# From Forgotten to Fought Over: Neoliberal Restructuring, Public Schools, and Urban Spaceby Ujju Aggarwal and Edwin Mayorga

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### Introduction

Brandeis High School was located on 84th Street in an area of Manhattan known as the Upper West Side. However, 84th Street was not always the Upper West Side. Historically, 84th Street and the area surrounding it were primarily comprised of low-income African American, Haitian, Latino, and White residents. Like so many other neighborhoods of New York City, as a result of multiple waves of gentrification, the area is now comprised of a percentage of affluent residents, the majority of whom are White. Amidst these neighborhood shifts, however, Brandeis continued to serve low-income students and students of color until 2009, when the New York City Department of Education (NYCDOE) decided that it was a failing school and slated it to be *phased out*, or closed.<sup>[1]</sup>

Brandeis was one of several large, comprehensive high schools in New York City. It was also the case study for Michelle Fine's seminal *Framing Dropouts*.<sup>[2]</sup> To a large extent, the conditions that Fine documented over twenty years ago have not considerably changed over time: Brandeis continued both to be under-resourced and to serve a student body that was predominantly low-income and Black and Latino.<sup>[3]</sup> The school also served a large number of English language learners as well as students with special needs. Brandeis was among over 100 schools that were closed during Michael Bloomberg's tenure as Mayor.<sup>[4]</sup> In many ways, Brandeis is representative of a *forgotten* or *abandoned* place, which Ruth Wilson Gilmore describes as "planned concentrations or sinks—of hazardous materials and destructive practices that are in turn sources of group-differentiated vulnerabilities to premature death ..."<sup>[5]</sup>

During the phase out of Brandeis, as the students slowly disappeared, the question arose as to what should be built in the space. And it was during this time that Brandeis—or more precisely, the building that once housed Brandeis—transformed from being a place that was once forgotten and never sought after, to one that became fought over.

Several scholars have drawn upon David Harvey's articulation of *accumulation by dispossession* to highlight the relationships between restructuring in education, the increasingly explicit role of market forces that permeate state-driven education reforms, and the gentrification of urban neighborhoods. <sup>[6]</sup> Building upon the work of these scholars, we use historical and ethnographic methods to examine what the case of Brandeis might tell us about how the continued production of what Gilmore terms "group differentiated vulnerability to premature death" <sup>[7]</sup> occurs in tandem through urban renewal and education reform. <sup>[8]</sup>

In the sections that follow, we trace state-driven education reforms and urban renewal programs that moved through Brandeis and through the Upper West Side over the course of several decades. We begin with an examination of how the education reforms that claimed to fix Brandeis only allowed for a continued dispossession. While these reforms ensured that the world inside Brandeis remained consistent over time, the world outside the building was changing rapidly. We chart how urban renewal programs for the Upper West Side facilitated a gradually increasing disjuncture between the school and its surrounding community. Finally, we interrogate the cultural logic that undergirded the negotiation of this disjuncture during what we term the *postmortem* period of Brandeis *phase out*.<sup>[9]</sup>

# A History of Reform

In this section we use Brandeis to examine the contradictory dimensions of decades of state-driven education reforms. By tracing these reforms as they were implemented at Brandeis, we hope to demonstrate that the current crisis in education is neither a new nor an accidental phenomenon. Rather, the very same reforms that claimed to fix so-called failing schools like Brandeis only ensured a slow and steady, yet aggressive dispossession.

The official discourse of education reform over the past four decades might best be described as variations on a theme, and can be traced back to the 1983 report *A Nation at Risk: The Imperative for Education Reform*, issued by the Reagan Administration's National Commission on Educational Excellence.<sup>[10]</sup> The report arrived on the heels of the 1970s fiscal crisis. By 1982, the year preceding the report's publication, unemployment had reached 10.8 percent nationally, and in 1980, inflation had hit 13.5 percent as a yearly average, the highest it had been since 1947.<sup>[11]</sup> As noted by Michael W. Apple, during this time education became a key dumping ground through which these realities were explained and rationalized.<sup>[12]</sup> Indeed, a major claim made by the report stated that the "rising tide of mediocrity that threatens our very future as a Nation and a people" was due to a failing education system that could be fixed through reforms that focused on four key areas, central among which was the development of uniform and measurable standards.<sup>[13]</sup>

Standards were presented as an appeal to excellence and to the promise of meritocracy offered by the dominant narrative of public education as the "great equalizer."[14] One of the primary ways standards were to be measured was through the implementation of *high-stakes* tests, an instrument for student evaluation that are termed as such due to their role in determining specific consequences for students, including promotion in grade levels.<sup>[15]</sup> Coupled with calls for standards and accountability were debates over the role of the state, and specifically the federal government, in education. In the years following *A Nation at Risk*, presidential administrations would shape the rise of what has come to be termed the "accountability regime." This regime grew considerably during the Clinton years, as a result of the Goals 2000 program, which focused on accountability and allowed states to design their own academic standards and tests.<sup>[16]</sup> Goals 2000 would ultimately not create new mandates, but was considered a watershed moment in which there was, as Patrick J. McGuinn suggests, a "fundamental break with the historical federal education focus on promoting access and equity for disadvantaged groups and initiated a new era in which the federal government would emphasize academic improvement for all students."<sup>[17]</sup> The "accountability regime" then, marked a shift to measurement, metrics, punitive consequences for "failure."

The George W. Bush administration's No Child Left Behind Act, and its accompanying calls for testing and funding tied to accountability (promoted by Goals 2000), was integral to the solidification of the accountability regime. No Child Left Behind (NCLB) made high-stakes tests mandatory for all public school students in grades three through eight. [18] NCLB also expanded the range of those impacted by these tests to include individual school workers as well as entire school communities. [19] Advocates of NCLB echoed the rationale for reform advanced by *A Nation at Risk* and identified public education as a major culprit that was to blame for societal problems. Significantly, race and class were particularly highlighted by the Bush administration's official discourse on NCLB, and the administration promised to close the *achievement gap* for low-income students and students of color by increasing accountability from schools. The market-based ideology of standards and accountability put forth by *A Nation at Risk* and Goals 2000 was woven through the policy guidelines and mechanisms of NCLB. For example, provisions included in NCLB allowed for testing to emerge as the single instrument of assessment of student progress; teachers at schools that failed to demonstrate improvement (or Adequate Yearly Progress) could be fired, and schools could be closed.

