

The People Shall Rule

**ACORN, Community Organizing,
and the Struggle for Economic Justice**

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Community Resistance to School Privatization

The Case of New York City

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As public schools serving poor children of color continue to struggle on standardized assessments, many reformers propose that school choice and the privatization of public school management could be remedies. This approach marks a shift from efforts to improve schools from within the system. Choice advocates and reformers seeking to reduce the role of government in education tend to define the schooling desires of poor parents of color as universally favoring school choice. While urban parents increasingly favor school choice plans like vouchers or charter schools, the popular portrayal of their support tends to be simplistic. For example, descriptions of poor communities of color's support of choice often fail to put such support in social context and exclude consideration of the race and class dynamics that have historically denied equal opportunity to poor urban children. The flat portrayals of community support of school choice also tend to ignore past and contemporary organizing for better educational options by these communities, and the way they have used school choice strategically as part of broader educational and social movements (Anyon 2005; Fruchter 2007; Margonis and Parker 1995; Oakes and Rodgers 2006; Wilson 1987). Moreover, many poor parents of color have opposed such initiatives and organized to resist their implementation. Yet analyses of school choice politics have focused far more on choice advocacy than on choice opposition.

This chapter describes the opposition in 2001 to school choice and privatization, largely led by the New York City chapter of ACORN in collaboration with other groups. Next, we consider ACORN's model for organizing against the initiative and argue that it offers lessons for other grassroots groups seeking to resist the school choice efforts in many

urban school districts. Our goal is to provide a descriptive analysis of a movement that has been all but ignored since it achieved its short-term goal. This case study of ACORN's successful opposition to a privatization effort raises questions about the future structure and dynamics of urban education, and the extent to which community groups and parents will be involved in its development as private providers enter the public sphere. Ultimately, we conclude that more attention to these localized opposition movements is needed in order to better contextualize and understand community and parental preferences for school choice.

Our description of the ACORN-led opposition movement against educational privatization does not deny the existence of support for school choice measures in urban communities, where parents and their advocates have long struggled for quality public schools, only to be met with resistance from public officials, often with devastating results. School choice—as a diverse set of policy options—indeed enjoys substantial political support, and some local ACORN chapters have supported charter schools. But parents, community-based organizers, and educational advocates have also at times fiercely contested market-based school choice options. The private management of public schools, vouchers, and some charter school plans are examples of market-based choice plans that have drawn such opposition.

On the surface, market-based choice can conflict with the traditional, progressive orientations of community-based organizations like ACORN. For example, market-based school reforms tend to emphasize the values of choice, competition, and consumer accountability over other democratic values such as equity, access, and quality (Scott and Barber 2002; Stone 2002). But the relationship between market-based school reform and political progressives has always been complicated, and not necessarily in complete conflict. Many market aficionados do not totally reject democratic values; advocates of market-based educational reforms commonly argue that the policies they champion will result in greater educational opportunity (Chubb 1997; Chubb and Moe 1990; Viteritti 2000). And while choice supporters often assert that traditional civil rights leaders and teacher unions are out of touch with the preferences of low-income parents who, they claim, increasingly favor vouchers and other privatization measures (Fuller 2000; Moe 2001), new civil rights organizations have emerged whose policy agendas put the growth of school choice at the center of their advocacy work (Scott, Lubienski, and DeBray-Pelot 2008). Still, while important coalitions have formed between market-based reformers and some low-income communities of color (Apple 2001; Holt

2000), and there is evidence that growing constituencies of color support vouchers (Carl 1996; Wilgoren 2000), many community groups and parents have often opposed these very same reforms (Johnson, Pianna, and Burlingame 2000).

The coalitions formed to defeat the 2000 voucher ballot initiatives in Michigan and California, the resistance to Edison Schools in Philadelphia and San Francisco, the three failed charter school referenda in Washington state between 1996 and 2004, and the advocacy efforts against vouchers in Florida, Ohio, and Wisconsin (Witte 2000) represent key examples of this opposition. But current research literature and popular media coverage often ignore local communities' resistance to market-based choice initiatives. These omissions are exacerbated when resistance is organized and led by communities of color who are neither strongly connected to nor supported by local or national political elites. But if, as some market advocates argue, educational policy should respond to parent and community preferences, we need much closer analyses of the composition, ideologies, and strategies of these moments of resistance to the imposition of local school choice.

This chapter examines New York City's attempt to give the Edison Schools Corporation the management of five public schools that were low-performing and thus designated as Schools Under Registration Review (SURR), which resulted in their being monitored by the then Board of Education and the New York State Department of Education. We discuss the successful campaign to resist that takeover by a coalition of local parent groups, the school system's teachers' union (the United Federation of Teachers, or UFT), and ACORN.

Management Organizations and Urban Education

Educational Management Organizations (EMOs) emerged in the 1990s as private, for-profit companies that promised to weed out the inefficiency of large urban school district bureaucracies. So wasteful were school districts, EMO founders argued, that a private company could manage schools with better academic results, and they could do it by expending fewer resources and could even turn a profit. As school districts experienced decidedly mixed results with EMOs, and as several EMOs failed to become profitable, districts began terminating contracts or allowing them to end (Richards, Shore, and Sawicky 1996). With the arrival of charter school reform in 1992, EMOs could now contract with individual charter

school boards, and Edison Schools became the largest, most controversial, and best-known EMO, largely due to the development of charter schools (Miron and Nelson 2002). As the charter school movement matured, and as the for-profit management sector has consolidated, nonprofit charter school management organizations—CMOs—have taken their place. Though CMOs have tended to be less controversial, researchers have not reached consensus on their academic, fiscal, and social impacts¹ (Bulkley 2005; Honig 2004; Molnar and Garcia 2007; Molnar et al. 2007; National Charter School Research Project 2007; Peterson 2007; Scott and DiMartino 2008).

