

SHANE GOODRIDGE

Tracing the Historical DNA and Unlikely Alliances of the American Charter School Movement

Abstract: More than three million children in the United States are currently enrolled in charter schools, with increasing enrollments despite strong evidence of academic gains. This historical analysis moves beyond a focus on academic outcomes and traces the success of the charter school movement, in part, to the foundational premise of restoring agency to educational stakeholders. State-mandated schooling was a counterintuitive feature of American policy that chafed against the founding ideals of the Republic and gradually engendered resentment among mostly white conservatives. Concurrently, in the aftermath of *Brown*, factions of African American policymakers began to look for equitable educational alternatives. The unlikely alliance of these two antithetical constituencies resulted in the creation of a unique—albeit fragile—coalition and the passing of the Milwaukee Parental Choice Program and paved the way for the nation's inaugural charter school policy passed in Minnesota in 1991.

Keywords: Charter Schools, *Brown v. Board of Education*, *A Nation at Risk*, Polly Williams, Milwaukee Parental Choice Program

The narratives of the American experience offer provocative opportunities for explaining the rise of charter school policy against the backdrop of broad historical movements that have defined the evolution of the American polity. Unlike the history of Traditional Public Schools, which benefit from numerous historical treatments,¹ the charter movement lacks a deep examination of the historical and philosophical ideas that coalesced to move the charter school from theory to practice. As one observer noted, “the reader is often left with the impression that charters simply appeared . . . unconnected to earlier

THE JOURNAL OF POLICY HISTORY, Vol. 31, No. 2, 2019.
© Donald Critchlow and Cambridge University Press 2019
doi:10.1017/S0898030619000058

reforms.”² The dearth of historical research in this area has resulted in the rationale for, what Seymour Sarason described as, “the most radical challenge ever to the existing [school] system,”³ being confined to a quantitative debate over razor-thin margins. Across disciplinary and ideological contexts, historical scholarship on charter schools is generally confined to a page or two situating the movement’s origins in the latter part of the twentieth century.⁴

The lack of a deep historical account of the charter school movement is not surprising, however, when one considers the evolution of generic school-choice policy. In *The Role of Government in Education* (1955), Milton Friedman suggested that the government could provide an educational voucher for parents to “spend on approved educational services,” for their children.⁵ In two succeeding works, *Capitalism and Freedom* (1962) and *Free to Choose* (1980), Friedman developed the theoretical foundation for the modern concept of school choice.⁶ As Hentscheke recently argued, Friedman’s “initial framework . . . spread in multiple directions” and argued for school choice nested in “parental rights in a democratic society.”⁷ With Friedman’s work providing the underpinning for both support of, and objections to, an array of school-choice options, it is somewhat intuitive that much of the historical thinking concerning school choice begins with policy formulations derived from Friedman’s mid-twentieth-century work. For example, historian Diane Ravitch dedicated *The Life and Death of the Great American School System* to exploring the ways that choice has undermined public education.⁸ Ravitch, however, firmly positions the work in the bureaucratic conflicts of the closing years of the twentieth century up to the early 2000s, while ignoring the historical antecedents and contemporary narratives that worked to make choice an emerging policy mandate. James Forman’s offering, *The Secret History of School Choice: How Progressives Got There First*, is both cautiously optimistic that a “properly constructed voucher program could increase educational opportunities for disadvantaged children,”⁹ and, arguably, the most nuanced treatment of the evolution of school choice. Forman traces the African American educational experience from Reconstruction through the *Plessy* era and into the Civil Rights years. The author, however, restricts his analysis to the contributions of Progressives. As a result, the synergy generated through the formation of new, ideologically diverse alliances during the early 1990s is absent from the narrative. Similarly, Martha Minow, while tracing the historical trajectory of school choice, theorizes that if “social integration becomes an explicit public commitment,” then choice has the potential to become a vehicle for educational equity. Minow balances her historical account of the evolution of

school choice between the racist choice policies imposed on Prince Edward County Virginia, in the wake of the *Brown* ruling, with the progressive experiment in Alum Rock, California. Choice, Minow warns, is “seductive,” and has the capacity to both “obstruct . . . and serve equal opportunity, antiracism, tolerance, and multiculturalism.”¹⁰ As with Forman’s offering, Minow’s treatment of the evolution of school choice is both informative and compelling; however, it either minimizes or outright ignores the importance of the confluence of conservative and progressive stakeholders that came together to situate contemporary school choice on the policy landscape.

As of late, policy history has focused on the role of ideology in explaining the historical emergence of school choice. Notably, Elizabeth Debray-Pelot and colleagues provide a textured exploration of the ideological drivers that formed diverse coalitions across regional contexts in bringing about school-choice options in education policy.¹¹ Unfortunately, there is little insight offered regarding the historical antecedents that catalyzed to bring those coalitions together in the first place. Following in this vein, Janelle Scott is cautiously optimistic of the potential for school choice to help deliver promises of educational equity.¹² Professor Scott emphasizes the role of ideologically diverse coalitions in bringing contemporary school choice into mainstream policy discussions, but she leaves the Milwaukee Parental Choice Program as well as the role of *A Nation at Risk* out of the discussion. Within the literature, then, there appears to be a recurring imbalance between the role of historical drivers and the contributions of both progressives and conservatives in the movement, in bringing various school-choice options to the forefront of policy discussions, formulations, and eventual legislation.

Dedicated historical thinking concerned with the historic roots of the charter school movement is surprisingly scarce within the charter school literature. However, there are a handful of notable exceptions. From a dedicated policy perspective, Tim Mazzoni’s *The Changing Politics of State Education Policy: A Twenty-Year Perspective*, offers a deep dive into a twenty-year window of incremental policy formulation. Mazzoni guides the reader through the machinations of conservative and progressive state policymakers, grass-roots organizations, and business interests that culminated in the first charter school legislation in Minnesota in 1991. While giving a parenthetical nod to *A Nation at Risk*, and providing a brief acknowledgment of policy forces “originating beyond the states borders,”¹³ the author ignores the national climate that made choice a palatable policy option and, instead, concentrates on making an indispensable contribution to the microanalysis of state-level education policy formulation. From a holistic perspective, in *Understanding*

and *Assessing the Charter School Movement*, Joseph Murphy and Catherine Shiffman work to provide a conceptual history of the charter school movement. However, while there is a well-developed discussion dedicated to the formulation of ideas that led to charter policy, as well as a protracted section outlining the evolution of charter school stakeholders, the movement appears to have arrived on the policy landscape bereft of broad and/or deep historical drivers.¹⁴ Recently, however, scholars have begun to demonstrate interest in exploring the deep historical pedigree of the charter school. Finn and colleagues position the movement's ancestry to "the era before Horace Mann began to gather public education into government-run systems."¹⁵ From here, however, the analysis quickly jumps to the 1960s and Lyndon Johnson's Great Society, leaving much for the reader to ponder regarding the impact of historic events or movements during the intervening years. Across disciplinary and ideological contexts, the common thread in these works is the lack of attention paid to the historical evolution of the ideas that gave rise to the charter school model prior to the late 1980s; moreover, the important linkage between charter schools and educational vouchers remains underdeveloped.