Despite the rhetoric surrounding these reforms—of providing equal opportunity and greater accountability—the combination of uniform standards and high-stakes tests have instead increased inequities in educational achievement, access, and outcomes. [20] This contradiction has been particularly pronounced in New York City, where in 2002 Mayor Michael Bloomberg introduced the Children First initiative, which, among other measures, recentralized the nation's largest school system. [21] Within this reconfiguration of governance, the Bloomberg administration made significant use of NCLB provisions to utilize test scores to aggressively penalize schools, such

as Brandeis, that were deemed to be underperforming.

The NYCDOE's decision to close Brandeis was accompanied by a decision that three *small schools* would be opened in the building. Brandeis's student population, which began being *phased out* in 2009, would steadily be replaced by growing student populations at these new schools. *Small schools* is a term used to refer to an educational reform movement that started in the 1970s and was led by progressive educators who sought to disrupt the model of large, comprehensive high schools—like Brandeis—which they assessed to be representative of a factory style of schooling that only warehoused low-income students. As an alternative, they called for the creation of small, innovative schools that emphasized progressive pedagogy and curricula, building community within the school, and growing relationships among students, teachers, families, and the school's surrounding community. Over the past decade, the Bill and Melinda Gates Foundation has identified small schools as a key prototype for investment, and as a result, small schools have rapidly expanded across the country. In their book *Small Schools: Public School Reform Meets the Ownership Society*, scholar-activists and veteran small-school advocates Michael and Susan Klonsky trace the ways that the small-schools movement has been hijacked within the context of restructuring ushered in by NCLB:

The launching of scores of new small and charter schools in Chicago cannot be understood apart from community economic redevelopment and the effort to make the city an important hub in the global economy .... Chicago's small-schools movement was, from its inception, tied by many strings to the city's redevelopment plans and therefore represented a collage of educational and political forces, including business and educational interests ....<sup>[22]</sup>

Among the small schools that opened in 2010, as Brandeis was being phased out, was Frank McCourt High School. According to news articles, Frank McCourt High School was "highly anticipated by middle and upper class families on the Upper West Side who want a selective school close to home." It was also heavily supported by state and local officials who claimed it responded to a demand for a second "high performing" high school in the neighborhood. [23] According to early documents announcing the school, admission to Frank McCourt was at first designed to be "selective," where admissions criteria were largely dependent on students' high test scores. However, as the result of organizing by social-justice groups, parents, and activists, admissions criteria was established that ensured that a significant percentage of students served by Frank McCourt would be similar in demographic characteristics to former Brandeis students, and that admissions to the school would be evaluated based on factors that extended beyond test scores.

While the Frank McCourt plan was interrupted, another plan for the building was soon introduced. Success Charter Network (SCN), a fast-growing New York City-based charter-school management company, proposed that a new elementary school—called Upper West Success Academy (UWS)—be opened in the Brandeis building.<sup>[24]</sup> Over the last decade, an increasing number of federal, state, and local governments have promoted the establishment of charter schools, a trend hat has resulted in considerable and patterned growth in New York City as well as in Chicago and New Orleans. In these cities, as several have documented, high concentrations of charter schools are also often linked to processes of gentrification through similar alignments as those identified above by Klonsky and Klonsky.<sup>[25]</sup> In New York City, charter schools often bid on portions of space within public-school buildings that are determined (by a panel appointed by the mayor) to be *underutilized* spatially either as the result of under-enrollment or when a school—like Brandeis—is being phased out and as a consequence, space is available.<sup>[26]</sup>

SCN's 2010 bid on a portion of space within the Brandeis building was successful, and their expansion was embedded within yet another reform that claimed to fix public schools: the Race to the Top Fund (also known as the "education stimulus"), which was part of the Obama administration's American Recovery and Reinvestment Act of 2009. Race to the Top (RTTT) allocated a \$4.35 billion increase in federal funding for education. However, these

monies were not evenly distributed among the states.<sup>[27]</sup> Rather, states were required to compete against one another for funding. Further, similar in design to structural adjustment programs, RTTT linked needed funds to significant policy changes.<sup>[28]</sup> According to RTTT guidelines, states were eligible to compete for funds as long as they were able to meet a set of requirements. For example, New York State was ineligible to apply to RTTT until it did away with particular provisions which limited the number of charter schools that could exist at one time, and which barred students' test scores from determining teachers' salaries. In order to be able to compete for funding, New York State raised the cap from 200 statewide charter schools to 460, and also did away with provisions that prevented merit-pay programs for teachers. Between 2010 and 2012, New York State received nearly \$700 million from Race to the Top monies.<sup>[29]</sup>

As we will see, similar to the initial intention of Frank McCourt High School, UWS also billed itself as a solution to the failure of public education that Brandeis was supposed to represent. And getting rid of low income students of color was key to the particulars of the solution posed by UWS. But first, it is useful to look back to the history of urban renewal that produced Brandeis to begin with, which culminated in a situation where Brandeis's Black and Brown students became an anomaly on the Upper West Side.

# Disjuncture: Brandeis High and the Production of the Upper West Side

In this section, we examine—and problematize—the location of Brandeis within a shifting urban landscape. We follow the urban renewal programs that moved through Brandeis and the Upper West Side to demonstrate how Brandeis High School (1965–2012) went from being an institution whose student population reflected the racial and economic demographics of its surrounding neighborhood to an institution that came to represent a disjuncture of space and race, as those inside the school and those outside the school grew increasingly dissimilar.

Before Brandeis, there was the High School of Commerce. Opened in 1901, Commerce was located on West 65th Street between West End Avenue and Broadway in Lincoln Square, which is the southernmost section of the Upper West Side. Established when attendance at high school was still a luxury, Commerce reflected a larger ideological and philosophical struggle over the purposes, designs, and leadership of school and school reform. In the early twentieth century, the task of education reform was led by a cadre of college professors and educational professionals. Described historically as the "administrative progressives," this class of men were seen as education experts. They would focus on reorganizing schooling to reflect a Taylor-ist factory model, focused on efficiency as the optimal framework for aligning education with the ever expanding industrial economy of the time, and reaching the rapidly growing population of new Americans who were landing at the boat docks everyday. [30] Multimillionaire Andrew Carnegie was invited to speak at the laying of the cornerstone of Commerce, where he noted that the school would be a place where "the son of the laborer enters upon exactly the same terms as the son of the millionaire," and that the school was representative of the United States' path to ultimately becoming "the great manufacturer and explorer of articles in the world ...."[31] Commerce was thus an early example of high schools designed for the masses, and of education that would map onto and sustain the economic trajectories of the nation and its growing cities.

