there's actually no goal for this receivership. It just feels arbitrary, and it feels like they're making it all up as they go.” She added, “I would love to see a detailed, specific transition plan that basically lays out how the state plans on restoring local control in a way that's fair, in a way that allows time, in a way that builds the capacity of the school committee.” Jonathan commented on a need to end the receivership by stating:

I also would like to see the receivership come up with a plan for, an exit plan, because right now they have proven, or they have demonstrated time and time again that, to me
personally my own observation, that the way that they run the schools, is not done in a way that is inviting of the community's interest. It's always this top down, technocratic, authoritarian, unilateral decision-making process that it's always, "We know better. We know better, we know better, and you just have to do what we ask you to do." And so, unless they're willing to change that approach, I don't think the receivership is a good fit for Lawrence.

Without an exit plan in place, it is impossible to develop a way out. This feeling of no way out was also expressed by Pedro when he stated, “There's no way out of receivership, and it's an inevitability to be in it, in receivership because of the measures that we have, because of high stakes testing, because of all this other shit.” However, members of the locally elected school committee have petitioned for the LPSD to be returned to local control. Yet, the state is not responsive and, in many cases, ignores the requests. Oliver noted, “The receivership or the school committee can petition the department of education to end receivership. The school committee did that, and they have not received a response at all.” Despite the refusal to acknowledge the requests to end the takeover, several community members (old and young) have begun to develop coalitions and turn this state enforced oppression into care as activism. Emilia explained this by stating, “I actually think that it's mobilizing folks and energizing us in a way that wouldn't have been possible if we didn't have receivership. And so, in that way it's almost like it's a silver lining.” She went on to state, “And then the other advantage I talked about a little bit earlier is that I think it has mobilized people, unfortunately in the face of adversity, it seems we come together.” Fredrick also contributed to this notion of care as activism by sharing, “And then our teachers are finally organizing and understanding that they need to push back. And parents as well. So, in a couple, few months, we see all people in different sectors of life and
different sector and education field that have come up and stand up to this whole receivership nonsense.”

*Moving Forward with Care*

Outside of ending the receivership, participants have ideas as to what they would like to see happen in the LPSD. A common concept among their ideas moving forward was a collaborative effort. Bob specifically mentioned this in the following response:

Everybody needs to be involved in the planning, everybody needs to come to the table, everybody needs to... it takes a village. And for any community to truly fix a failed system, they have to be involved. Community voice has to be heard and it has to be involved, because it plays a major role in policy making. As well as a parent would know what the issues are, and if they come to a school committee meeting or whatever kind of meeting and let people know there is an issue, people take notice, and people will react and respond.

Emilia supported the idea of collaboration as a way to move forward also noting that including community input is precisely what the state takeover did not do. They responded with the following:

I feel like they [the community] should inform the turnaround plan. There should be community forums that are accessible, and in which really voices that historically have not been included, and what I mean by that is that the receivership hasn't engaged with. They should be involved. I think community members, even if they don't have kids in the school, should also be a part of the process because our public schools are public goods and I think we should talk more broadly about what institutions do we want our schools to be.
With the state in control of what success looks like, and changing what success means in order to meet their agenda of remaining in control, it is questionable if control of the LPSD will ever be returned to the community. A concern from some of the participants was the way in which success is measured in the LPSD. Many participants brought up standardized testing as a racialized component of the metrics used to keep the LPSD under state control. Some suggested rethinking what it means to be a successful student. Jonathan felt strongly about community involvement in determining what success looks like for students in Lawrence when they stated:

Well, ideally there would be a reframe of the way that we look at our success or performance data. Right now, we do not, the community does not determine its own... Right now, community does not determine what it values, how it values success, academic success, or student success. Right now, the state determines what that is. So, I think in a way we've been set up to fail because a lot of the standards, there's that question of whose standards are we trying to meet? A lot of the standards that are set are based on assimilation, and this has been the history of education, right?