Much of the controversy surrounding MOs has centered on profits, academic effectiveness, community involvement, and the role of teachers unions. To date, the data on student achievement and MOs are inconclusive. For example, in the aggregate, they have not been able to produce significantly higher academic performance on standardized assessments, and in some contexts, the test scores of MO-run schools are worse than those of the local public schools (Miron and Nelson 2002). In many cases, EMO-run schools have proven to be more costly than traditional public schools (Schrag 2001). Where EMOs have been profitable or financially stable, much of the reduced cost is attributable to the lower salaries earned by teachers and support staff in these schools, which typically eschew teachers unions. And there has been significant instability in the MO sector, with for-profit EMOs especially merging or closing their doors altogether. In 2000–2001, in the midst of the controversial New York City campaign, the price of Edison Schools' stock plummeted, and executives began selling their shares. (Edison Schools is no longer publicly traded.) As the nation's largest EMO, Edison drew much attention, and while many of its contracts with districts and schools were successful, there were also multiple incidences of lackluster academic performance, mismanagement, and teacher dissatisfaction. Despite these issues, public officials—especially those in troubled urban systems—enamored with the notion that private management could be superior to public management, have pursued contracts with private management in multiple cities (Herszenhorn 2006).

Although EMOs had a mixed record of accomplishments in charter school management in 2001 (Ackerman 2001; Ascher et al. 2001; Miron and Applegate 2000), the leaders of New York City's then Board of Education (now Department of Education) proposed a major high-profile initiative to give EMOs the management of poorly performing public schools in August 2000. The (then) New York City Board of Education

initially issued a *Request for Proposals* for EMOs to convert up to fifty-one low-performing schools to charter status and then manage them. A series of internal negotiations eventually reduced to five the number of schools to be immediately transferred to private management: Public School 161 in Harlem, Public School 66 in the Bronx, Middle School 246, Intermediate School 111, and Middle School 320 in Brooklyn. These schools had been identified as failing under New York State's SURR program, and the New York State Education Department had been pressing the city school system to close and restructure them. As Bertha Lewis, a citywide ACORN leader and the anti-Edison campaign organizer, explained, there was some intention that "the next phase would be fifty and then they would go up to a hundred" (interview, 2001).

Fourteen education companies responded to the city's RFP, and from these bidders, the New York City Board of Education selected the Edison Schools Corporation as the sole provider. Edison's Marshall Mitchell explained that Edison responded to the city's RFP because "it was a huge opportunity for us right in our own backyard to demonstrate that we had an incredibly good product that could turn around the public schools and the community in a positive way" (interview, 2001).

New York's charter school law, which legislators enacted in 1998, somewhat constrained Edison Schools' growth aspirations. The original New York State charter law required the conversion of SURR schools to charter status before an EMO could assume their management since EMOS were not allowed to directly hold the charter. A school would have to first be converted to charter status and then contract with Edison as its manager. A key process for the purposes of ACORN's organizing was also in place. The law mandated a vote on the schools' conversion to charters by the parents of each targeted school and allowed those schools that achieved a 51 percent parent approval vote to officially become charters. In the five schools, parents of almost 5,000 children were eligible to vote, and the Board of Education scheduled the vote for the period of March 19 through 30, 2001.

The New York Board of Education chose Edison as the sole conversion and management agent during the winter of 2000. During the winter holiday break, parents were notified that, as Lewis recalls, "either your school will be shut down or you have the option to change to charter. But if you do change to charter, only the Edison Corporation will be the management company." ACORN and a range of other community groups responded with anger, resistance, and a determination to develop an oppositional campaign.

ACORN's Opposition to the New York City Board of Education's Privatization Proposal

After several months of conflict, controversy, and campaigning, the parents of students in the five schools overwhelmingly rejected the Edison management takeover.² The elections drew 2,286 parent voters, and 1,883, more than 82 percent, voted no. Some 2,700 parents who did not vote were counted as negative votes. In all, fewer than 10 percent of the eligible parents voted in favor of the conversion/management proposal. What follows is an analysis of the ideologies and strategies the participants in this conflict pursued and an examination of how the events played out in terms of the community-level politics of privatization. The analysis examines four key questions:

- How was the conversion/management process structured, and why did Edison agree to participate, given the difficulty of succeeding?
- What arguments did the opposing forces advance?
- What organizing strategies did the opposing forces deploy?
- What explains the overwhelming defeat of the conversion/management proposal?

The Conversion/Management Process

Some seven New York City public schools had previously been converted to charter status, following the procedures mandated in the charter law established by the New York state legislature in 1998. The law required an election in which all the school's parents were eligible to vote, and a 51 percent majority of the school's parent body, not simply a majority of those voting, was required to approve the conversion/takeover process. As Jude Hollins, then a staff person in the New York City Board of Education's Office of Charter Schools, explains, "it's not the majority of parents who vote [that's necessary for approval], it's literally the majority of the parents. If you have 1,000 kids enrolled in that school, you need 501 of the parents to say yes" (interview, 2001). Some charter advocates see this provision in the New York State Charter School legislation as overly burdensome and designed to stymie charter efforts, while other public school advocates see it as an important regulation to ensure community buy-in.