By the 1950s, the school primarily drew students from Lincoln Square, San Juan Hill, and areas north of the neighborhood, which were comprised of primarily working-class African American, Haitian, Latino (majority Puerto Rican), and White residents.<sup>[32]</sup> By the early 1960s, Commerce was one of two Manhattan high schools to which Black and Latino students were generally assigned if they did not attend school in the zone where they lived.<sup>[33]</sup>

Commerce had gained an image as a "troubled" school, and news accounts implied that increasing incidents of violence were attributable to "incorrigible" youth from "underprivileged backgrounds, gangs, and broken families." [34] These descriptions of Commerce and its students were indicative of a larger discourse that was embedded within the Slum Clearance and Community Development and Redevelopment program, an urban renewal project that reshaped the area between the 1950s and 1970s. The program was part of the Housing Act of 1949, which called

for the "elimination of slums by using public capital to acquire, demolish, and clear blighted areas." [35]

Moreover, the program promoted reinvestment from the private sector through subsidized incentives by granting eminent domain to local governments, along with critical funding and tax incentives that covered two-thirds to three-quarters of the costs of land acquisition. While funds were made available to both state and local governments, the majority of federal dollars in New York State were allocated to the redevelopment of New York City, where Robert Moses headed Mayor William O'Dwyer's Committee on Slum Clearance. [36] According to the New York City Urban Renewal Authority (a federal agency), sites would be targeted for redevelopment in order to "eradicate rampant deterioration and to stimulate private investment." Under Moses' leadership, by 1956 ten sites had been designated for clearance. [37] Among these sites was Lincoln Square.

The Lincoln Square Urban Renewal Area initially began with eighteen square blocks between 60th and 66th Streets. To ensure the project's success, the authority acquired additional adjoining properties to the north and west to serve as a buffer of "stable land." [38] Moses' vision, of a "reborn west side, marching north from Columbus circle, and eventually spreading over the entire dismal and decayed west side," was thus realized through the support of the federal government, and resulted in the creation of two different renewal projects across the 2.4-plus square miles of the West Side. [39]

Commerce High was located within the "stable land" area that was to serve as a buffer for the Lincoln Square Urban Renewal Area, and like the residents of Lincoln Square, the students of Commerce were displaced.<sup>[40]</sup> In the spring of 1965, Commerce was designated for demolition, and the majority of the students were sent to Brandeis High School, a new comprehensive high school that was opening on 84th Street.<sup>[41]</sup> Thus, although it was "new," Brandeis inherited many of the students that Commerce formerly served, and many of the descriptors that had qualified Commerce followed its students to Brandeis. In the years that followed, the neighborhood, along with the city, continued to undergo processes of major racial and economic transformation, particularly accentuated by the financial crisis of the 1970s and 1980s, when Brandeis, along with other comprehensive high schools, became symbolic of an increasing *moral panic*.<sup>[42]</sup> Within this context, popular media portrayed Brandeis as a place of violence, decay, non-learning, and undesirable populations. As a graduate of one of the city's elite high schools (who lived in the Brandeis High School area) recollects, by 1971 Brandeis was already being referred to as "the Drugstore" or "the Gauntlet" that was increasingly avoided by many students and families.<sup>[43]</sup>

The racialized moral panic produced a response of white flight from the school system. Indeed, during the 1970s and 1980s, the percentage of White families who sent their children to Brandeis shrunk considerably. On the Upper West Side, as Jonathan Kozol has noted, this phenomenon was particularly ironic given the pronounced liberalism that characterized the area. [44] Brandeis became known for its concentration of low-income students of color, many of whom were also English language learners. Yet, despite the fact that Brandeis was increasingly portrayed (by popular media as well as by city officials) as emblematic of urban blight, the neighborhood demographics were not completely incongruent with that of Brandeis's student population. The pre-1970s migration of Puerto Ricans, Haitians, and African Americans to the area was accompanied by the beginning of an out-migration of older residents from the neighborhood, and during the 1970s and 1980s the Upper West Side became "associated with the indigent, poor, and bohemian elements of Manhattan." [45]

Between the 1970s and the 1990s, however, the city increasingly supported the growth of retail and infrastructure of services that would attract a wealthier population; and property values on the Upper West Side grew, as did the median family income. [46] Beginning in the 1990s, the Upper West Side went through what real estate investors and historians have described as a "renaissance" that was characterized by the development of a number of luxury buildings and a steady increase in upper-income residents. [47] By 2006, the Upper West Side accounted for the largest increase in home ownership throughout Manhattan, and 46 percent of surveyed households registered within the top quintile of New York City incomes (\$100,552+). Low-income households were either increasingly

contained in rent-regulated apartment buildings, public housing projects, or homesteaded buildings. Many poor and working-class families also migrated out of the neighborhood or outside of the city. Amidst a changing urban landscape, Brandeis High School had continued to accept the same students it always had, along with students coming off of suspensions at other schools, released from incarceration, and other vulnerable or "at-risk" populations. By the late 1990s and early 2000s, a number of high schools, including Brandeis, had been deemed dangerous to the point that they required an increase in school safety agents (SSAs) and metal detectors. At the area around 84th Street grew wealthier, there grew to be an increasingly visible racial and economic disjuncture between the students inside of Brandeis and the community surrounding the school. In the next section, we explore how this disjuncture was negotiated during the *postmortem* period of the school's *phase out*, as new claims were made to this once-abandoned place.

# Postmortem Brandeis and the Cultural Logic of Academic Imaginaries

In 2009, following the rhetoric of NCLB reform, NYCDOE asserted that closing Brandeis was an act in service to the very communities who had historically attended the school. Yet, as the number of students slowly diminished each year that the *phase out* was in effect, missing from the proposals that circulated about what would replace the so-called failing school was any consideration of the low-income students of color whom the school had served.