A part of moving forward with care entails developing a pathway of freedom and trust within the LPSD. When asked what this looks, sounds, and feels like, the participants responded with an idea of what educational care means for all students. Bob expressed concerns with the teacher turnover at Lawrence inhibiting the ability to build and foster relationships with students while at the same time sharing concerns of not teaching curriculum that is culturally relevant. Jonathan declared that students need a sense of belonging in schools when they stated, “they need people who they can connect with and people who they know are going to care about them outside of how they do on their science test.” Jonathan also expressed a need for structure in
schools. They explained:

But I think that when you have a healthy structure in place, it makes it easier to facilitate the kinds of care that we need to provide for our kids, right. As opposed to having an environment that is unstructured or even chaotic where there's very little control of what's happening.

In addition to culturally relevant curriculum like Bob mentioned, Pedro and Jonathan agreed that students need teachers that look like them in order to facilitate teacher and student connection. Pedro pointed out, “We also identified the fact that we need black and brown teachers to be there, to be in front of our kids talking with them, that are from our community, that speak our language.” Jonathan further explained:

We need people of color, people from the community. I know that most teachers across the country are white women, but like a place like Lawrence again, we've had a majority Latinx community since the nineties, probably since the late eighties, and still all of our teachers for the most part, we've got like 80% of our teachers do not match the communities, culture, or ethnicity.

Rosa saw a need for a democratic classroom and asserted, “By creating a democratic classroom space, you're creating a space that's liberatory, where students feel free to be able to say what's on their mind, to critically think around things, to engage in learning and not fear making a mistake.” Pedro expressed a need for access and collaboration. They shared:

I think we need a curriculum that reflects the cultural richness that exists in the city, in our history and our interests, and financial literacy and all that type of stuff… It would be incredible to see open door buildings, institutions of public education, where students have open access to all types of resources, all types of collaborative projects based on
their interests, where teachers are there to facilitate the learning process, to point students in the right direction, to nurture them, to have really collaborative dialectical conversations on the issues that pertain to their everyday lived experiences. Hands-on problem solving.

The participants share valid concerns with the takeover in Lawrence, but they were also solutions-oriented and have purposeful and innovative ideas as to what it means to move forward with care in the LPSD. Unfortunately, these ideas are shut down by the state’s refusal to listen and consider that the community of Lawrence knows what is best for their own children.

Discussion

The state's takeover of schools and school districts is a major issue in education reform, and this trend does not appear to be changing anytime soon. State takeover of public schools has been and continues to be linked to racialized policy goals, particularly those that seek to disenfranchise, dispossess, and restrict Black students, families, and urban communities (). Interestingly, the popularity of state takeovers continues to rise despite the fact that these reconstitutions are, at best, ineffective at improving the schools and districts they take over (). The state of Massachusetts branded their infiltration and hostile takeover of the LPSD as care assuming they, majority white folk, know what’s best for a underrepresented and impoverished community. This assumption is whiteness in action and supports the belief that whiteness and white supremacy are what/who should dictate effective schools and the administration of education (Mitchell & Lizotte, 2014). The state pushed forward a narrative of their takeover as care depicting the people and its leaders as dysfunctional and corrupt, yet they left out the key fact that the state had failed to properly fund the LPSD for decades. Also, important to note is that they did not exude this care until the leadership within Lawrence became predominately
Black and Brown. Aligning with LatCrit and other critical race theories, we can see through the narratives of the participants how racism, power, and law are used to oppressed (()). Likewise we see the normalization of whiteness (Gillborn, 2005) and permitting the domination and colonialism of the LPSD and the Latinx community in Lawrence. The “Lawrence Miracle” as one participant explained, is what is being delivered to society, but it is not a miracle. It is a perverse mistreatment and experimentation of a marginalized community with the motivators of race and power at its core.