A deeper examination of the historical and philosophical underpinnings of the movement is needed as charter schools have emerged as a surging manifestation of school choice.¹⁶ Between 2004 and 2015, the percentage of all public schools that were charter schools increased from 4 percent to 7 percent, while the total number of charter schools in the United States increased from 3,400 to 6,750.¹⁷ Identifying the cause of the movement's popularity has proven elusive due to a lack of *conclusive* evidence regarding generalizable academic gains among charter school versus traditional public school students.¹⁸ As Berends explains, determining the achievement trajectory for charter schools is heavily dependent on "data, location, methods and interpretation,"¹⁹ thus rendering the production of generalizable statements problematic. Even when these obstacles are overcome, however, findings indicate that "the impact of the charter sector on student outcomes varies considerably,"²⁰ with the most recent findings supporting more consistently positive outcomes in urban versus suburban settings and in analyses of outcomes for charter schools that are large enough (and in sufficient demand) to evaluate via lottery methods.²¹ Prominent researchers, trumpeting results from large quantitative assessments, vent frustration that the movement is rapidly expanding despite lacking strong evidence of positive academic gains across contexts. For example, Diane Ravitch noted that the work of education is "slow and arduous," and charter schools are simply the latest example of the American people "being seduced by the lure of grand ideas." After all, Ravitch concludes, "on the federal tests,

known as the National Association of Educational Progress . . . charters have never outperformed public schools.”²² The mixed findings offered via quantitative evaluations, combined with the view expressed by Ravitch that the current state of evidence is insufficient to offer a *persuasive* argument for the continued spread of charter schools, implies that their popularity is likely to be driven by factors other than improved test scores. My article advances a set of historical explanations that may help to elucidate the popularity of the movement as driven by factors other than contemporary test scores.

The historical analysis presented in this article challenges the argument that the quest for superior academic outcomes is the primary driver of the success of the charter school movement. Instead, it suggests that the popularity of schools of choice rests, at least in part, on the movement’s foundational premise of restoring substantive agency to educational stakeholders.²³ This degree of control over the transmission of normative educational values resonates with the Republic’s historical DNA; as such, charter schools represent a natural and organic feature on the American policy landscape. From the outset, it is important to stipulate that this work is neither arguing for or against the pedagogical desirability or superiority of the charter school design. Instead, the purpose of this analysis is to offer an alternate, and, as yet, unexplored explanation for the rapid and sustained rise of the charter school movement’s popularity. What follows is a macro-historical analysis that invites the reader to consider the contribution of fundamental historical shifts in American history to the rise and continued growth of the charter school movement.

This article begins with a brief overview of the hallmarks of the charter school design in terms of structure, governance, and funding. Next, beginning in the early national period, the development of the traditional public school is reviewed against broad historical forces in order to understand how this statist mandate became an enduring—if counterintuitive—feature of the Republic. The entrenchment of a common education system in a nation that was conceived in an atmosphere of natural rights and extreme regionalism worked to gradually produce generations of Americans increasingly resistant to state-mandated compulsory education, and thus receptive to the charter school alternative. Blending with these philosophical drivers, this article works from the premise that it is in the lived experiences of traditionally underserved minority communities that charter schools gained their initial traction. The article leans heavily on—and is moved forward by—the unique historical experience of the African American community, which because of continued cycles of rejection by the dominant white culture, formed unique educational

covenants through to the end of the *Plessy* era. Because of the underwhelming impact of the *Brown v. Board of Education* decision, I will explore how segments of the African American community looked first to educational voucher programs,²⁴ and later to the charter school movement as a means to realizing educational equity for their own children. Finally, I will analyze the historical evolution of a unique and bitterly contested policy coalition formed between predominantly white conservatives and African American educational activists that resulted in the 1990 Milwaukee Parental Choice Program. This voucher program—the first of its kind—provided a tangible response to the shortcomings of public education. As I will illustrate, the Milwaukee program represented much more than the angst of Wisconsin educational activists; it represented a focal point for national dissatisfaction with the growing inequities of public education for African American children across regional contexts. For example, four years prior to school vouchers becoming a reality in Milwaukee, the Urban League launched an Education Initiative aimed at mobilizing grassroots community stakeholders to improve “black educational performance . . . based on models adaptable to local conditions” in Baltimore Maryland. Nested in the Urban League’s initiative was a deep distrust of an unregulated “voucher system that would destroy public education.”²⁵ The Urban League’s quest to shape a public education system malleable enough to be “adapted to local conditions” foreshadowed a central tenet of charter school design: flexibility. This distrust of school vouchers proved pervasive, and vouchers failed to resonate with the electorate. Conceptually, the most salient contribution of the vouchers was providing a gateway for the nation’s first charter school legislation in Minnesota in 1991. As Michael Winerip points out, unlike vouchers, “charters . . . were smack in line with mainstream Republicanism—market driven, secular schools that required no tax increase.”²⁶ In other words, as Professor Paul Hill points out, Americans are suspicious of an unregulated free market; “they want some government oversight of tax-payer-funded schools.”²⁷ Therefore, as I will argue, there is an important relationship between the mainstream rise of the education voucher and the success of its school-choice successor, the charter school. Before exploring the antecedents to the charter school movement, however, it is important to understand what exactly a charter school is.

CHARTER SCHOOLS: STRUCTURE, GOVERNANCE, AND FUNDING

Charter schools are built on the premise that the homogenous educational framework that defines the generic traditional public school is too rigid to

accommodate all learners.²⁸ Antithetical to their traditional counterparts, charter schools exist in a dizzying array of shapes and sizes featuring an equally diverse assortment of pedagogical approaches that drive multiple curricular themes. Despite their diverse venues and mandates, however, there are broad structural commonalities that charter schools share. Charter schools are publicly financed institutions that receive significantly less funding per pupil than their traditional public school counterparts. A 2017 study found that, across regional contexts, charter school students receive an average of \$5,721 less than students attending traditional public schools, representing a funding gap of 29 percent.²⁹ In addition to standard public funding, charter schools are also encouraged to seek federal grants and are eligible to receive philanthropic donations. Working within this framework, charter schools are freed from most of the rules and regulations that traditional schools must conform to. Some of the foundational freedoms that charter schools enjoy include autonomy in areas of staffing, curriculum choice, and budget management. Collectively, these freedoms allow for, and in fact encourage, the creation of unique educational landscapes that ideally reflect the preferences and values of participating families, school founders, and the communities within which these schools are nested. In return for these freedoms, charter schools are expected to produce positive academic results.³⁰

The autonomy from state regulations that defines the charter school movement aligns closely with popular conceptions of the American founding ethos. This ethos is ensconced in notions of minimal state encroachment that works to maximize individual liberty. The fact that structural elements of what would emerge as the charter school design were *not* included in the original nineteenth-century vision for compulsory schooling suggests that the creation of the common school was driven by the pragmatic needs of the fledgling Republic. These needs were very different from those that frame the popular mythos of the American creation narrative and its metanarrative(s). This fundamental shift, from a philosophy dedicated to maximizing individual and regional autonomy to one dedicated to a collectivist approach to shaping the transmission of normative values, makes the formative years of the Republic a critical period in locating the moment when the state initiated a vision for compulsory education that chafed against America's founding ideals. The entrenchment of a state-driven public education system within a highly regionalized libertarian-leaning Republic, worked to make certain that centralized education policy would encounter substantive resistance by various stakeholders looking for increased autonomy in the education of their children.