This process essentially defined all parents not voting as voting no and thus required a highly intensive mobilization, recruitment, and persuasion effort. In each of the seven schools that previously converted to

charter status, the school's leadership led the conversion process, organized the vote, and recruited a majority of yes votes from the school's parent body. Before the Edison conflict, there had never been opposition to any of the conversion efforts; Edison was the first contested conversion/management takeover. Still, many charter organizers prefer to create new schools rather than convert existing ones; organizers perceived of as outsiders have a tougher time than local school leaders convincing local stakeholders to accept their leadership.

Many activists argued that Mayor Giuliani had the privatization plan in progress well before school leaders embraced it. For example, ACORN's Lewis claimed, "the Giuliani administration and other politically connected folks in the city had been plotting to have Edison come in for over a year and a half" (interview, 2005). Rudolph Giuliani, New York City's mayor during this conflict, was a persistent privatization advocate and had forced out Dr. Rudy Crew, the school system's previous chancellor, because of a fierce disagreement about the legitimacy and effectiveness of vouchers. Giuliani was such a staunch advocate of vouchers that in December 2000 his office sponsored a major conference, at which he officiated, on the importance of vouchers for school reform. Many elite advocates and researchers from New York City and from out of state attended the conference. Subsequently, Giuliani pressured Crew's successor, Harold Levy, to institute a major privatization initiative. Levy, a corporate lawyer committed to the need for increased funding for the city's schools, was not enthusiastic about market-based reforms. Among the many hindsight explanations for the Edison defeat were suggestions that Levy had set up the process to fail.

According to former deputy chancellor for instruction Judith Rizzo, Levy's support for the plan was a political compromise, since he was accountable to both the mayor and the citywide Board of Education: "That's very different from being a lackey or a puppet whose strings are being pulled. The fact is, does the Mayor like the notion of privatization? He does; he's been unequivocal about that. On the other hand, there are members on our board who feel differently about it, [and] Harold works for our board. They sign his paycheck. What Harold did was he sort of weighed both . . . and said, 'Let's give it a shot'" (quoted in Franck 2001).

Why did Edison accept a process and a set of conditions almost impossible to fulfill? Asked whether a direct contract from the Board of Education would have been more desirable than the charter conversion

process, Edison's Marshall Mitchell replied, "Absolutely. There are a lot of people who feel this was set up to fail." Mitchell argued that the process itself was problematic: "The RFP went out in August and then there was deafening silence until December, just before Christmas, [when] the Board of Education announced that Edison had been named the conversion agent and that we would go out and inform the community, teachers, principals about what all this meant. . . . You had parents and community who had historically been locked out of school decisions now being asked to make fundamental decisions about the lives of their children and the future of the schools" (interview, 2001).

Given Edison's analytic capacity and forecasting acumen, it is difficult to imagine that Edison did not understand the difficulty of producing a majority vote of approval from the targeted schools' parent voters. Clearly, the corporation understood that losing at the polls would significantly damage their standing, as well as delegitimize privatization advocates' claims that poor communities of color overwhelmingly supported charters, vouchers, and other market-based schooling initiatives. (Indeed, Edison's stock fell 19 percent after the election outcomes were announced.) It is possible that Edison expected a level of participation and involvement from the Board of Education that would have increased the legitimacy of their effort. As Mitchell explained: "[Perhaps] if we had demanded that the process be done differently, that the Board of Education would have to be our partner every step of the way, to explain the conversion process and the options that were available, [the outcomes might have differed]. This never happened, and it set the table for the political scavengers" (interview, 2001).

Perhaps exaggerated assumptions about the spillover results of failing schools, including an antagonism toward public schools by poor people of color, led Edison to decide it could organize a majority of parents not only to participate in the election but also to vote yes to the conversion/takeover. Chris Whittle, Edison's founder, indicated in a *New York Times* op-ed piece that "we were so excited about the opportunity to transform low-performing schools right in our own backyard that we agreed to the plan" (2001). (The reference to Edison's backyard refers to the proposal, eventually abandoned, to build the company's national headquarters facility in Harlem.) Perhaps the Edison strategists believed other privatization advocates' arguments that parents of children in failing schools were desperate for market-based alternatives. Whatever the ultimate reasons, Edison took on a daunting and ultimately impossible task in initiating a

campaign to garner a majority vote of approval from parents in the five schools.

The Opposing Arguments

Edison made a series of arguments about its capacity to improve the targeted schools that had, according to the city and the state's data, been failing students for many years. Gaynor McCown, an Edison official at the time, said, "We bring a very rigorous and good design, [which is] research-based [to those failing schools]. We bring structure and accountability, which many schools do not have" (interview, 2001). Edison argued that they had developed considerable expertise in improving poorly performing schools across the country. Moreover, Edison hoped that its "ability to invest huge sums of money" in school management and improvement, as Marshall Mitchell indicated, as well as its commitment to provide cutting-edge technology infrastructure, would convince parents that these significant new resources would dramatically improve student achievement.