An ethic of care, as Engster (2005) suggests, is a human characteristic and activity we engage in to preserve, continue, and restore our world. Yet, this is not what we see taking place through the false sense of care provided for the community within the LPSD. The seizure of the school district in Lawrence did not set out to do what it claimed to do in the narrative they presented, however it did fulfill a narrative that has yet to be shared openly with the public. The participants expounded upon the takeover being more about race, power, and privatization than care for student growth. This form of care resembles what Dadvand and Curevo (2020) assert as the neoliberal transformation of an ethic of care in education by creating this sense of crisis within the city that their schools are “failing” and assuming the only way to help the students of Lawrence through the white saviorism of the state.

What is happening in Lawrence is a lack of care by the state. The community has no representation and when anyone does speak out against the takeover, they are persecuted. Authentic care in education would offer opportunities, allow safe risks, and enable educators pathways to care for and provide agency for people who are not their own (Beaufouef-Lafontant, 2002; Nolbit, Rogers, McCadden, 1995; Ramsey 2012). Yet, what was shared in the findings does not reflect this form of care for the minoritized community of Lawrence. Which begs to
question if minorities are or ever have been included in what institutions offer as care in education (McLeod, 2017). Whose definition of care matters? Whose concerns with lack of care matter? From the findings, I would suggest that it is not the Latinx community in Lawrence as they are silenced and forced to deal with harsh disciplinary outcomes of students and teachers that have been linked to takeovers of schools and school districts (Nelson, 2016). This suggestion aligns with what notable LatCrit scholars have emphasized regarding the racial and power disparities that exist within schools and the forms of oppression Latinx students and communities face (Gujardo et al., 2020; Huber, 2010; Solorzano & Delgado Bernal, 2001).

The takeover in Lawrence is not a success, it is a failure. The process has failed all of those involved except the ones making, breaking, and changing the rules. Scholars are reported that takeovers, like the one in Lawrence, fail to produce significant academic gains (Schueler & Bleiberg, 2021; Wong & Shen, 2003). Nelson (2016) shares that whiteness has the capacity to establish society’s rules and then change those rules as needed in order to maintain its existence. Instead of amending or abolishing takeover policy, political leaders are conforming to whiteness ideologies by modifying it and calling it by other names such as the third-way. The missing link in state takeover policy is care for all, most specifically for Black and Brown communities. Moreover, the meaning of an ethic of care has been hijacked by to benefit those in power, turning it into something that is based on performance and neoliberal thought.

Through this study, the voices of the participants were able to come through after over a decade of being faced with barriers and blockade. What I found from their perspective is that the narrative pushed out by the state is in gross opposition to what is actually happening on the ground. What the state most likely did not see taking place, is the role the takeover has played in allowing care to turn into a form of activism within the community. Participants shared stories of
students joining together to stand up for what they know is not right. Emilia also shared that the community is seeing the injustices of the seizure unfold and are mobilizing to be heard. Coalitions such as the Greater Lawrence Education Justice Alliance have formed to support the effort to move out of receivership. This is the concept of care that aligns with Beauboeuf-Lafontant (2002) and Ramsey’s (2012) womanist approach utilizing care as a form of activism. Emilia said is best when she stated, “Our existence is our resistance.”
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Chapter Five

Discussion and Conclusion

This research aimed to analyze how policies and discourses perpetuate state takeovers of public schools and school districts contribute to and preserve Black and Brown peoples' racial subordination. This research focuses on the roles of race, racism, and civil rights within these policies and discourses, mainly as they apply to contemporary state takeovers. Additionally, this study aimed to address the void in the literature surrounding community voices and the intersections of critical care in takeover policy by analyzing the narratives of Black and Brown peoples currently faced with a state takeover. The questions this study tried to answer are as follows:

1. How do policies and discourse(s) that allow for the implementation of maintenance of state takeovers of public schools and school districts create and maintain the racial subjugation of Black and Brown peoples?
2. What is the role of race, racism, and civil rights within policies and discourse(s) as they apply to current state takeovers?
3. What role does the intersection of care and race play in state takeover policy and implementation, particularly in urban areas?
4. What are the perceptions of marginalized individuals directly affected by state takeover policies and implementation in urban areas?