THE EARLY NATIONAL PERIOD AND THE EMERGENCE OF THE COMMON SCHOOL

The unifying theme for the architects of the American Revolution centered on the idea that the power of the state should be viewed as a potential agent of tyranny. With this in mind, when exploring the intellectual roots of the charter school movement, it is important to begin by considering how the classic liberal ideas, which moved the colonists to wage a war for independence, were compromised in favor of a state-centered pragmatism during the early years of the Republic. One salient manifestation of this philosophical shift was the creation of the common school.³¹ The creation of a common educational experience was judged necessary in order to compensate for the decentralized architecture of education policy.³² Wedded to this Tenth Amendment reality, the fidelity of American federalism was jealously guarded by the states, as they firmly adhered to regional sensibilities while remaining suspicious of centralized authority.³³ With regional protections in place, the common school era initiated a period of structural entrenchment that would prove remarkably resistant to innovation.³⁴

The American War for Independence left an indelible mark on the development of education. Against the backdrop of a receding British imperial power, the early years of the Republic shaped the development of American education in surprising ways.

In the mythos of the American Revolution, colonial majorities rose in solidarity to resist the tyranny of the British Empire. However, as Wood explains, nearly 20 percent, or half a million of the colonists, remained loyal to the Crown, while another eighty thousand left the colonies for good.³⁵ By 1786, the jails were overflowing with debtors and former militia members. In this atmosphere, Daniel Shays emerged as the symbol of American unrest. The young soldier-turned-farmer was one of thousands of Massachusetts veterans facing foreclosure on his farm while wealthy landholders profited off the seized lands. Shays and his comrades mobilized to occupy county courts in a futile attempt to prevent the authorities from seizing their property; a militia was dispatched and Shays and his companions were quickly routed.

Shays's Rebellion, along with lesser-known uprisings, such as the Whisky Rebellion, and other minor skirmishes along the Western frontier, are more notable for the response they engendered than for any real threat they posed to the Union. They convinced the founders that the threat of a domestic uprising was a real possibility; furthermore, officials became increasingly concerned that European powers, notably Spain, France, and a wounded Britain, were

waiting to ally themselves with disaffected former colonials.³⁶ These fears moved policymakers to rework the framework of the federal government to allow for greater centralized control and a more coherent national mandate. Central to this task was the question of how best to instill a fierce patriotism in future generations that would work to protect the integrity of the Republic.

The task of instilling a sense of civic fidelity in a fragmented and restless population resulted in an atmosphere conducive to the emergence of a statist common school system.³⁷ The educational structures that emerged were developed from a pragmatic perspective that implicitly swept aside the Revolutionary idea that Americans were a unified people who, if left to their own sensibilities, would produce a coherent republic. To this end, Benjamin Rush argued that American prosperity was predicated on the ability of education to “convert men into republican machines,” which, Rush continued, would “allow them to perform their parts properly in the great machine of the government of the state.”³⁸ As Tyack explains, policymakers struggled with the task of “balancing order and liberty,”³⁹ and, in doing so, settled on the idea that American social and economic challenges required a form of didactic social engineering. In other words, the new republic required an education system that would mold a particular *type* of citizen, one who would ideally perpetuate republican ideals of civic virtue. The development of a common education system was a crucial element in sustaining a stable democracy dedicated to the perpetuation of a uniquely American ideology. Early American policymakers viewed factionalism, regionalism, and ignorance as existential threats to the longevity of the American union. In *Federalist 10*, Madison warned that popular governments must be prepared to “break and control the violence of faction,” which could be accomplished “by giving to every citizen the same opinions, the same passions, and the same interests.” In order to achieve these ends, Reinier argues that it was considered “imperative to give republican stability to the character of the rising generation.”⁴⁰ This critical transmission of “character” would lean heavily on schooling for transmission, which, in turn, would require minimizing the transmission of values *not* endorsed by the state. This mandate is clearly articulated in Thomas Jefferson’s *Bill for the More General Diffusion of Knowledge*. In a letter to John Adams, Jefferson justified his bill on the grounds that common education would provide the “key-stone of the arch” of the American government by “raising the mass of the people to the high ground of moral respectability.”⁴¹ For Jefferson, every individual had a role to play in the maintenance of the Republic. The nature of an individual’s specific contribution would be dictated by his intellectual gifts. Jefferson wrote that the ultimate purpose of the bill was to lay

“the foundations of future order” by “raking from the rubbish the best geniuses” of the general population. Jefferson’s plan required dividing counties into sections called hundreds. Each hundred would contain a school that children would attend for three years. At the end of every year, “the tutor would select the boy of best genius, and send him forward to one of the grammar schools of which twenty would be erected.”⁴² This selection process would continue after the grammar school years, with the top half of the students continuing their education at Jefferson’s alma mater, the College of William and Mary, while the bottom half would be returned to the grammar schools to be employed as tutors. As Hellenbrand argues, Jefferson’s educational philosophy was nested in a nationalistic paternalism.⁴³ This paternalistic streak was borne of Jefferson’s lack of faith in the innate propensity of individuals to embrace republicanism. To render the people safe from themselves, Jefferson wrote that the “people’s minds must be improved to a certain degree.”⁴⁴ To achieve this goal, he sought to insulate Americans from vice and those social influences that failed to promote civic virtue. Jefferson’s legislation was never passed; however, Horace Mann, the architect of the common school movement, embraced Jefferson’s beliefs regarding the role of education in providing a conduit to instill core republican values and beliefs.

As a result, in the interest of national stability, a centralized influence would displace revolutionary notions of autonomy. The nineteenth century finally brought to fruition what Rush, Jefferson, and others had advocated for since the early years of the Republic: formalized education.⁴⁵ Commensurate with this, a competitive tension surfaced between the home and the school, characterized, as Cutler explains, by “blurred boundaries and shared functions.”⁴⁶ For generations, this tension would remain largely subterranean; as will be seen, however, it would resurface as a key driver in moving conservative activists to lobby for increased autonomy in making educational choices for their children.

The formation of publicly funded, compulsory education was a pragmatic policy response to significant challenges; overcoming these challenges required the creation of a unified republic populated by individuals dedicated to the advancement of American republicanism. From inception, however, there was a fundamental paradox imbedded in collecting taxes to fund a common education system dedicated to schooling children for the purpose of guarding liberty against the potential tyranny of the state.⁴⁷ In part, this inherent contradiction welling up from the American founding provided fertile ground to cultivate future resistance to the traditional public school experience.⁴⁸ In the coming decades, the Civil War years would initiate—albeit slowly—an era of resistance to traditional American society and the school system that

perpetuated it. The end of the Civil War era guaranteed that American policymakers would have to contend with an added layer of societal complexity: the transition of African Americans from bondage to citizenship. While constitutionally this transition was achieved through the ratification of the Civil War Amendments, the equitable access and benefits commensurate with such a transition represent an ongoing process. This process has run the gauntlet of failed policies from Reconstruction to the underwhelming impact of the *Brown* ruling.⁴⁹ In the wake of *Brown*, the African American community waited for the ruling's decision to deliver increased educational opportunities for their children. As the decades passed, a growing number of families began losing faith in state-mandated education, controlled, as they saw it, by gatekeepers drawn from the reservoir of white privilege.⁵⁰ The educational aspirations of marginalized communities would continue to be undermined by the intransience of traditional education; this contributed significantly to the rise of the charter school movement as a growing number of African Americans began exploring alternative ways of accessing equitable public education.