Other city officials weighed the proposal and came out publicly against it. Many African American elected officials, including Manhattan borough president Virginia Fields argued that "the Board of Education is abdicating its responsibility to our public school children. We must invest in our public schools. And the Board of Education must direct resources to the classroom—to the programs that work" (Fields 2001). U.S. representative Charles Rangel, city council members William Perkins and Guillermo Linares, other citywide African American leaders such as Al Sharpton and David Dinkins, and many community school board members opposed the conversion to charters and Edison's management takeover. At an anti-Edison rally at P.S. 161 in Harlem, Linares demanded: "Why do they always come to our communities to rape us, privatize our schools, and take away our dignity and our future?" Crown Heights school board member Agnes Green explained, "We didn't like the idea of taking an institution that is there to serve the public and changing it into a for-profit company. If they don't make money, they can just cut bait and leave the fishing pond—and that's too large a gamble" (quoted in Kaplan 2001).

ACORN articulated many of the themes that the citywide campaign to stop the conversion/takeover ultimately employed. ACORN's opposition to Mayor Giuliani was longstanding and intense, and its organizers had previously collaborated with the UFT and other municipal unions to defeat a mayoral initiative to amend the city charter to increase the mayor's fiscal powers. For ACORN, the conversion/takeover represented, as

Lewis said, "just another arrow in his quiver of privatization." So Giuliani became one of ACORN's primary targets in the campaign against Edison.

Giuliani had been one of the main drivers of the initiative to raise the tuition of the City University of New York (CUNY), to remove remedial courses from CUNY's senior colleges, and to limit such remediation to only one year in CUNY's community colleges. Mayor Giuliani and Republican governor George Pataki appointed the special commission that made these recommendations, and Benno Schmidt, the president of the Edison Schools Corporation, chaired it. Therefore, throughout New York City's communities of color, Edison and Giuliani were considered indelibly linked as opponents of equal educational access.

ACORN had been organizing for several years to improve the poorly performing schools in most of the neighborhoods served by the schools targeted for conversion and takeover. As Amy Cohen, a lead ACORN organizer in the Bronx, remembers, "ACORN had been working to concentrate resources in the South Bronx to focus on certain schools that were low performing and attract teachers with more experience to these schools, and create a space for conversations between parents and teachers, . . . so parents had a lot of ideas themselves about how you could make a school better that weren't necessarily the same way that Edison thought that you could make a school better" (interview, 2005).

These issues of community-based school improvement experience and the legitimization of parental voice surfaced throughout the opposition's campaign. As Megan Hester, an ACORN organizer in Brooklyn, recalls, "Parents definitely were indignant about the possibility of somebody not wanting them to be involved or being able to shut them out. . . . It was important to them that there was a way for them to be involved and that they were valued and the parent voices are important" (interview, 2006). Hester went on to explain that parents were offended that a corporation could come in and run things the way it saw fit without any local involvement or connection to the community.

In addition to the concerns about community voice, ACORN also conducted research across the country into the Edison track record in several school districts. ACORN not only documented the limited and sometimes discouraging outcomes of Edison's efforts but actually recruited school board members and parents from some of those districts to come to New York City and participate in the anti-Edison rallies. An ACORN leader remembers: "The Edison Corporation's track record was not any better than anyone else's. . . . We had had folks come in from San

Francisco and other districts that Edison had come into that showed, in fact, that when Edison came in that things deteriorated and went backwards. So we were saying, you know, 'Parents and kids, yes. Edison no. Don't privatize our schools'" (interview, 2005).

The arguments against privatizing the schools—which in this context meant putting a for-profit company in charge of the schools and providing the opportunity for profiting from their management—were primary and pervasive. ACORN constantly raised the issue of taxpayer dollars going to a for-profit organization. As Amy Cohen recalls, "Ultimately privatization was a huge factor in their [parents] decision for not wanting that school to go to Edison, because they felt like, 'Public schools are for everybody, and we don't want a company making money off of our students, off of our children. So we're not up for signing up for something that's gonna potentially make money for a company'" (interview, 2005).

ACORN linked private management of schools to privately operated prisons and defined both situations as fundamental exploitation of disadvantaged students, parents, and neighborhoods. As Bertha Lewis argued in a *Christian Science Monitor* interview, "There's a feeling in the black and brown community that they're profiting in the prison sector. Now they're saying, let's go straight to the schools and make money" (quoted in Coeyman 2001). ACORN also argued that because the five failing schools had been removed from their community school districts and placed in a citywide virtual improvement zone called the Chancellor's District, the schools should be accorded the additional resources and the time necessary to improve.

The Organizing Strategies

The initial issue that galvanized community opposition was the New York City Board of Education's proposal to grant Edison a \$99,900 fee (a \$100,000 fee would have required public hearings to approve) for each school that voted to approve the conversion and takeover, or a total potential fee of \$500,000 to support Edison's public relations and get-out-the-vote efforts. The fee was designated to cover the costs of establishing and maintaining Edison offices in the targeted schools, as well as for parent outreach materials, translation, and hiring the American Arbitration Association to conduct the vote (New York Teacher 2001). Although the fee was payable only after parents approved the conversion to charters, community groups perceived the offer as another instance of Edison capitalizing on its political connections to the Giuliani administration.

ACORN organized a lawsuit against the Board of Education, challenging the fee and objecting to the Board of Education providing Edison the names, telephone numbers, and addresses of parents in the targeted schools while not providing opponents of the conversion and takeover the same information. In the settlement of the suit, ACORN won the right to have three mailings to parents paid for by the Board of Education and the postponement of the election from February to March. Additionally, ACORN forced the Board of Education to add "Inc." to the Edison Schools listing on the ballot.