Brandeis is part of New York City's Community School District 3, which spans 59th Street to 122nd Street along the West Side of Manhattan. Despite the gentrification and displacement that has impacted the area, and largely due to a significant public housing stock, the majority of public school students in the district continue to be low-income students of color. Indeed, public housing and public schools like Brandeis are the few remaining institutions that serve the low-income communities of color in the area. Yet, as the neighborhood that surrounds these institutions changes, these low-income residents and students of color are increasingly out-of-place in the very places and spaces that they have historically called home. In this section we examine how this disjuncture was negotiated through the contestation that emerged over who would have the right to learn and grow in the Brandeis building as the city, a charter management corporation, and middle-class families laid claim to a once-forgotten and long-abandoned place.

Maia Cucchiara builds upon Miriam Greenberg's concept of the *urban imaginary* (which refers to the ways that cultural representations of cities are intentionally produced to work in tandem with global capital and labor needs) to chart the production of a parallel *academic imaginary* in gentrifying downtown Philadelphia. As she finds, the rebranding of particular public schools was made possible by public—private partnerships between municipal governments and business associations that marketed certain schools as *neighborhood* schools. These efforts, she argues, were meant to appeal to middle-class families by positioning the re-branded schools as representative of a specific type of urban life that relies upon an assumption of "families of similar status" who have come together to create an "idealized urban space dominated by a middle-class ethos, an 'urban village' of sorts where families of similar status who share key norms and values experience the best of city life." [51]

The alignment between the NYCDOE and a charter management company that propelled the academic imaginary of Upper West Success is well illustrated by the comments below, made by NYCDOE Deputy Chancellor of Portfolio Planning Marc Sternberg:

If the presence of a charter school in a community will keep a family in the New York City public school system, a family that might have been able to afford private school or that might have considered moving to the suburbs because of the schools there, then we've done our job.<sup>[52]</sup>

However, these moments of disclosure (of who is prioritized within the structuring of public services) are rare. In the paragraphs that follow, we examine the cultural logic that propelled the academic imaginary of Upper West Success

that—characterized by themes of *neighborhood* and *community* and a rhetoric of rights and choice—was grounded upon the implicit exclusion of low-income communities of color. Although they were written out of the future of who would grow and learn in the Brandeis building, the Black and Brown students representative of Brandeis past were critical to the construction of the academic imaginary of Upper West Success. They were, after all, the figures against which an imagined community was constructed.

One of the first indicators of Upper West Success's academic imaginary was a pronounced shift in clientele targeted by the marketing campaign for the 84th Street iteration of the charter network. At the time, SCN already operated a number of schools further uptown (including a significant number of schools in the same district), where it had pitched its schools to low-income Black and Latino families as a necessary alternative to public schools that, like Brandeis, were historically under-funded, ignored, and long-abandoned. [53] However, the aggressive marketing campaign undertaken by SCN began even before October 2010, when the State University of New York (SUNY) Charter Institute officially approved the creation of Upper West Success.

New York City charter schools are not required to adhere to the same regulations and requirements that govern public schools. Unlike most public schools, then, charters do not have to solely serve the students of a particular residential area: they usually agree to accept a certain percentage of local students, and outline this in their contractual agreements with the city and state, or literally, in their charters. Utilizing this freedom, SCN aggressively marketed itself in particular areas north and south of 84th Street—while ignoring other areas of the district that had been slower to gentrify. [54] The aggressive marketing campaign undertaken by SCN began even before October 2010, when the State University of New York (SUNY) Charter Institute officially approved the creation of Upper West Success.

As part of its marketing strategies, SCN held open houses to recruit potential families. These open houses were held regularly at the Jewish Community Center as well as in private apartments along Central Park West and included wine and expensive hors d'oeuvres. In addition to the open houses, Upper West Success created glossy brochures, and advertisements were purchased on Google.com. Strikingly missing from early versions of the brochures were the faces of any children who were identifiably of color, and for the first months of SCN's advertising campaign, no applications were available in Spanish, even though the district continues to have a large Latino and Spanish-speaking student population. SCN's recruitment messaging, conveyed through its fliers and brochures, declared Upper West Success Academy the "public-school solution to private-school tuition." At community meetings where the charter school was discussed, appeals made by advocates for the charter school were unified by an argument that SCN was a response to the needs of an increasingly diverse population that resulted from gentrification. [56]

Yet the academic imaginary of Upper West Success was constructed by a confluence of interests and a diversity of actors that reached well beyond SCN. Indeed, at several public meetings held about the creation of the school, White and middle-income families became increasingly vocal about asserting their rights to *neighborhood* and *community* schools. And these rights-based claims were constructed in opposition to racialized images of Brandeis students.

The following comments are taken from a popular blog about New York City public schools and respond to an article posted about the closure of Brandeis and the opening of Upper West Success<sup>[57]</sup>:

Why can't this/these schools serve the community, which needs them, rather than bused-in children?

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Why do they put a school for the worst kids in the city in an otherwise wonderful neighborhood. The tax payers of the UWS are already going to have to subsidize every aspect of these kids lives, from

their single mother's welfare checks, to their food stamps, to the public transportation that brings them to school, to their "education", to their future incarceration, BUT we also have to tolerate them bringing their "thug-life" mindset to the stroller packed streets of the UWS..... Whatever they want to do, let them do it in their own neighborhoods.

\*

I, for one, am not sad to see this school go. Let's stop walking around the problem; the students, if you could even call them that, are the problem. Not the administration, not the new standards for school evaluation, and certainly not the teachers. These kids are leeches to society, they only cause harm...punk ass kids. You know exactly what kind of kids I'm talking about.

\*

.... here on the Upper West Side, we have one sought-after high school... that can accommodate only a small fraction of our kids who apply, so they are also travelling around the city. Why not reopen Brandeis as a neighborhood high school? What am I missing?

\*

... Get rid of the students who are the problem. Stop being so politically correct and careing for the students who disrupt the learning process. Get rid of the problem and schools won't have to CLOSE. [sic]

These commentators not only position Brandeis students as problematic, but as the problem: as the cause for the failure of the school and its necessary closure. Moreover, according to the first commentator, Brandeis students not only harm the school, they harm society as a whole. Importantly, the commentators, who locate themselves as residents of the Upper West Side, position these depictions of Brandeis students *against* the community, or more specifically, *their* community.

These concepts of community and neighborhood are buoyed by a particular rhetoric of rights and choice that has come to be palpable on the Upper West Side in conversations about whom the district's schools should serve and prioritize. [58] Embedded within these discussions is a joined logic of the market and rights: of those who deserve their rights, and those who don't. And, as evidenced by the example below, race and class contour the fault lines between the two.