In exploring this shift from a historical perspective, it is important to trace the African American experience at the hands of the dominant white culture from the antebellum period to the ascension of modern school choice. This is critical for two related reasons: first, the catalysts that moved African American families to the forefront of the school-choice movement are cumulative and intergenerational, as opposed to a monolithic reaction to twentieth-century conditions. Second, one of the most profound criticisms of the charter school movement is its propensity to resegregate student populations.⁵¹ Indeed, as I will show, the rationale for the first school voucher program in Wisconsin suggests a regretful but purposeful disengagement from traditional public education, as African American families sought equitable treatment within the public education system. It is important to recognize that I am *not* arguing for *direct* causation between the nineteenth-century experiences of African Americans and the rise of the charter school movement. However, the African American narrative has been shaped by cycles of rejection and cruelty that have worked to create an atmosphere that both initiated the erosion of the monopoly of traditional public schools and instilled a readiness to embrace alternative modes of education.⁵²

FROM ANTEBELLUM TO *BROWN*

From the mid-nineteenth century onward, the rise of the common school attempted to fulfill the eighteenth-century dictum of engineering citizens who

would embrace the principles of American republicanism. Common schools provided an institution within which all children could feel part of a cohesive society; however, these schools reinforced a conception of citizenship anchored in whiteness.⁵³ For white children, school reformers accelerated the momentum of the common school through the idea that, in Moss's words, "regardless of their birthplace or social standing [children] could enter as individuals and exit as Americans."⁵⁴ As James Anderson explains, "Just as popular education for free people began to flourish . . . the successful campaign to contain and repress literacy among enslaved Americans triumphed."⁵⁵ Historical events prior to African American emancipation, combined with the holistic impact of slavery, worked to initiate a salient and enduring alienation from the dominant culture that would be fortified after the Civil War. As this narrative played out over time, the cumulative impact of intergenerational cycles of rejection would contribute to African Americans embracing an isolated education dynamic. For example, during the years between the various antebellum compromises and the Dred Scott decision, ideas surrounding African American citizenship were regional and ill defined. Moreover, even when African Americans were integrated into society, it was done piecemeal and entrenched in caveats meant to position them as a permanent underclass. One of the more provocative episodes of the period involved the sudden popularity of African repatriation organizations. Made up of affluent white Americans, groups such as the African Improvement Society, promoted the education of African Americans, not to ease their transition into society but to facilitate a successful program of repatriation back to Africa. Despite the best efforts of these societies, African Americans, while taking advantage of educational opportunities, showed little interest in returning to Africa, choosing instead to seek recognition within the American polity.⁵⁶

The thought of an educated black population remaining in the United States resulted in the rise of an existential fear among white Americans. Moss captures the city of New Haven's unease quoting Jonathon Wainwright, an affluent socialite and active supporter of the African Mission School Society, who, writing in the *New Haven Chronicle* in 1828, warned that the rise of black emancipation would result in the "immediate destruction of the white population."⁵⁷ When not concentrating on repatriation, many whites were preoccupied with keeping the distinction between the races monolithic. The historical record is dotted with examples of cold indifference to supporting African American educational aspirations. For example, in 1825, Rhode Island's *Providence Journal* reported that a black schoolteacher, having exhausted her own funds in keeping a school open for poor "colored" children, was denied

minimal assistance and was instead chastised because “no one wished her to educate [Rhode Island’s] black population.” The council feared that encouraging access to schooling would “offer . . . inducements to call them [blacks] within our boundaries.” The reaction of white policymakers in Providence is consistent in spirit, if not in tone, with the resistance that African Americans would continue to encounter well into the twentieth century as they attempted to secure equitable educational opportunities for their children.⁵⁸

By the eve of the Civil War, anxieties surrounding the impact of educating African Americans had evolved to overt opposition, thus forcing African Americans to cultivate educational opportunities within their own communities. The venue of choice for creating these opportunities was the church; the church served as an oasis for African American families. Billingsley and Caldwell chronicle decades of research illustrating the important historical role the church played in providing a place to promote the liberating possibilities of education for African American communities.⁵⁹ The era of Reconstruction produced a series of contradictory policy initiatives that left African Americans in limbo. Despite glimpses of slowly evolving equity during the period of Radical Reconstruction, such as the creation of the Freedmen’s Bureau and the establishment of the U.S. Bureau of Education in 1867, the nineteenth century would end with the imposition of an apartheid existence via the *Plessy* decision. In the midst of the immediate chaos that followed the end of the Civil War, black Americans set about “reconstituting families, building churches, and, most notably, demanding access to literacy.”⁶⁰ During the first decade of African American freedom, churches doubled as schools and teachers taught classes as large as one hundred students.⁶¹ The vitriolic reaction of white Americans moved many black Americans to embrace a garrisoned social dynamic. This reality, while discriminatory and devastating, also worked to strengthen relationships within segments of the African American community. The legacy of this dynamic would prove foundational in encouraging African Americans to embrace school choice over a century later.

Against this backdrop of vicious persecution, a unique communal pedagogy was forged in many African American communities. Within this dynamic, each individual was accountable to the next. Jones found that many of those who were educated during the American apartheid era recounted that *not* learning was “unacceptable to teachers, family, peers and the community. The choice was how much one would learn, and what subjects would be mastered.”⁶² In the wake of the *Brown* decision, one African American scholar noted that “there is a nexus between families, neighborhoods and schools . . . restructuring of the schools brought about an imbalance in the

Black community.”⁶³ Existing in an empathetic environment among students, families, and teachers fostered an intimate understanding of the reality of the world and the unique challenges that African American children would face as adults.⁶⁴ To be clear, the post-Civil War reality for African American families does not represent the halcyon days of black education and achievement. The entire doctrine of “separate but equal” was driven by a post-Civil War reality that sought to maintain African Americans as a permanent underclass. The 1954 *Brown* decision, in outlawing state-sponsored segregation, was crucial in breaking down *du jure* social barriers for African American children, adults, and families. However, given that more than sixty years later *Brown* has failed to achieve substantive educational equity for marginalized minority students,⁶⁵ its most salient legacy may be its catalytic role in moving significant factions of African Americans toward embracing the charter school movement. A historical analysis of the lived experiences of generations of African Americans suggests that, in the wake of *Brown*’s failure to offer meaningful integration, these traditionally marginalized communities reached a tipping point, making them receptive to alternative forms of public education divorced from concerns over racial integration.⁶⁶

BROWN AS A COUNTERINTUITIVE DRIVER FOR SCHOOL CHOICE

Decades before *Brown v. Board of Education*, as some northern states were experimenting with integrated schools, W. E. B. Du Bois pondered the necessity of separate schools for “negro” children. Du Bois concluded that such schools were needed “so far as they are necessary for the proper education of the negro race,” because, Du Bois argued, “perfect social equality [between student and teacher] is essential to induct the child into life.”⁶⁷ Although Du Bois was a key player in the formation of the National Association for the Advancement of Colored People (NAACP), his arguments in support of the regrettable need for separate education venues for black Americans would prove anathema to the organization and many of its allies. Moreover, it would be pivotal in the years following the *Brown* decision in providing a gateway to charter school legislation.

Despite the prominence of the *Brown* ruling, it has failed to reconcile its desegregation mandate with its aspirations for educational equity.⁶⁸ Regarding the tangle educational benefits for minority students in general and African American students in particular, *Brown v. Board of Education* is one of the most divisive cases in the history of American jurisprudence.⁶⁹ Harvard law professor and civil rights activist Derek Bell argued that the *Brown* decision

was a “magnificent mirage.”⁷⁰ To Bell’s point, the law was passed without any serious thought as to how its goals of racial equality would be attained, while Jacoby concludes that “the law was an incredibly weak attempt at achieving this goal.”⁷¹ The *Brown* ruling, having found state-mandated segregation to be unconstitutional, was nested in the promise of equal opportunity to realize human potential; it was *not* predicated on a semantic rendering of the Constitution. *Brown* took a broader, more nuanced view: the promise of *Brown* is steeped in equality of opportunity, as opposed to the application of a concrete legal principle. Lacking a substantive enforcement mechanism, the *Brown* decision required a seismic shift in societal norms to realize the ruling’s promise. In 1954, the vitriolic reaction to school desegregation was not encouraging, and, instead, helped move African Americans toward reimagining an educational covenant that would best facilitate the realization of the promise of *Brown*. This departure was not leveraged solely by white America’s reaction to *Brown v. Board of Education*.