This study emphasized the role of education legislation and policy in establishing, perpetuating, and sustaining racist oppression in vulnerable areas. In particular, this work employed critical race frameworks, critical discourse analysis, and critical care to examine how education legislation, policy, and discourses are operationalized to confine, disenfranchise, and
dispossess Black and Brown populations living in urban spaces. Through the perspective of critical race care and a phenomenological approach to thematic analysis, this work also adds to the discourse by emphasizing the lived experiences of Black and Brown community members and stakeholders who are presently facing state takeover and often left out of the state takeover narrative. This chapter utilizes the discourse analysis of law, policy, and media related to state takeovers in chapters two and three and the themes developed from the narratives of people currently impacted by a state takeover to answer the aforementioned research questions and provide implications and directions for future research.

In the first manuscript, I investigated how policies that permit the implementation and maintenance of state takeovers of public schools and school districts create and maintain the subjugation of Black people based on race. I focused on the roles of race, racism, and civil rights pertaining to the current state takeover of the Little Rock School District (LRSD). During my exploration of the takeover of the Little Rock School District (LRSD), I discovered policy actions in 2013 that permitted the state to take control of the whole school district, with only six of its forty-eight schools declared as academically distressed. In January 2015, the state of Arkansas assumed command of the Little Rock School District. The LRSD was taken over by the state board of education and directed by then-Superintendent Johnny Key in 2016. While the state had options in how to implement the takeover, they decided to remove the district's seven locally elected school board members. It is critical to note the school board was majority Black for the first time when the state decided to intervene. Diane Zook, state board chair, Johnny Key, and Asa Hutchinson are the three most prominent players in the state takeover. These officials support market-based reforms and are quick to praise the contributions of philanthropic organizations like the Walton Family Foundation. The LRSD had five years to meet exit
requirements and did not meet them. The LRSD is still in failing status and has more schools under labeled in distress than when the takeover began. In November 2020, the state finally conceded, allowing the community to have a locally elected school board. However, Johnny Key and the state of Arkansas ensured the school board would be limited in their power. The board's inability to control the budget, hire and fire the superintendent, and recognize a teachers' union raises questions about whether local control has genuinely been returned.

Using a dialectical relational approach to critical discourse analysis, we approached this case in four stages as we analyzed extant law and policy and other public documents. The stages included: a) focusing on the social wrong, b) identifying obstacles to addressing the social wrong, c) considering whether the societal order needs the social wrong, and d) identifying ways past the social wrong. As it is rooted in racism, the takeover of the LRSD constitutes a social wrong. A federal court upheld this racially biased takeover, highlighting the anti-black nature of law and policy. In Doe v. Arkansas Department of Education, the plaintiffs argued that the takeover was motivated by racism. The state of Arkansas did not intervene in the operation of the Little Rock School District until the locally elected school board became predominantly black. However, the court was unable to grant relief because no one openly declared their intent to subjugate Black people. Jonny Key's appointment and empowerment displaced Black political power and influence to the detriment of Black people's right to self-governance and self-possession and is an act of antiblackness at its core. The guardrails Johnny Key and the state board put in place for the newly elected school board significantly limit and effectively block the school board's ability to do anything. The LRSD's neoliberal education reform can be viewed as an act of whiteness that places obstacles to addressing the antiblackness of Little Rock's state takeover policies. White privilege has enabled key white actors to obtain, maintain, and
strengthen their grip on the LRSD and their educational politics. White families have flocked to areas of the city north of Interstate 630 due to white flight. These predominantly white and affluent regions provide unequal access to resources. Equally as important to address regarding obstacles to addressing the wrongdoings is that every member of the state board who voted for the takeover has a direct or indirect connection to the charter school movement and the Walton Family Foundation. The maintenance of antiblackness is required for the pursuit of whiteness. The removal of a predominantly Black school board makes sense in light of this concept. The takeover was unsuccessful and did more harm than good, but white actors refused to return the district to local control. They ensured that safeguards were in place to guarantee that the state retained real power and authority when they did allow it.