Once the Board of Education announced the election period, intense campaigning engulfed all five schools. The borough presidents, other elected officials, local community groups, and ACORN organized large protest meetings at each school. A citywide coalition including the NAACP, District Council 37 Municipal Workers Union, Local 1199 Hospital Workers Union, the UFT, and ACORN quickly formed to coordinate strategy and resources across the three boroughs and to organize citywide rallies. ACORN redeployed its organizing staffs to concentrate on the Bronx school and the three Brooklyn schools because they had already been actively organizing on education issues in those neighborhoods. They also developed alliances with strong neighborhood and Parents Association leaders at the Harlem school. A local community group, Community Advocates for Educational Excellence, which had long been organizing for the improvement of Harlem's schools and had previously worked with ACORN, also helped to mobilize the campaign at P.S. 161.

Organizers were usually denied entry into the five schools; they nevertheless quickly developed neighborhood contact lists from the Parent Association officers, school activists, and other parents they had built relationships with through their previous organizing. As Cohen remembers: "Mostly organizers worked with parents who were in and out of the school all the time, who were parent volunteers at the school and who were always picking up their kids" (interview, 2005). Hester, an organizer in Brooklyn, says, "We got the list from the Parents Association of all the parents in the school, and . . . divided it up by neighborhood" (interview, 2006). What followed was extensive door knocking, night after night, until almost all the eligible parent voters in each school were identified, contacted, interviewed, and often reinterviewed. Cohen explained,

ACORN really followed a strategy of organizers and parents talking to other parents and building a network of parents. . . . They used a lot of

traditional organizing techniques, of house meetings, of building lists. . . . And they made these signs; a lot of people posted these signs on their houses and the neighborhood was plastered! Like, the businesses around the schools were all full of signs, because the parents would go and say, "Hey, I shop here all the time. Can we put these signs up? We don't want Edison coming into the neighborhood." And the businesses said, "Yeah. Absolutely!" . . . The signs just said, "No on Edison." They had a big red circle with the line through it.

ACORN and its allies held a series of neighborhood and citywide rallies throughout the three months of the campaign, organized by the coalition of unions, advocacy organizations, and elected leaders who had initially coalesced the citywide opposition. Because some of these rallies were quite large and all were very spirited, their media coverage helped to counter the considerable tilt of the citywide print and electronic media toward the Edison management bid. Although the editorial board of the *New York Times* sounded a note of cautious opposition, important segments of the city's political and corporate elites favored the charter conversion and the Edison takeover, arguing that parents whose children had been forced to attend the five failing schools deserved the same choice as more affluent parents.

Edison's strategy also targeted the eligible voter-parents, and Edison's efforts had the advantage of being school based, since the corporation established offices in each of the five targeted schools. Cohen remembers seeing teams of Edison representatives in each school, supplied with brochures and other promotional materials, including a video about the corporation's school improvement efforts. But these representatives seemed, to Cohen, somewhat inexperienced about how to present the advantages of Edison management to parents and community members:

I remember them as being sort of like young, almost like sales-type people . . . not folks who the parents related to as, this is somebody from my community, who might get what my experience of this is, and understands what it's like to want to have a better school but [also] wants to have a process to improve this school that I'm involved in. . . . They would have these groups of twenty-somethings who were out spreading the word about Edison and, you know, passing out their glossy literature and all this stuff. But they weren't having conversations with people in the neighborhood in the way that the parents were having conversations with each other. (interview, 2005)

In Bertha Lewis's perception, the Edison representatives were "salesmen. They were selling the services of their corporation. . . . They didn't listen to the parents. . . . They tried to tap into the parents' fears by [saying], like, 'Well, if you don't vote for charter, you're done. You know, you have nothing.'" Lewis remembers that Edison did hire a few parent leaders, including a former chair of the citywide United Parents Association (UPA). But in her view, the UPA was clear that the former chair was not speaking for the organization:

The UPA didn't really go, you know, on board to sign off on this. The parents' councils, and the Presidents Council, which are the presidents of Parents' Associations all over the city said, "You know, we don't adhere to this. We want a free, open, and fair election." . . . Also what was [subsequently] discovered was with these individual people in these schools that were targeted, these were folks who had been promised that if the school went charter, that they would be the new board of directors for the school. So they had a definite conflict of interest. (interview, 2005)

Edison did attempt to send its representatives out into the neighborhoods. Hester remembers meeting parents who had already been solicited by Edison staffers. But she felt that the Edison people were far less experienced and therefore far less effective in trying to influence parents to vote for Edison: "The people on our side, first of all, were probably more experienced with talking to parents than the Edison people. . . . There was more of a rapport, you know, we were people who had done lots of door knocking, our Spanish was good, we were connected, you know, we knew stuff about the neighborhood, about the schools" (interview, 2006).