On a January evening in 2011, the NYCDOE held (as required by law) a Joint Public Hearing about the opening of Upper West Success Academy. <sup>[59]</sup> The hearing was held in the Brandeis building's auditorium, and on their way down the stairs to the meeting, while waiting to add their names to the attendance and speakers' lists, parents and community members commented on how well-kept the building was, and what a difference the recent building renovations had made; \$22 million had just been put into the building to update it when the smaller high schools were opened. Close to 400 people were in attendance. Over 100 parents, teachers, students, and elected officials spoke both in favor of and against the charter school. As the hearing was called to order, Sheila, a middle-aged White woman, scurried in and looked for an empty seat. She found one near the front and sat down—and as she nestled in her seat, she talked about the reasons she had come out that night. Like most mothers, Sheila wanted a good school for her child. Upper West Success was important, she believed, because a school that served the community was needed. According to Sheila, too many "Brooklyn grandmothers" who didn't even live in the area had gained access to the district's schools.

Implied in Sheila's comments are raced and classed based references to women—raising their children's children who are supposedly cheating the system by working hard to ensure that their children get a good education,

sometimes by shuttling them back and forth for hours every day on long cross-borough journeys. In contrast to these imagined grandmothers is the notion that those who have *chosen* to move to the Upper West Side are thereby entitled to and deserving of a particular set of public goods and services.<sup>[60]</sup> See, for example, the following quote from the Upper West Success Academy's website, about the need for the school:

There are lots of high quality public schools on the Upper West Side. That's why many of us chose this neighborhood in the first place and why so many new families continue to move in. The problem is: there are not enough of these great schools to meet current demand.<sup>[61]</sup>

Proprietary claims such as the one above position the problem, "there are not enough great schools to meet the current demand," as one of supply shortage, not of structural inequality. According to this market-based logic, rights —even to public goods that are supposed to be universal, such as public education—are contingent upon choices that are predicated on economic wealth. As Stuart Hall explains, concepts of difference and choice have significantly guided the economic and political restructuring of recent decades. As such, the citizen consumer is confronted with a differentiation of public goods. This differentiation is accompanied by a growing inequality as well as a increased onus on the citizen consumer to make the right choice. As Hall notes, this structuring of public goods as market goods excepts the state from guaranteeing that all hospitals and schools, for example, are excellent. [62] Such reasoning, as exemplified within the academic imaginary of Upper West Success, anticipates exclusion.

In the end, the combined forces of City, SCN, and the middle-class families won, and SCN was slated to open in the fall of 2011. But as Upper West Success Academy got ready to open its doors, a range of other issues needed to be addressed: How would a school that was built for high-school students physically accommodate kindergarteners? Woven into these debates about renovations that needed to be made to adjust the building to smaller students was the question of metal detectors—would kindergarteners really be expected to pass through these machines? Rather than remove the policing infrastructure from the school altogether, another solution was devised: a separate entrance so that Upper West Success Academy students would not be required to pass through the checkpoints that would continue to operate as usual for the "big kids" with whom the school was being shared.

Indeed, even as the students themselves disappear, the figures of Brandeis students remain. The fall of 2011 marked the entrance of the first group of Upper West Success students and the last group of Brandeis students. That same year, at a Community Education Council<sup>[63]</sup> meeting held in a small room at the district's offices on 93rd Street, a few parents—all of whom were White—chatted before the meeting began. They were discussing, with concern, a recent incident of violence that involved an older and a younger student. The first question asked was, "Was it Brandeis kids?" *It* was not, yet their figures, or perhaps the shadows of their Black and Brown bodies that represented a threat to these parents, loomed.

In many ways, Upper West Success is an exaggerated symptom of a much older problem: how some remain consistently forgotten while the futures of others continue to be well-secured. Yet the cultural logic that emerges in the *postmortem* period of the *phase out* of Brandeis and in the struggles that ensued over what would take its place elides this reality; and dispossession—propelled by a group of would-be concerned villagers claiming that this onceabandoned place should serve the community's children—appears not only just, but also driven by concepts of community and neighborhood and a rhetoric of rights, and choice.

## Conclusion

That Brandeis was going to be closed came as no surprise to many. The NYCDOE had been closing a number of schools throughout the city, most often with no consultation with school workers, students, or parents. After hearing the news that Brandeis would be closed, one school worker commented, "We've been waiting for the other shoe to drop for years." However, part of the story that gets lost amidst the echoes that surround this seemingly inevitable

"drop," marked by the decision to close Brandeis, reveals the *slow violence* of education reform and illuminates a much longer trajectory of a decades-long project of abandonment that extends well beyond the city's 2009 decision. Rob Nixon defines slow violence as:

... a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is not typically viewed as violence at all. Violence is customarily conceived as an event or action that is immediate in time, explosive and spectacular in space, and as erupting into instant sensational visibility. We need, I believe, to engage a different kind of violence, a violence that is neither spectacular nor instantaneous, but rather incremental and accretive, its calamitous repercussions playing out across a range of temporal scales.<sup>[64]</sup>

Stretching Nixon's theory of environmental injustice to apply to public education, the city's 2009 announcement of the closing can be considered a flashpoint and "newsworthy" event. Yet the slow violence that produced Brandeis remained relatively invisible, persistently active beneath the surface for decades. It worked through the state-driven reforms that have claimed to redress unequal learning conditions. This violence also worked in tandem with decades of state-sponsored urban renewal programs that silently (and sometimes not so silently) worked to displace long-term residents and produce what is now the Upper West Side of Manhattan, and create a situation in which Brandies students were out-of-place. And it continued through an emergent cultural logic that grounded the academic imaginary of Upper West Success.

For neighborhoods like the Upper West Side, schools are some of the few institutions through which low-income communities of color find each other in the wake of this multi-layered, slow, yet steady violence; and through which shared histories are still remembered and told. Before Upper West Success developers bid on space in the Brandeis building, they had first tried to obtain space at a nearby public elementary school that was not slated for closure but which, according to the NYCDOE, was under-utilized. The parents and teachers at this school organized quickly. They were able to fight back against the charter school co-location. Amidst the organizing meetings, several stories emerged: of teachers who had taught there for decades, of families who had been part of the school for at least three generations, and of school workers who had attended the school themselves. Like so many other schools, and also like Brandeis, this school was more than a building; it was a place that held these histories, of the daily acts of growing up, of working, and of the gendered labor of caretaking and raising children. Indeed, as one former New York City public school student reflected in a public meeting on education reform held in December 2010, "If they close the school, how are you supposed to go to your reunion?"