In brief, the fracture would occur throughout further legal action, failed policy mandates, and legal decisions that directly worked against the realization of the promise of *Brown*. The lofty aspirations of *Brown*, while laudable, also made it vulnerable to noncompliance. Therefore, when the initial ruling failed to result in meaningful desegregation, a second Supreme Court ruling, *Brown II*, directed schools to desegregate “with all deliberate speed,” as local conditions and sensibilities allowed. As Jim Chen observes, this “formula enabled public school districts in the South to delay school desegregation for more than a decade.”⁷² It would require the Elementary and Secondary Education Act of 1965 to catalyze states into complying with the nation’s desegregationist mandate. By the early 1970s, however, the promise of the *Brown* era was stymied by the 1974 *Milliken v. Bradley* decision; the ruling decimated the promise envisioned by the *Brown* decision by halting a desegregation remedy in the city of Detroit.⁷³ The justices found that while the Detroit school district was indeed segregated, the desegregation remedy lay beyond the powers permitted by the Constitution. With the justices concurring that indeed segregation was a salient problem in the city of Detroit, but refusing to act in concert with the promise of *Brown I*, the Supreme Court all but guaranteed that historically marginalized communities would require an alternative strategy to realize educational equity.

The reception of the initial *Brown* decision offers a glimpse into the cycle of *de jure* acceptance and *de facto* rejection experienced by black individuals and families as they worked to achieve and maintain meaningful integration into American society. As *Brown* was making its way through the judicial

process, the Mississippi state senate came within two votes of abolishing public schools. Anticipating the end of the *Plessy* era, state Senator Earl Evans prophesized that “if white and colored children went to school together for 12 years you would mongrelize the white race.”⁷⁴ This fear of the existential other permeated the atmosphere of *Brown*, serving to further the sense of alienation felt by African Americans. In 1956, writing in the *Atlantic Monthly*, Herbert Sass echoed the concerns of Senator Evans when, in the wake of the *Brown* decision, he warned his readers that while “most persons find the idea of mixed mating disagreeable or even repugnant[,] this would not be true of the new generations brought up in mixed schools.”⁷⁵ These reactions provided a point of departure for many African Americans, for whom the anti-*Brown* backlash confirmed that the dominant white culture would never accept meaningful, robust integration. Although the first charter school opened its doors in the state of Minnesota, the gateway policy for the charter movement took place in Milwaukee, Wisconsin, in the form of the Milwaukee Parental Choice Program. The program itself came into being because of historical frustrations finding expression through a diverse confluence of educational stakeholders balking at an ossified policy environment that had resisted impactful educational reform.

BEYOND *BROWN*: THE PATH TO CHARTER SCHOOL REFORM

In the United States, the charter school movement is unique in that it has emerged from and thrived in a divisive ideological atmosphere.⁷⁶ In a nation often stymied by the intransigence of its policy process, the charter school movement has achieved dynamic legislation, at both the state and federal levels. This legislation is often driven by unique—if fragile—bipartisan coalitions. In the realm of education policy, these political alliances originally formed in the push for school vouchers when homogenous communities, defined largely by race and differentiated access to economic resources, concluded that existing educational structures were failing to provide adequate educational opportunities for American families. As a result, communities compromised their traditional ideological alliances and sought out unconventional and untried partnerships in an effort to launch a series of school-choice reforms that fractured the exclusive franchise of the state in matters of public education.

This new coalition featured black civil rights advocates who were disappointed in the failure of the *Brown* decision to bring about educational equity, combined with, largely, white conservatives who were alarmed by the Reagan administration’s policy report, *A Nation at Risk* (ANAR). For their part, black activists were bitterly disappointed that, by the 1980s, *Brown* had not translated

into impactful integration or an increase in educational attainment for African Americans. In fact, from the 1970s onward, in both the academic and mainstream press, it was evident that African Americans were increasingly looking to move on from the empty promises of educational equity.⁷⁷ At the same time, many conservatives believed that American public education had become entrenched in mediocrity; they associated the “anemic” state of American education with what they considered a bloated government-run school system that failed to promote or incentivize excellence. Moreover, conservatives became fixated on the internationally competitive dynamics of a Cold War world, in which the United States was increasingly portrayed to be “losing.” The atmosphere surrounding this hardening attitude toward state run schools stemmed directly from conclusions drawn from *A Nation at Risk*. As such, the prominence of ANAR as a catalyst in the formation of this unlikely policy coalition is critical and deserves dedicated historical analysis.

ANAR was not the first time the Cold War had been invoked to leverage educational reform. In 1957, President Eisenhower reacted to the Sputnik “Crisis” by initiating educational reforms aimed at increasing American investment in science education. ANAR, however, was different. While the reaction to both Sputnik and ANAR was driven by the fear of communist advances, the reaction to Sputnik involved an empirical reexamination of school curriculum and pedagogy, carried out within traditional educational structures, resulting, most notably, in the creation of the 1958 National Defense Education Act.⁷⁸ ANAR, however, was framed to awaken the American public’s sense of moral exceptionalism. The document’s influence flows from its tone and its textured, forthright message. Unlike other policy documents that relay quantified results, ANAR invited citizens to rediscover America’s founding myths; to contemplate present challenges and consider what steps are required for a course correction. These messages portrayed these steps as central to victory in the Cold War. From ANAR’s opening paragraph, citizens were reminded that the United States is the land of opportunity: if the Protestant work ethic is faithfully adhered to, Americans will be successful in securing “gainful employment [and] thereby serve not only their own interests but also the progress of society itself.” Contemporary America is in danger of being “eroded by a rising tide of mediocrity that threatens [America’s] future as a nation and a people.” These wounds, the authors tell us, are self-inflicted: had a foreign power imposed the current American education system on the nation, Americans “would likely consider it an act of war”; as it is, however, the United States has been committing an “act of unthinking, unilateral educational disarmament.”⁷⁹

A Nation at Risk firmly concludes that the collapse of the education system has resulted in the United States being economically surpassed by other nations. As McGuinn points out, for Republicans, “this was an indictment of past federal programs and mandates . . . and called for eliminating federal influence” in public education.⁸⁰ The historical timing of ANAR, combined with the surgical condemnation of public education, created a powerful—albeit implicit—argument for innovative solutions to educational challenges devoid of federal mandates.

Understanding the inherent stressors of the predominately white conservative and African American communities’ coming together for a common legislative purpose is important in assessing how the charter school movement emerged as a vehicle to further the educational goals of particularistic communities. From a political and policy perspective, the ascendancy of the charter school movement cannot be divorced from the general concept of school choice. The role of the educational voucher as antecedent to the charter school movement is important. Having agreed that public education was failing the children of Wisconsin, black liberals, driven by a desire to infuse public education with meaningful equity, and white conservatives, determined to reform the American education system, ushered in an era of ideological détente, and in doing so formed a unique, albeit fragile, political alliance.