But beyond the advantages of organizing skills, previous experience, and the neighborhood connections that past organizing had developed, ACORN and the other community groups involved in the campaign defined and presented the issues in ways that resonated with local parents. Lewis argued that the ACORN message was clear and consistent:

Don't privatize our schools. Vote no. You know, if you vote no, then you could determine what the schools' futures were. That paying a company all of this money could have best been spent on putting those funds into those schools. The Edison Corporation's track record was not any better than anyone else's. . . . With the help of the citywide coalition, and with the help of some of the labor unions, and standing outside and really

organizing the old-fashioned way, we were able to get to the parents. (interview, 2005)

From Cohen and Hester's perspectives as organizers, the campaign's key issues were very persuasive to prospective parent voters. Although Hester remembers meeting parents who were determined to vote for Edison, in her view they were a small minority of the parents she encountered: "There were definitely people who felt like businesses are well run, you know, you can trust corporations, that your government is corrupt, more inefficient [than business]. . . . But there were many more people who were kind of riled about this. 'They're taking advantage of us.' It was kind of like, 'Why are they doing this to our school? Why only the underperforming schools?' Like, 'They're trying to sell us out!'" (interview, 2006.) Cohen stresses Edison's unresponsiveness to the issues that were critical to parents:

The parents felt really alienated by this company. Even though they [Edison] were there [in the school] and they had these very glossy materials and they had this video, . . . [the parents] didn't feel like anybody was talking to them like real, thinking people and like the parents who matter so much to making a school a good school. And so I think that they felt frustrated and also that they felt like those [Edison] reforms were likely to be like other failed reforms they had experienced. They weren't ready to sign on for just whatever was coming next. They wanted to be involved in making the decision about that. . . . I think ultimately privatization was a huge factor in their decision for not wanting that school to go to Edison because they felt like public schools are for everybody and we don't want a company making money off of our students, off of our children. (interview, 2005)

In retrospect, Cohen and Hester felt that the campaign was far easier and far more overwhelmingly successful than they had expected. Cohen remembers that Edison sent sound trucks throughout her Bronx neighborhood in the final days of the campaign but didn't do any intensive get-out-the-vote effort: "I just couldn't believe that Edison wasn't going to get how to move people to the polls. . . . If we knew how to do it and they had all the resources that they had—how could they not know that?" Hester remembers the campaign as "a really empowering organizing experience." In her view, "it was easier than any door knocking I've ever done before . . . I probably thought it was a lot more difficult

when we began, like this was a huge thing to take on because Edison is this, you know, huge nationwide corporation" (interview, 2006). And as Lewis defined ACORN's feelings at the campaign's conclusion: "We're so happy and so proud about it because against a lot of money and a lot of organization, we prevailed, just from door-to-door, old-fashioned grassroots organizing, networking and parents getting galvanized" (interview, 2005).

Organizing Success

Thus far, we have discussed that the structure of the vote made it difficult for Edison to be successful in converting the schools to charter school status. Yet, without the ACORN campaign and other community organizing and the publicity it brought, it is entirely likely that the company would have prevailed, given the resources the Board of Education promised Edison. Why, then, was "old-fashioned organizing" able to trump the resources and sophistication of what seems to have been a well-funded public relations effort? First, the election was so specifically targeted, and the electorate was so small in number, that ACORN's limited resources could be effectively mobilized to identify and reach all the potential parent voters in the five schools. A more general election involving a much larger number of voters might have dissipated ACORN's resources and privileged the less intensive but more wide-reaching efforts that Edison mounted. In addition, ACORN's organizing strategy is to be aggressive and confrontational and to agitate community members—an approach that virtually guarantees the attention of New York media. ACORN's organizing was quite effective at engaging parents in an issue that they might not have paid attention to otherwise.

Second, Edison seems not to have realized that public relations efforts alone were insufficient to convince and mobilize the majority of parent voters required for a 51 percent approval vote. Edison hired relatively few experienced parent, neighborhood, and community workers, and their staffs tended to stay within the school buildings, where they met relatively few numbers of parent voters. Edison also seems to have relied far too heavily on mailings, sound trucks, and other traditional electoral mechanisms for reaching potential voters. ACORN, in contrast, understood from the campaign's inception that this was not a traditional election and that intensive organizing efforts were required. Gaynor McCown, an Edison official, concurred that the company faltered in its organizing, saying, "We didn't get our message out, and this made a big difference" (interview, 2001).

But intensive organizing efforts alone are sometimes not sufficient to implement a successful campaign. "Parents getting galvanized," in Lewis's phrase, ultimately depends on connecting the issues at the campaign's core to parents' deepest convictions about how their children's education should be conducted. At the critical levels of issue and message, ACORN and its allies succeeded in defining Edison as an unreliable (in terms of past performance), for-profit company that sought to make money off the neighborhood's children. Indeed, at the time of the campaign, Edison was a publicly traded company whose stock prices had plummeted, and investors were suing the company for a range of fiscal issues. ACORN's research revealed that Edison had trouble fulfilling the terms of its contracts in other districts.

ACORN's campaign tapped into parents' fears about privatization and about being taken advantage of by a suspect schooling experiment in for-profit management. Given city governments' decades of disregard for neighborhood needs, along with the universal perception within neighborhoods of color that Giuliani's regime was imperious and racist, it is not surprising that angry parents saw the mayor's attempt to convey the failing schools to Edison as yet another way to rip off poor neighborhoods for private profit. Alternatively, community members could have felt that the schools they had were worth preserving, but more research is needed to capture the range of preferences.

Edison never found a way to counter the arguments that connected with these deep currents of feeling among neighborhood parents. Once Edison's claims of effectiveness based on superior resources and expertise were challenged by the ACORN research into Edison's outcomes at its other sites, Edison's messages became diffuse and less convincing. In the end, it was not "the political scavengers" Marshall Mitchell held responsible for Edison's defeat. Rather, Edison's failure to connect with the core issues of neighborhood parents, who proved far more suspicious of privatization than conservative ideologues had portrayed, turned the election into a debacle for Edison.