The question posed indicates what is at stake: a continued dispossession that threatens the capacity of a community to survive. The case of Brandeis and Upper West Success indicates a renewed forgetting and abandonment of a place and its people. We write through the *postmortem* lens of Brandeis's *phase out* not to lament its closure. Rather, we hope that by chronicling how Brandeis went from being a long-forgotten place to one that was sought after, we might inform potential strategies that interrupt the variegated forms and speeds of violence that continue to circulate through public schools and the people who inhabit them.

# **Footnotes**

- 1. "Phased out" is a term used to describe the multi-year process through which a school is closed down after the NYCDOE identifies it as failing and determines closure as the solution. [Return to text]
- 2. Michelle Fine, Framing Dropouts: Notes on the Politics of an Urban Public High School (Albany: State University of New York Press, 1991). Fine used the pseudonym

- "Comprehensive High School" in her study. [Return to text]
- 3. As Fine documented, only 20 percent of ninth graders made it to twelfth grade, and only 80 percent of that group graduated. According to Brandeis New York State Report Cards, the student population continued to maintain similar rates of retention and graduation. Between 2003 and 2009, Brandeis served between 98 and 99 percent students of color, with a free and reduced lunch population of approximately 71 percent and a LEP (Limited English Proficient) population of approximately 25 percent. New York State Department of Education, Comprehensive Information Report: Louis D. Brandeis High School. New York: New York State Department of Education, 2009. [Return to text]
- 4. Micha Landau, "State Plans to Revise School Phase-out Process," UFT.org, September 8, 2011. [Return to text]
- 5. Ruth Wilson Gilmore, Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California (Berkeley: University of California Press, 2007), 35. [Return to text]
- 6. See Kristen L. Buras, "Race, Charter Schools, and Conscious Capitalism: On the Spatial Politics of Whiteness as Property (and the Unconscionable Assault on Black New Orleans)," Harvard Educational Review 81.2 (2011): 296–331; K.N. Gulson and T.C. Pedroni, "Neoliberalism, Cities and Education in the Global South/North" Discourse: Studies in the Cultural Politics of Education 32.2 (2011): 165–169; Pauline Lipman, The New Political Economy of Urban Education Neoliberalism, Race, and the Right to the City (New York: Routledge, 2011); Pauline Lipman and David Hursh, "Renaissance 2010: The Reassertion of Ruling-Class Power through Neoliberal Policies in Chicago," Policy Futures in Education 5.2 (2007): 160–178. David Harvey, The New Imperialism (New York: Oxford University Press, 2003), 158. Harvey describes accumulation by dispossession as the process by which "[a]ssets held by the state or in common were released into the market where over accumulating capital could invest in them, upgrade them, and speculate in them. New terrains for profitable activity were opened up... Once in motion, however, this movement created incredible pressures to find more and more arenas, either at home or abroad, where privatization might be achieved." [Return to text]
- 7. Gilmore, Golden Gulag, 28. [Return to text]
- 8. Our sources include including news and multimedia archives and school documents as well as data from participant observation and informal interviews. [Return to text]
- 9. In this piece, we trace the raced and classed dimensions of the cultural logic that emerged during the period of Brandeis phase out. However, it is important to note that gender is also critical to understanding how this logic was often articulated. On the one hand, the people who animated the forgotten place of Brandeis were low-income Black and Brown young men and women who were often imagined as both unworthy, "troubled," or threatening. They experienced raced and gendered hostility and aggressive behaviors from people outside the school as well as school safety agents (SSA) inside the school. On the other hand, gender was articulated during the period of "fighting," as the place of Brandeis was transformed to include an elementary school. During this period, mothers who occupied different race and class positions were laying claim to what they understood to be the rights of their children. For more on the latter, please see U. Aggarwal, "The Politics of Choice and the Structuring of Citizenship Post-Brown v. Board of Education," Transforming Anthropology 22.2 (2014): 92–104. [Return to text]
- 10. National Commission on Excellence in Education, A Nation at Risk: The Imperative for Educational Reform: A Report to the Nation and the Secretary of Education, United States Department of Education, 1983. [Return to text]

- 11. US Department of Labor, Labor Force Statistics from the Current Population Survey, Bureau of Labor Statistics Data, October 15, 2011. [Return to text]
- 12. Michael Apple, "Comparing Neo-Liberal Projects and Inequality in Education," Comparative Education 37.4 (2001): 409–423. [Return to text]
- 13. National Commission on Excellence in Education, A Nation at Risk. [Return to text]
- 14. See Apple, "Comparing Neo-Liberal Projects"; Sandra Jackson, "Commentary on the Rhetoric of Reform," Education as Enforcement: The Militarization and Corporatization of Schools, ed. Kenneth J. Saltman and David Gabbard (New York: RoutledgeFalmer, 2003); Samuel Bowles and Herbert Gintis, Schooling in Capitalist America: Educational Reform and the Contradictions of Economic Life (New York: Basic Books, 1976). [Return to text]
- 15. American Educational Research Association, "Position Statement on High-Stakes Testing," www.aera.net, July 2000; Phil Gonring, Paul Teske, and Brad Jupp, Pay-for-Performance Teacher Compensation: An Inside View of Denver's ProComp Plan (Cambridge, MA: Harvard Education Press, 2007). [Return to text]
- 16. Patrick J. McGuinn, No Child Left Behind and the Transformation of Federal Education Policy, 1965–2005 (Lawrence, KS: University Press of Kansas, 2006); Diane Ravitch, The Death and Life of the Great American School System: How Testing and Choice Are Undermining Education (New York: Basic Books, 2010). [Return to text]
- 17. McGuinn, No Child Left Behind, 91–92. [Return to text]
- 18. NCLB is a reauthorization of the Elementary and Secondary Education Act of 1965. [Return to text]
- 19. We use the term "school workers" from a more horizontal vantage point from which to describe the various individuals who are paid laborers within the context of the school building. This includes, though is not limited to, teachers, administrators, guidance counselors, school psychologists, physical and speech/language therapists, custodial services, health professionals, kitchen staff, and school safety officers. [Return to text]
- 20. New York State ranks among the top states nationally that maximize the utilization and expansion of high-stakes testing. [Return to text]
- 21. New York City's public school system had been centralized until 1969 when, as the result of a long and multifaceted struggle (known as the movement for "Community Control" of schools), the city's public schools were broken up to integrate New York City schools. Diane Ravitch, The Great School Wars: New York City, 1805–1973: A History of the Public Schools as Battlefields of Social Change. (NY: Basic Books, 1974). Richie Perez, "A Young Lord Remembers." Jerald E. Podair, The Strike that Changed New York: Blacks, Whites, and the Ocean Hill-Brownsville Case. (New Haven: Yale University Press, 2004). [Return to text]
- 22. Michael Klonsky and Susan Klonsky, Small Schools: Public School Reform Meets the Ownership Society (New York: Routledge, 2008), 37. [Return to text]
- 23. Maura Walz, "UWS Parents and Politicos Took Central Role in McCourt's Building," Chalkbeat New York, November 13, 2009. [Return to text]
- 24. Charter schools are publicly funded schools that have been freed from some of the rules, regulations, and statutes that apply to other public schools, in exchange for fulfilling certain accountability measures as set forth in the charter (National Education Association 2012). Charters have a complicated and contradictory history: while they were used as demonstrative projects by teachers and communities of color, many also argue that their roots can also be traced back to the segregation academies of the South. For a thorough overview and