The second manuscript explored and examined policies and discourse(s) that allowed for implementing and maintaining state takeover policies in Lawrence, Massachusetts. The study in Lawrence differed from the Little Rock case in that it specifically examined the third-way approach to takeovers, which is being reported as the successful new wave of takeover reform. Lawrence also varies from the Little Rock case in that the citizens of Lawrence are majority Afro-Latino thus adding another dimension to the intersection of race as I also investigated the role of race, racism, and rights within the state takeover policy.

Using a dialectical relational approach to critical discourse analysis, I similarly approached this case as the study in Little Rock. As with the case in Little Rock, the Lawrence Public School District is predominately minority, with eighty-six percent of the population being Latinx and fifty percent of that being Afro-Latino (Barber, 2020). In addition to the frameworks of antiblackness and whiteness, I added the framework of LatCrit to view better the experiences unique to the Latinx community in Lawrence.
The Massachusetts Board of Elementary and Secondary Education placed the entire LPSD under state administration in 2011. This was due to the newly labeled underperforming status of five of thirty-eight schools, concerns regarding the mismanagement of previous local officials, graduation rates, and state assessment data. Subsequently, the Education Commissioner, Mitchell Chester, designated Jeff Riley as the school district's receiver. As the newly appointed receiver, Riley opted to disband the locally elected school board and dismissed a percentage of the district's teachers and half of its officials. The receiver refused to recognize the teacher's union and initially denied the city the ability to elect a school committee. In 2017, the community was permitted to elect a school committee; however, similar to the case in Little Rock, the group lacks the authority to make decisions or even establish meeting dates. Instead of returning power to the local school committee when Riley stepped up as Education Commissioner in 2018, a state-appointed body was granted receivership and selected Cynthia Paris as superintendent. After more than a decade under receivership, the LPSD is still characterized as underperforming. The school council still lacks any real power, and community people are increasingly demanding a restoration of local governance. However, the government disregards these demands.

When selecting how to execute the state takeover of the Lawrence Public School District, Massachusetts had alternatives. The state might have collaborated with the locally elected school board to create a plan that included community input. Instead, the state revoked the board's jurisdiction, restricted the community's voice and access to public meetings, and appointed two white men as the sole authority of a racially oppressed and blatantly underrepresented group. Even when Jeff Riley resigned, the state refused to let go of control. The state-appointed Lawrence Alliance for Education was another slap in the face of the town of Lawrence, as it
allowed the state to define what was best for the children. Even though Lawrence can elect a local school committee, it is not permitted to make decisions, organize, or conduct meetings, and functions solely as a sounding board for community members. The neoliberal education reform experiment in Lawrence can be viewed as an act of whiteness. Like the case in Little Rock, the takeover came with charter school expansion, silencing the community voices, conflicts of interests with its political leaders, and making monetary gains from the city remaining in receivership. This study, along with the analysis of the LRSD, found that the social order needs the social wrong of state takeovers to continue its existence. Whiteness mutates as it seeks to maintain the status quo. In Lawrence's instance, the success of the third-way method may be considered an alternative version of the mutating abilities of whiteness. The receivership in the LPSD continues. The state lacks a clear exit strategy, rejects the concept of local authority, and disregards the screams of the Black and Brown population it serves. Black and brown achievement must be curtailed to retain white control in schools and local government.

Using a critical race care framework, the third manuscript's objective was to examine the intersections of race, racism, and care through the lens of Critical Race Care to highlight the lived realities of Latinx peoples currently under hostile seizure of the state in Lawrence, Massachusetts. Employing a phenomenological approach and thematic analysis, I discovered the following five prevalent themes as they related to the experiences of community members in Lawrence: a) Takeover Branded as Care, b) False Care, c) Lack of Care in Lawrence, d) Takeover is About Race, Power, and Class, not Care, and e) If You Care About Us, Let Us Go.