There are other plausible interpretations for what happened in the successful campaign against Edison in New York City that also involve the complicated interaction of power, race, and educational opportunity. Some parents, for example, clearly valued the targeted schools despite their students' dismal performance on standardized tests (Coeyman 2001). This phenomenon of local support for failing schools threatened with closure or change has manifested itself across the country during the recent reform waves of school closings and restructurings. Other par-

ents and community members feared the loss of community jobs should a private company take over the public schools, since many neighborhood residents were employed in a variety of educational roles—as teachers, aides, and custodians (Franck 2001).

Additionally, key political leaders such as Manhattan borough president C. Virginia Fields argued that the programs promised by Edison could be implemented under the purview of public management with public oversight. She also accused the city and the state of disadvantaging the struggling schools through years of neglect and then offering them up to the private sector, which was not necessary.

Implications for Community Organizing and School Choice Politics

The current educational policy context is one of increasing school segregation by race and social class, where few legal remedies remain available to those seeking equity of educational access and outcomes through a redistribution of resources (Scott 2005). In this environment, the arguments for more market-based school choice as a necessary response to parental demands for educational opportunity require detailed examination. We conclude that local opposition movements to market-based choice initiatives have been ignored or dismissed by advocates determined to advance educational privatization (Whittle 2005). Yet these opposition movements offer lessons for grassroots political organizing while also revealing the power disparities between elites who advance a privatization agenda and local communities—almost always poor communities of color—that are the targets of privatization initiatives. At the same time, these opposition movements suggest that public officials interested in keeping educational privatization at bay would do well to attend to the long-standing concerns held by community organizers regarding the quality of education for poor children of color. The New York City anti-Edison campaign provides a window into the complex intersection of parental preferences, privatization advocacy, and persistent educational inequality for poor and minority communities. Parenti (1978) expands this point:

To give no attention to how interests are prefigured by power, how social choice is predetermined by the politico-economic forces controlling society's resources and institutions is to begin in the middle of the story—or toward the end. When we treat interests as *given* and then fo-

cus only on the decision process, our treatment is limited to issues and choices that themselves are products of the broader conditions of power. A study of these broader conditions is ruled out at the start if we treat each "interest" as self-generated rather than shaped in a context of social relationships, and if we treat each policy conflict as a "new issue" stirring in the body politic. (12)

We argue that it is critical not simply to examine the conditions that led to the vote in the short term but also to consider the long-standing social, political, and economic inequality faced by the schooling communities. These conditions shaped ACORN's involvement in the resistance movement and help to explain the suspicion many parents had toward the Giuliani-endorsed measure.

Privatization advocates across the country have defined the resistance to market-based intervention such as the attempted Edison takeover in New York City as not truly representative of community values and preferences (Moe 2001). Examining the tendency to explain away local resistance when it fails to support conservative ideologies about how communities of color respond to privatization initiatives, one researcher (Jacobs 1993) concludes, "When minority leaders do not fall in line with majority group strategies, the former are discredited as not being truly representative of their constituencies. Majority leaders and caretakers then threaten to work around these 'false' leaders, that is, to work with the 'true' community" (189).

In similar fashion, some privatization advocates in New York City, such as the *New York Post* editorial board, argued that the New York City Schools chancellor should have bypassed the conversion and takeover vote altogether and simply contracted directly with private companies to manage the failing schools, effectively excluding the resistance coalition of ACORN, the UFT, and the parents within the schools. Such arguments exemplify the efforts of market-based advocates to maintain the power to implement privatization within elite circles of government. Given the increasing concentration of economic power at the highest levels of American society, this argument for the necessity for elite decision making to impose market-based initiatives in low-income communities of color is likely to intensify.

Thus the Edison initiative may prove to be only an initial foray in New York City's politics of educational choice. City government elites—led by Mayor Giuliani—wanted vouchers and were persuaded to begin their efforts by introducing private management of failing public schools.

Edison was granted the exclusive contract to manage those schools and was provided with Board of Education resources to convince parents to choose the company's management. The severe educational failures of the five schools (and of the next fifty that might have been nominated had the vote for Edison succeeded) created an opportunity to put educational privatization on the policy agenda. Yet, given the political ideology of Mayor Giuliani and his associates, the demonstrated failure of poorly performing schools may have been only a pretext for this first effort to introduce privatization schemes into the city's schools. In future efforts, arguments about civil rights and educational opportunity may become convenient placeholders for other political agendas, and the systemic change benefits of potential reforms such as the fiscal adequacy lawsuit brought by the Campaign for Fiscal Equity (which successfully argued that New York State had shortchanged New York City schools for decades) may well be permanently marginalized.

To complicate this potential for elite imposition of privatization initiatives, researchers and policymakers must move beyond the claims of market advocates and examine the perspectives of community constituencies who struggle with the reality of inequitable education. The need to complicate the debate is not to deny the existence of support for market-based choice within poor communities of color, for this support is real and growing as urban public schools struggle to meet accountability standards under the federal No Child Left Behind Act. Given ACORN's experience organizing against educational privatization in New York City, we question the power dynamics that emphasize this support and define it as more legitimate than the resistance efforts of those same communities, or to simply add opposition as a footnote rather than a central aspect of the politics of urban school reform. Opposition and alternative education strategies are central in the history of educational reform in the United States (Katznelson and Weir 1985). Policy makers committed to meeting the schooling needs of low-income parents of color should carefully examine the claims of privatization advocates and attend to the evidence about the diversity of opinion of urban constituencies confronting privatization initiatives, such as those manifested by the anti-Edison campaign in New York City and other locales.