- interrogation of charter schools and the contemporary charter school movement, see Michael Fabricant and Michelle Fine, The Changing Politics of Education: Privatization and the Dispossessed Lives Left Behind (Boulder: Paradigm Publishers, 2013). [Return to text]
- 25. See Buras, "Race, Charter Schools, and Conscious Capitalism"; Lipman and Hursch, "Renaissance 2010"; Kenneth J. Saltman, Capitalizing on Disaster: Taking and Breaking Public Schools. (New York: Routledge, 2008). [Return to text]
- 26. The ways the NYCDOE determines school utilization is a problem. It is not uncommon, for example, for the DOE to include janitors' closets in their accounting of square footage. Based on these arbitrary calculations that do not take into account the particular needs of different students in a school, the NYCDOE often mis-determines a school to be under-utilized. [Return to text]
- 27. Fabricant and Fine, The Changing Politics of Education. [Return to text]
- 28. There are several definitions of structural adjustment programs. According to the Encyclopedia of Social and Cultural Anthropology, structural adjustment refers to "In development, a term used from the 1980s onward for a range of policies, strongly favoured (some would say imposed) by international agencies such as the World Bank and the International Monetary Fund, usually involving drastic reductions in state activity (e.g. welfare payments or subsidies on foodstuffs) and so-called 'liberalization' of free market activity" (Barnard and Spencer 2010, 623). [Return to text]
- 29. The State of New York initially approved charter schools in 1998 and set the cap (or limit) at 100 charter schools across the state. In 2007, this number was increased to 200. Since 2010, when the cap increased to 460, the number of charter schools in New York City has steadily increased from 99 charter schools in the 2009–2010 school year (with 30,000 students served) to 136 charter schools in the 2011–2012 school year (serving 45,000 students). According to the NYCDOE's Statistical Summaries, as of 2011, the student population in New York City public schools was 1,043,886 students (this number includes charter school students). These trends suggest that very soon, one out of every ten of New York City's public school students will be attending a charter school. (See, for example, (NYC Charter School Center 2012). [Return to text]
- 30. Herbert M. Kliebard, The Struggle for the American Curriculum, 1893-1958, 3rd ed. (New York: Routledge, 2004); David B. Tyack, The One Best System: A History of American Urban Education (Cambridge, MA: Harvard University Press, 1974). [Return to text]
- 31. "Commerce High School Cornerstone Laid," The New York Times, December 5, 1901: 6. [Return to text]
- 32. William J. Wilson, The Declining Significance of Race: Blacks and Changing American Institutions (Chicago, University of Chicago Press, 1980); Marcy S. Sacks, Before Harlem: The Black Experience in New York City before World War I (Philadelphia: University of Pennsylvania Press, 2006). In the 1910s, San Juan Hill, located between Sixtieth and Sixty-fourth Streets and Tenth and Eleventh Avenues, was the place of residence for approximately 80 percent of the entire Black population of the island of Manhattan. [Return to text]
- 33. City Pupil Wins Fight to Attend 'Better Integrated' High School," The New York Times, February 9, 1962: 14. [Return to text]
- 34. Kaplan, Morris. "One Schools Finds Police Aid Useful." The New York Times, February 4, 1958. The New York Times (1923-Current file). [Return to text]
- 35. Ian S. Tattenbaum, "Renewal for the 1990s: An Analysis of New York City Redevelopment Programs in Light of Title I of the Housing Act of 1949," New York University Environmental

- Law Journal 6.220 (1997): 221. [Return to text]
- 36. Tattenbaum, "Renewal for the 1990s." [Return to text]
- 37. Wilson, Declining Significance, 38. How Moses ran the Slum Clearance and Community Redevelopment program was also important. According to Tattenbaum, "In other cities, slum areas were condemned, residents were relocated, buildings were demolished, and vacant lands were turned over to developers. Moses, however, claimed that he could not obtain firm commitments from builders unless the slums were turned over to the developers with the buildings still standing and residents still living there. As a result, Moses allowed the developers to collect rent on occupied buildings, thus undermining incentives to demolish and reconstruct sites quickly," 232. [Return to text]
- 38. Wilson, Declining Significance, 38. [Return to text]
- 39. Peter Salwen, Upper West Side Story: A History and Guide (New York: Abbeville Press, 1989), 274. [Return to text]
- 40. Despite organizing efforts that included a lawsuit that eventually reached the Supreme Court, by 1958 the West Side Lincoln Square Urban Renewal Project had displaced 16,000 residents of Lincoln Square, many of whom had lived there for decades (Wilson, Declining Significance). [Return to text]
- 41. Brandeis High, along with a new elementary school a block away, were built as part of the West Side Renewal Project to respond to shortages in school buildings across the city, as well as part of the strategy to "clean-up" the neighborhood, which had become known for high levels of drug trafficking and drug use (Wilson, Declining Significance). [Return to text]
- 42. Stuart Hall, Policing the Crisis: Mugging, the State, and Law and Order (London: Macmillan, 1978). [Return to text]
- 43. Heather MacDonald, "How Gotham's Elite High Schools Escaped the Leveller's Ax," City Journal, September 20, 2011. [Return to text]
- 44. Jonathan Kozol, Amazing Grace: The Lives of Children and the Conscience of a Nation (New York: Crown, 1995). [Return to text]
- 45. Wilson, Declining Significance, 36. [Return to text]
- 46. For example, as Wilson notes in Declining Significance, by 1980, the median family income in the neighborhood rose by nearly \$8,000 annually.