THE MILWAUKEE PARENTAL CHOICE PROGRAM AND THE BIRTH OF THE PUBLIC SCHOOL

As the Milwaukee program was being ushered through the Wisconsin legislature, expressions of frustration by African Americans concerned with education policy were being expressed across the country. Writing in the *Atlanta Daily World*, economist Walter Williams, using language analogous to that deployed by the authors of *A Nation at Risk*, argued that “if the Ku Klux Klan wanted to sabotage black Academic excellence . . . he couldn’t find a better weapon than our current public education system.”⁸¹ The *Los Angeles Times* described the Milwaukee Parental Choice Program as involving an “alliance of blacks and conservative whites” that was “igniting bitter racial political battles.”⁸² While the state of Minnesota enacted the first charter school law in 1991, the evolution of that state’s path to charter school reform was paved through the state of Wisconsin in 1990. In that year, Wisconsin passed the nation’s first education voucher program, ushered through by a unique coalition of conservatives and African American liberals. The legislative process in Wisconsin demonstrates a clear example of the powerful synergy of building

new political coalitions, the irrelevancy of holistic ideological harmony between coalition partners, and, most important for the purposes of this work, the historical relationship between the voucher and the charter school. The Milwaukee program became the first voucher plan to be passed targeting “at-risk” minority students. The plan was implemented after voluntary desegregation efforts that looked to entice suburban students to transfer to city schools failed, and African Americans encouraged their state representatives to seek radical solutions to the abysmal state of inner-city schools.

The Milwaukee Parental Choice Program emerged from Democratic state legislator Polly Williams’s original voucher plan, which was designed exclusively to serve low-income, largely urban, African American students. The plan failed after critics railed that it would create an “urban apartheid,”⁸³ and was attacked in the state legislature for violating the Equal Protection Clause of the Fourteenth Amendment.⁸⁴ The Republican governor, Tommy Thompson, did not openly support the Williams proposal; however, he did not actively campaign against it. In the aftermath of this defeat, Williams repackaged her plan; this time she presented a bill that was open to *all* low-income students, and proposed that the state, instead of particular districts, administer the program, thus opening up the process up to a degree of transparency not offered in the original proposal.

The proposed law mandated that only students whose family income did not exceed 1.75 times the federal poverty level would be eligible for the state to pay up to \$2,570 per pupil to a nonsectarian private school. This amount equaled the sum that the state contributed to the Milwaukee school system per child. The actual number of students who could participate in the program was capped at 1 percent, or 933 students.⁸⁵ Almost immediately, Governor Thompson and other like-minded conservatives rallied behind the measure as a conduit to further school privatization, while the African American community embraced the proposal as a vehicle toward securing educational equity. This legislative moment signaled the fracturing of old alliances. Immediately, the NAACP attacked the black liberal communities’ alliance with Governor Thompson. Director of the Milwaukee NAACP, Felmers O. Chaney, asserted that he “distrusted whites who supported the choice plan,” since the plan reminded him of “the old freedom of choice plans in the south” designed to segregate African Americans.⁸⁶ The NAACP, in conjunction with the Wisconsin teachers and principal unions, quickly filed suit to halt the law from going into effect.

Williams, an outspoken African American civil rights activist, bluntly clarified the nature of the policy coalition. In response to criticism from the

NAACP and the Superintendent of Wisconsin schools, Herbert Grover, claiming that school choice would irreparably balkanize American society, the state senator retorted that “I am not an integrationist . . . if public schools can’t do any better, we don’t need them.” When accused of being used as a pawn by conservative Republicans, Williams retorted that it was irrelevant that “conservative racists and bigots have the same idea.” The problem, Williams continued, was not that a coalition had come together out of political expediency, but that the public school system “was not meeting the cultural needs and values of black children.” To remedy this, Williams asserted that “it was time black people started looking out for themselves.”⁸⁷ Williams was supported by Mikel Holt, a voucher advocate and editor of the *Milwaukee Community Journal*; in retrospect, Holt reflected that vouchers worked to provide an educational vehicle for African Americans to regain a sense of community and economic self-sufficiency; moreover, he viewed integration as having “destroyed Black communities” while rendering them “educationally impotent.”⁸⁸ The Milwaukee policy brought to the surface the historic tension between the state and the individual. The common school ethos predicated in large part on the desirability of social engineering was being challenged from the seemingly antithetical nexus of the traditionally marginalized African American community and libertarian leaning conservatives.

In 1992, the *Washington Post*, characterizing the ongoing legal showdown over the Milwaukee program, couched the mission of school choice in the language of “class struggle,” asserting that it was undeniable that America’s public schools “in the inner cities are separate and unequal places.”⁸⁹ The ongoing litigation morphed into a zero-sum game; potentially, the program could be proved unconstitutional, resulting in the entire choice movement being designated unlawful. However, as victories mounted in favor of school choice, the position of the NAACP and the teachers’ unions were weakened and, consequently, the school-choice movement became more deeply entrenched in the nation’s evolving policy narrative. It is important to remember, as Williams and Holt remind us, that the communal motivation to enhance the success of African American students, and, by extension, strengthen the African American community, speaks to the rapidly evolving realization by black Americans that it was in their best interest to reform their interdependent educational covenants. This tendency to look inward to one’s own family and community is, of course, a hallmark of the charter school design. Furthermore, this shift in thinking regarding the form of public education speaks to the reemergence of the saliency of individual stakeholders in making school-based decisions, while offering a sharp rebuke to state-mandated education choices.

Finally, in 1992, the Milwaukee program made its way to the Wisconsin Supreme Court, where it was “narrowly upheld on procedural grounds.” The victory was, as the *Washington Post* reported, “a wider affirmation for choice and voucher programs.” This, the *Post* continued, was “the test for the state and to a lesser extent the country.”⁹⁰ Following on the heels of the Supreme Court’s decision, the Milwaukee program became a gateway initiative for the innovative policy hybrid from Minnesota: the charter school. Moreover, a 1992 report generated by the Wisconsin Policy Research Institute found that the majority of participants had judged the Milwaukee program to be successful, and found that “parent satisfaction was high.” In totality, the report made significant recommendations that inched it philosophically closer to the charter school design being implemented in neighboring Minnesota, such as “repealing the law that schools may not enroll more than 49% of their students through the Milwaukee Parental Choice Program” and working to “remove arbitrary administrative and statutory limits” on low-income children participating in the program. The consistent strain of criticism that runs through the institute’s report is squarely aimed at the superintendent of the Wisconsin Department of Public Instruction, Herbert Grover. Grover is accused of “failing to separate his personal disapproval from his sworn responsibility to implement the program effectively.”⁹¹ While it is beyond the scope of this article, it is worth noting that the animus between the entrenched representatives and interests of traditional public education and school-choice advocates and practitioners represents a consistent theme of high tension between the two educational camps.

Nationally, the path to charter school legislation was initiated by the voucher experience in Wisconsin. Ted Kolderie, a key architect of Minnesota’s inaugural 1990 charter school policy, expressed the linkage between these two radical education reforms when he observed that “public education cannot easily resist a Polly Williams.” To do so, Kolderie continued, would represent a “profound political miscalculation.”⁹² Thus, assessing the charter narrative in a policy vacuum removed from the role of the Milwaukee Parental Choice Program is problematic. Anti-school-choice groups, having been forced to concede legal ground on the issue of educational vouchers, proved much less anxious to attempt litigation against this compromise position between free-market vouchers and traditional public schools controlled exclusively by the state.⁹³ Charter schools, while granting unprecedented latitude in matters of staffing and curriculum, allowed a measure of structural control to remain with the state. As one researcher commented, charter schools can be best described as “half a loaf” in the movement to grant parents and

families unfettered autonomy in matters of public education.⁹⁴ Furthermore, educators who abhorred the idea of choice in general were motivated to accept the charter movement out of fear that voucher programs could become the law of the land and thus open public education to the full force of privatization. The synergy that the combined forces of African American activists and primarily white conservatives generated through the 1990 coalition that produced the Milwaukee voucher program represents a microcosm of the larger bipartisan détente in matters of education policy that has led to the charter school model being embraced by diverse groups of stakeholders. Minnesota offered an atmosphere featuring a strong tradition of grassroots educational interest groups, a political respect for the autonomy of district-level decision making, and a receptive policy environment.⁹⁵ At the close of the twentieth century, these factors created an environment conducive to radical educational reform.