I found a conflicting intersection of care and race through the study in Lawrence. The participants' remarks provided evidence of the blatant racism within the takeover policy and how care was used to sell the process. The community of Lawrence had been under dysfunctional
leadership for decades. Still, it wasn't until the leadership became predominately Black and Brown that the state decided to care and intervene in school affairs. The state sold their care for Lawrence as the third-way of takeover, insisting that it was best for the students. However, the state failed to mention how they contributed to the failing status of the schools in Lawrence.

Participants shared that what was sold to them was not what they received. They claim the state presents a false narrative of success backed by Ivy League institutions and the state's manipulation of data. As the participants professed, the narrative on the ground is much different from the actual happenings in Lawrence and that the state is failing the community, teachers, and students. According to the participants, the takeover in Lawrence has created a culture of fear where they can't even advocate and care for each other. Unfortunately, this study did provide insight into the possibility of a neoliberal shift in the meaning of care in education. Interestingly, though, the participants shared the takeover did have the advantage of placing a sense of urgency to care within the community turning care into a form of activism.

Although ostensibly promoting equal access to educational opportunities and results, the state takeover of public schools and school districts is infused with antiblackness and whiteness. Predominantly Black and Brown neighborhoods are more susceptible to the unilateral reconstitution of their schools and school districts; one might even argue that these areas are targets for takeover. The findings in this study's work suggest the consequences of takeover disempower, disenfranchise, and dispossess Black and Brown communities, subjugating them further. Furthermore, these communities, like the ones in Little Rock and Lawrence, are dehumanized with no way of voicing concerns or developing a pathway out of receivership. Racism and whiteness most certainly play a role in state takeover policy and implementation. Consider what one political leader in Lawrence stated about the community: “We know they
can’t change themselves ‘cause they never do.’ Language such as this is racist and supports the actions of whiteness in education policy.

The increased presence of charter schools, philanthropic groups, and the concept that white political actors are the keepers of what is best for marginalized groups supports Cabrera’s (2018) notion of neoliberalism in education policy, embracing whiteness and using the marketization of education to maintain whiteness' existence. Interview participants shared how the school committee was a steppingstone for Black and Brown people in the community to enter the political stream. Through the dismantling of the locally elected school boards in both Little Rock and Lawrence, whiteness is able to prevail through education policy and practice while at the same time obliterating the community voice and diminishing Black and Brown people’s right to self-advancement, self-possession, and self-determination.

Through the participants’ responses, it was also evident that not only is there a lack of care in state takeover policy, but the meaning of care in education currently seems to have been appropriated by those in power. Much was learned from the participants' perceptions, specifically what care in education policy is not. Genuine care would not wholly dissolve democracy in an already underserved and underrepresented city. The participants shared that real care for the community of Lawrence would include an exit plan. Real care for Lawrence would include collaboration for silencing. Real care for Lawrence would involve the community, teachers, and students being treated as human rather than disposable. State takeovers of schools and school districts should be viewed as a hostile attack on marginalized communities, as they attempt to colonize and marketize education at the expense of the very people they claim to serve.
Implications

This research has significant implications for informing policy, practice, theory, and future research. If state takeovers do not produce the gains, they reportedly set out to do, why is this type of education reform repeatedly used, and why does it occur in predominately Black and Brown communities? This work plays a role in filling a void in research twofold by centering care as it relates to education policy within the context of power and race (Valenzuala, 1999) and addressing state takeover policy from the perspectives of those in communities impacted by the reform (Shueler & West, 2022). More work is also needed regarding the intersections of critical race care as a theory and the shifting nature of the meaning of care in education and society.

Lastly, it is pertinent to point out that within Professor Domingo Morel’s (2018) work, it is suggested that Black communities are disempowered and lose political traction due to state takeovers. Yet, according to Morel's work, Latinx communities gain political power through the process of takeover. While the first manuscript in this study supports those findings, the situation in Lawrence does not. Could this have to do with the multidimensionality of this community, specifically the Blackness within the community? Future research should consider this as it suggests that Morel’s work could be incomplete in terms of the intersectionality of race within the taken communities.
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