For community-based advocates, this case shows that organizing can indeed produce desired outcomes. In New York City, ACORN's alliances with key city council leaders, the teachers' union, and other public sector unions, as well as with higher education and civil rights activists, certainly helped the opposition campaign. Also key in the ACORN campaign was

a willingness and ability to engage multiple organizing mechanisms that included door-to-door neighborhood canvassing, using legal remedies to gain access to the schools, and successfully engaging the media. Of course, having a privatization proposal that mandated a democratic process helped ACORN and other advocates to have a meaningful voice in the issue, distinguishing the New York City case from other recent state-led efforts in Philadelphia, New Orleans, and Baltimore, where MOs operate a significant proportion of the schools. Without the requirement of a high-stakes vote, the outcome in New York, as well as the organizing strategies, would likely have been quite different. Thus, the New York City case of ACORN's successful campaign against Edison suggests that likeminded organizers should push for the affected community's ability to vote on and organize around privatization proposals in the future. Community-based organizations such as ACORN have been engaged in reforming urban public schools long before elites propose privatized solutions to school failure. Through the engagement process, they are often well positioned to articulate the issues facing their communities, including school finance, facilities, quality teaching and leadership, and quality curriculum.

Epilogue

A question remains: to what extent was the defeat of the privatization proposal in 2001 a good outcome for the targeted schools? Answering this question is complicated and depends upon individual values. Those who favor public management or community voice would tend to regard it as good, while those who favor private management or performance on standardized tests would likely regard the outcome as dysfunctional for the schools. Still, regardless of such complexity, there can be no doubt that the targeted schools continue to struggle academically even as the entire school system has been restructured.

Since the controversy over Edison and the defeat of their privatization initiative, the New York City school system has gone through tremendous structural change. As of 2002, Mayor Bloomberg now directly controls the schools, and Schools Chancellor Joel Klein serves as one of the mayor's commissioners. Locally elected community school boards, the last vestiges of the community control movements of the 1960s and 1970s, have been disbanded, as has the citywide Board of Education. Yet, despite these organizational changes, control of educational policy

and decision making has remained constant. The city's elite continues to dominate the citywide educational agenda—the Board of Education is now the Department of Education, overseen by Mayor Bloomberg who appointed Schools Chancellor Joel Klein to his post. Similarly, the Panel for Education Policy advises the mayor and chancellor on issues of school policy, yet the mayor appoints its members. Meanwhile, parents and communities of color continue to struggle for inclusion in the development and implementation of educational policy, as they have done for hundreds of years in New York City (Stafford 2004).

While ACORN and its coalition members successfully fended off the Edison privatization initiative, the schools offered for privatization have hardly flourished as a result. One school was closed by the state due to its low test scores. Another was reconstituted. The other three schools, comprised almost exclusively of low-income Latino or African American students, continue to underperform by ten to twenty percentage points on city and state language arts and math assessments, when compared to all New York City schools. Given the high rates of student poverty in the schools, all are Title I schools, making their students eligible for the school choice options under the federal No Child Left Behind Act, which provides public school choice for students in schools that fail to make annual yearly progress.

Against the backdrop of persistent school underachievement, school choice and privatization measures have morphed and expanded since the earlier effort to turn over SURR schools to Edison Schools Inc. In New York City, with the support of the Bill and Melinda Gates Foundation and other donors, Chancellor Klein has encouraged the growth of small high schools of choice and the expansion of charter schools. New York City parents and community organizers continue their efforts to have their educational concerns heard by public officials. Recent organizing has focused on the reorganization of the city schools, which many parents find confusing. At a recent forum, parents protested outside a community college building where Chancellor Klein was speaking. In these current efforts, parents and community organizers are often employing techniques similar to ACORN's (Hancock 2007).

Grassroots groups such as ACORN that are committed to preserving the public management of urban education face an uphill battle as they work with teachers and parents to improve struggling schools. Under the current federal education policy, No Child Left Behind, states and local education authorities must offer public school choice to students in struggling schools. Local school districts must also provide supplemen-

tal educational services (SES) to students in low-achieving schools; this is most often done through private tutoring companies. Title I funds finance the school choice and SES provisions. On a national scale, voucher advocates hope to implement public financing of private school tuition in every state (DeBarry-Pelot, Lubienski, and Scott 2007). As it stands, there is an inherent but not necessarily irreconcilable tension between community organizers who want more input and public oversight over schools, and reformers committed to private models of educational governance. ACORN's history of expanding democratic participation and access has the potential to ensure that the educational reform agenda of privatization and choice does not neglect the participation of those mostly likely to be affected by these initiatives.

NOTES

1. The research literature's catchall term for EMOs and CMOs is management organizations (MOs). This chapter will use EMOs when discussing for-profits, CMOs when discussing nonprofits, and MOs when referring to the management sector as a whole.
2. This case study employs primary and secondary document analysis, interviews conducted by the authors, and interviews generously shared by Barry Franklin at Utah State University.

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