Minnesota's 1991 charter legislation represented a significant realignment in the relationship between the state and the family in matters of public education policy. The precedent in Minnesota initiated the rapid expansion of the charter school model across the country, and was warmly received by states such as Massachusetts, California, and Arizona. These regions are home to large tight-knit populations historically underserved by traditional American education.⁹⁶ Arguably, these communities were taking their cue from segments of the African American population that had embraced the charter school model as a means of achieving substantive educational equity.

CONCLUSION

This article has argued that the impetus, and continued growth, of the American charter school movement is nested in the totemic narratives of American history. The precept of minimal state interference, having become subordinate to the mandate of the traditional public school, reemerged through the agency of conservatives and found common cause with segments of the African American community seeking educational equity outside of traditional American education. Their efforts produced the Milwaukee Parental Choice Program, which was instrumental in preparing the way for the inaugural 1991 charter school legislation in Minnesota. Charter schools have become a fixture on the terrain of American education policy; they have accomplished this despite mixed evidence regarding academic gains when compared to their traditional public school counterparts.⁹⁷ It is important to reiterate that this historical analysis is not rooted in arguments

for or against the educational merit of the charter school model. Motivated by a lack of consistent and generalizable student achievement data to explain why charter schools have captured the American public's imagination, this article introduced an explanation for the rise and continued growth of the charter school movement that is nested in American history. This work offers a macro-assessment of the historical drivers that brought the charter school model into being. However, given the distinct regional sensibilities, combined with the racial, ethnic, and socioeconomic variability within the United States, many rich micronarratives remain to be explored on the way to developing a fuller understanding of the scope and force of the charter school movement's appeal to the American people. My review here represents a gateway, written in broad strokes, to prepare the way for more intensive explorations of the systemic relationship between American history and the charter school movement across diverse contexts.

University of California, Irvine

NOTES

1. For a seminal work that explores the colonial roots of the common school movement, see James Axtell, *The School Upon a Hill: Education and Society in Colonial New England* (New Haven, 1974); Lawrence Cremin, *American Education: The Colonial Experience* (New York, 1970); Cremin, *American Education: The National Experience, 1783–1876* (New York, 1980); Cremin, *American Education: The Metropolitan Experience, 1876–1980* (New York, 1990); Herbert M. Kliebard, *The Struggle for the American Curriculum, 1893–1958* (New York, 2004).

2. Joseph Murphy and Catherine Dunn Shiffman, *Understanding and Assessing the Charter School Movement* (New York, 2002), 5.

3. Seymour Sarason, *Charter Schools: Another Flawed Educational Reform? The Series on School Reform* (New York, 1998), 5.

4. These works offer examples of the lack of attention dedicated to historicizing the charter movement. Eric A Hanushek et al., "Charter School Quality and Parental Decision Making with School Choice," *Journal of Public Economics* 91 (2007): 824. Diane Ravitch, *Reign of Error: The Hoax of the Privatization Movement and the Danger to America's Public Schools* (New York, 2013), 140. Robert Mark Silverman, "Making Waves or Treading Water? An Analysis of Charter Schools in New York State," *Urban Education* 48, no. 2 (2012): 258–60.

5. Milton Friedman, *The Role of Government in Education* (New Brunswick, 1955), 3.

6. Milton Friedman, *Capitalism and Freedom: With the Assistance of Rose D. Friedman*. (Chicago, 1962); Milton Friedman and Rose Friedman, *Free to Choose: A Personal Statement* (New York, 1980).

7. Gilbert Hentschke, *A Brief and Future History of School Choice*, The Wiley Handbook of School Choice, ed. Robert A. Fox and Nina K. Buchanan (New York, 2017), 29.
8. Diane Ravitch, *The Life and Death of the Great American School System: How Testing and Choice Are Undermining Education* (New York, 2010).
9. James Forman Jr., "The Secret History of School Choice: How Progressives Got There First," *Georgetown Law Journal* 93 (2004): 1319.
10. Martha Minow, "Confronting the Seduction of Choice: Law, Education, and American Pluralism," *Yale Law Journal* 120 (2010): 816, 814.
11. Elizabeth H. DeBray-Pelot, Christopher A. Lubienski, and Janelle T. Scott, "The Institutional Landscape of Interest Group Politics and School Choice," *Peabody Journal of Education* 82, no. 2–3 (2007): 204–30.
12. Janelle Scott, "School Choice and the Empowerment Imperative," *Peabody Journal of Education* 88, no. 1 (2013): 60–73.
13. Tim Mazzoni, "The Changing Politics of State Education Policy Making: A Twenty-Year Minnesota Perspective," *Educational Evaluation and Policy Analysis* 15, no. 4 (1993): 366.
14. Murphy and Shiffman, *Understanding and Assessing the Charter School Movement*.
15. Chester E. Finn Jr., Bruno V. Manno, and Brandon L. Wright, *Charter Schools at the Crossroads: Predicaments, Paradoxes, Possibilities* (Cambridge, Mass., 2016), 8.
16. Christopher A. Lubienski and Peter C. Weitzel, *The Charter School Experiment: Expectations, Evidence, and Implications* (Cambridge, Mass., 2010), 7.
17. "National Association for Educational Statistics," U.S. Department of Education, <https://nces.ed.gov/fastfacts/display.asp?id=30> (accessed 1 May 2017).
18. Melissa A. Clark et al., "Do Charter Schools Improve Student Achievement?," *Educational Evaluation and Policy Analysis* 37 (2015): 420.
19. Mark Berends, "Sociology and School Choice: What We Know After Two Decades of Charter Schools," *Annual Review of Sociology* 41 (2015): 168.
20. Julian R. Betts and Emily Tang, "A Meta-Analysis of the Literature on the Effect of Charter Schools on Student Achievement," in *Center on Reinventing Public Education*, University of Washington, February 2014, 54.
21. Joshua D. Angrist, Pathak Parag, and Christopher R. Walters, "Explaining Charter School Effectiveness," *American Economic Journal: Applied Economics* 5, no. 4 (2013): 1–27.
22. Diane Ravitch, "The Big Idea—It's Bad Education Policy; One Simple Solution for Our Schools? A Captivating Promise but a False One," *Los Angeles Times*, 2010.
23. Sandra Vergari, "The Politics of Charter Schools," *Educational Policy* 21 (2007): 18–20, 27.
24. Educational vouchers are government-funded allowances for parents to redeem at the public or private school of their choice. For a detailed description of educational vouchers, see Patrick J. McEwan, "The Potential Impact of Large-Scale Voucher Programs," *Review of Educational Research* 70 (2000).
25. John Jacob, "To be Equal: New Education Initiative," *Baltimore Afro-American*, 27 September 1986, 5.
26. Michael Winerip, "Schools for Sale," *New York Times Magazine*, 14 June 1998, 47.
27. Sam Dillon, "For Parents Seeking a Choice, Charter Schools Prove More Popular Than Vouchers," *New York Times*, 13 July 2005, B8.