  [Return to text]
- 47. Citi Habitats. "The Upper West Side." NRT LLC. 2007. [Return to text]
- 48. With the ongoing renewal processes and the rising cost in real estate in Manhattan, most working families and families of color would go down two paths. First, many were forced to search for more affordable situations in the neighborhood or outside of the neighborhood (and further away from the center of the city). Second, long-time residents organized to motivate investment in long-time communities as the foundation of renewal. Although some success was attained, by the end of the 1980s, the city had started rolling back its financial support of these groups, leaving many unable to sustain their efforts to counter gentrification (Wilson, Declining Significance). [Return to text]
- 49. Rakmil, Elise, Interview by Edwin Mayorga. Personal Interview. New York City, November 30, 2011. The New York Civil Liberties Union (NYCLU) reported that by the start of the 2008–2009 school year there were 5,055 school safety agent (SSAs), and 191 armed police officers in New York City public schools. 99,000 students passed through metal detectors each day (New York Civil Liberties Union, "A Look At School Safety" [2015]). In a 2007 report, the NYCLU also

- found that the SSAs were hostile and aggressive, and made derogatory statements toward students. A Brandeis student reported that SSAs would make comments like "this girl has no ass" to students (Elora Mukherjee, "Criminalizing the Classroom," New York Civil Liberties Union, 2007). [Return to text]
- 50. In 2010, 29 percent of the district's public school students were Black; 36 percent were Latino; 27 percent were White; and 7 percent were Asian (with 53 percent of students receiving free/reduced lunch). This data does not include charter schools and is based on New York State District Profile Accountability and Overview Reports for 2010–2011. [Return to text]
- 51. Maia Cucchiara, "Re-Branding Urban Schools: Urban Revitalization, Social Status, and Marketing Public Schools to the Upper Middle Class," Journal of Education Policy 23.2 (2008): 165–179, 172. [Return to text]
- 52. Fernanda Santos, "On Upper West Side, Hurdles for Charter School," The New York Times, January 22, 2011: A1. [Return to text]
- 53. SCN as well as other charter management companies have since replicated similar strategies in other gentrifying neighborhoods of New York City. These neighborhoods include, for example, Cobble Hill and Williamsburg. [Return to text]
- 54. The intentionality of SCN's focused marketing was particularly apparent in its outreach efforts north of 84th and south of 122nd street, where there are still clusters of blocks (some larger than others) that are comprised of low-income families, as well as a number of public housing projects. [Return to text]
- 55. According to Jennifer Friedman (co-founder of La Escuelita, a bilingual preschool in the district), "I live on the West Side and have received 100 fliers [from West Side Success Charter] and I have never seen anything in Spanish" (as quoted in the West Side Spirit's January 20, 2011 article "Hype Fuels Charter Fight" by Josh Rogers). The organizing efforts by public school parents and teachers to block Upper West Success Academy from opening resulted in significant media coverage, which included critiques of the way the school had deliberately marketed itself almost exclusively to white and middle-class families. In response, SCN produced different versions of the brochure, later versions of which included greater "diversity" in the students photographed as well as an eventual Spanish-language version. According to informal interviews and participant observation conducted over a five-month period, low-income and public school parents attributed this change to the media attention that their organizing efforts had gained. However, "diversity" or representation in marketing was not necessarily their goal (which was, rather, to block the school from opening). [Return to text]
- 56. Santos, "On Upper West Side." [Return to text]
- 57. Phillsa Cramer, "Shrugs, sadness as Brandeis High School learns it will be closed." Chalkbeat New York. February 3, 2009. [Return to text]
- 58. Ujju Aggarwal, Edwin Mayorga, and Donna Nevel. "Slow Violence and Neoliberal Education Reform: Reflections on a School Closure," Peace and Conflict: Journal of Peace Psychology 18.2 (2012): 156–164. [Return to text]
- 59. While the Department of Education holds these hearings, thus complying with legal requirements, most often, the decisions that they are supposed to deliberate have already been determined by the time the hearings are held. Further, as Liza N. Pappas observes, "While the New York City Department of Education (NYCDOE) administrators have insisted that school closings will ensure better educational opportunities and outcomes, community activists, union leaders, elected officials, educators, and others dispute this contention. Nowhere are these debates more visible than at public hearings. In compliance with the

reauthorization of the New York City mayoral control law, the NYCDOE convenes hearings for members of the public to provide comments on proposals that introduce 'any significant change in school utilization' including a closure, grade reconfiguration, resisting, or co-location of schools (i.e., two or more schools housed in the same building). Over the past 3 years, thousands of people have packed school auditoriums across NYC in overwhelming opposition to school closing proposals, but increasingly public hearings have become a site of contest between parents vying for excellent schools for their children." Pappas, Liza N. "School Closings and Parent Engagement." Peace and Conflict: Journal of Peace Psychology 18, no. 2 (2012): 165–72. [Return to text]

- 60. While there is a rich discussion to be had about the articulation of raced and classed motherhood (about which mothers make the "right choices" for their children), for the purposes of this piece we limit our discussion to ways that race and class determine the processes of claim-making and asserting of rights that inform discussions about inequality and education reform. [Return to text]
- 61. Success Charter Network, "Why the UWS?," The Upper West Success Academy Charter School, October 17, 2011. [Return to text]
- 62. Stuart Hall, "New Labour's Double-Shuffle," The Review of Education, Pedagogy and Cultural Studies 27.4 (2005): 319–335. [Return to text]
- 63. Community Education Councils (CECs) are Community School Boards reconstituted through the re-centralization of the New York City public schools system. [Return to text]
- 64. Rob Nixon, Slow Violence and the Environmentalism of the Poor (Cambridge, MA: Harvard University Press, 2011). [Return to text]

# **Tags**

class education history neoliberalism policy poverty youth