28. Nathan was a key founder in the charter school movement; his writings illuminate the catalysts for an alternative education structure. Joe Nathan, *Charter Schools* (San Francisco, 1999).

29. Patrick Wolf, Larry D. Maloney, Jay F. May, and Corey A. DeAngelis, "Charter School Funding: Inequity in the City," *School Choice Demonstration Project*, University of Arkansas (2017), <http://www.uaedreform.org/downloads/2017/05/inequity-in-the-city.pdf>.

30. Jack Buckley and Mark Schneider, *Charter Schools: Hope or Hype?* (Princeton, 2009), 4.

31. David Tyack, "Forming the National Character: Paradox in the Educational Thought of the Revolutionary Generation," *Harvard Educational Review* 36 (1966): 30–32.

32. Manna provides a concise analysis detailing the creative ways the federal government leverages states in matters of education policy. Paul Manna, *School's In: Federalism and the National Education Agenda* (Washington, D.C., 2006), 6–8.

33. Mead's taxonomy, comprised of Jeffersonian, Hamiltonian, Jacksonian, and Wilsonian ideological strains, provides an excellent foundation for understanding the impact of regional sensibilities and challenges in the policy process. Walter Russell Mead, *Special Providence: The American Foreign Policy Tradition* (New York, 2002).

34. NCLB is used to illustrate how the power of the states inhibits federal policy in shaping education across state contexts. Helen F Ladd, "No Child Left Behind: A Deeply Flawed Education Policy," *Journal of Policy Analysis and Management* 36 (2017): 461–65. Lorraine McDonnell, "No Child Left Behind and the Federal Role in Education: Evolution or Revolution?," *Peabody Journal of Education* 80 (2005). For an analysis of contemporary administrations using federal waivers to leverage state behavior in education policy, see Andrew Saultz, Lance D. Fusarelli, and Andrew McEachin, "The Every Student Succeeds Act, the Decline of the Federal Role in Education Policy, and the Curbing of Executive Authority," *Publius: The Journal of Federalism* (2017): 2–4.

35. Gordon S Wood, *The Radicalism of the American Revolution* (New York, 1991), 56–57.

36. Douglas G. Smith, "An Analysis of Two Federal Structures: The Articles of Confederation and the Constitution," *San Diego L. Rev.* 34 (1997): 262.

37. Carl Kaestle, *Pillars of the Republic: Common Schools and American Society, 1780–1860* (New York, 1983).

38. Benjamin Rush, *Essays, Literary, Moral, and Philosophical* (New York, 1806/1988), 9.

39. Tyack, *Forming the National Character*, 29.

40. Jacqueline S. Reinier, "Rearing the Republican Child: Attitudes and Practices in Post-Revolutionary Philadelphia," *William and Mary Quarterly: A Magazine of Early American History and Culture* (1982): 150.

41. Lester Cappon J., *The Adams-Jefferson Letters: The Complete Correspondence Between Thomas Jefferson and Abigail and John Adams* (Chapel Hill, 2012), 390–91.

42. Thomas Jefferson, *Notes on the State of Virginia* (New York, 1998), 183.

43. Harold Hellenbrand, *The Unfinished Revolution: Education and Politics in the Thought of Thomas Jefferson* (New York), 1990.

44. Jefferson, *Notes*, 184.

45. Cremin, *American Education: The National Experience, 1783–1876* (New York, 1980), 302.

46. William W. Cutler, *Parents and Schools: The 150-Year Struggle for Control in American Education* (Chicago, 2000), 16.

47. Kaestle, *Pillars of the Republic*, 42–43.

48. Polling data confirms a fifteen-year trend in the public's resistance to both the use of tax dollars for funding education and federal influence in education policy. Alec M. Gallup and Stanley M. Elam, "The 18th Annual Gallup Poll of the Public's Attitudes toward the Public Schools," *The Phi Delta Kappan* 68 (1986).

49. Gerardo R López and Rebeca Burciaga, "The Troublesome Legacy of *Brown v. Board of Education*," *Educational Administration Quarterly* 50 (2014).

50. For examples of African Americans identifying the inadequacy of *Brown* and the continued impact of racist education policies, see Charles Postell, "Blacks Claim Transfers Are Hurting Education," *Miami Herald*, 30 January 1970. "Breadbasket Hits Chicago 'Unequal' Education," *Bulletin*, 20 August 1969. "School Board Gets a D- Again," *Soul City Times*, 16 November 1968.

51. The following studies offer comprehensive analyses of issues surrounding the charter school movement and racial segregation: Robert Bifulco, Helen F. Ladd, and Stephen L. Ross, "Public School Choice and Integration Evidence from Durham, North Carolina," *Social Science Research* 38 (2009). Erica Frankenberg et al., "Exploring School Choice and the Consequences for Student Racial Segregation within Pennsylvania's Charter School Transfers," *Education Policy Analysis Archives/Archivos Analíticos de Políticas Educativas* (2017). Helen F. Ladd, Charles T. Clotfelter, and John B. Holbein, "The Growing Segmentation of the Charter School Sector in North Carolina," *Education Finance and Policy* (2016).

52. Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton, 2017). Jonathan Kozol, *Savage Inequalities: Children in America's Schools* (New York, 2012). Gloria Ladson-Billings and William F. Tate, "Toward a Critical Race Theory of Education," *Teachers College Record* 97 (1995).

53. Hilary J. Moss, *Schooling Citizens: The Struggle for African American Education in Antebellum America* (Chicago, 2010), 10–15.

54. *Ibid.*, 13.

55. D. Anderson James, *The Education of Blacks in the South, 1860–1935* (Chapel Hill, 1988), 2.

56. See the following for analyses of the failure of colonizing efforts and the role of education: Vincent P. Franklin, "Education for Colonization: Attempts to Educate Free Blacks in the United States for Emigration to Africa, 1823–1833," *Journal of Negro Education* 43 (1974). Richard Newman, *The Transformation of American Abolitionism: Fighting Slavery in the Early Republic* (Chapel Hill, 2002). Bruce Rosen, "Abolition and Colonization, the Years of Conflict: 1829–1834," *Phylon* 33 (1972).

57. Moss, *Schooling Citizens*, 39.

58. See the following for a comprehensive exploration of the African American journey to educational equity. Ronald Butchart, *Schooling the Freed People: Teaching, Learning, and the Struggle for Black Freedom, 1861–1876* (Chapel Hill, 2010); Moss, *Schooling Citizens*.

59. Andrew Billingsley and Cleopatra Caldwell, "The Church, the Family, and the School in the African American Community," *Journal of Negro Education* 60 (1991): 430–31.

60. Butchart, *Schooling the Freed People*, 1.

61. *Ibid.*, 3.

62. Faustine C. Jones-Wilson, "A Traditional Model of Educational Excellence: Dunbar High School of Little Rock, Arkansas," (Washington, D.C., 1981), 3.

63. Richard Milner and Tyrone C. Howard, "Black Teachers, Black Students, Black Communities, and Brown: Perspectives and Insights from Experts," *Journal of Negro Education* 73 (2004): 291.

64. Adam Fairclough, "The Costs of Brown: Black Teachers and School Integration," *Journal of American History* 91 (2004): 49–50.

65. Wanda J. Blanchett, Vincent Mumford, and Floyd Beachum, "Urban School Failure and Disproportionality in a Post-Brown Era: Benign Neglect of the Constitutional Rights of Students of Color," *Remedial and Special Education* 26 (2005).

66. For an extended exploration of school-choice ideas divorced from concern over integration, see Robin D. Barnes, "Black America and School Choice: Charting a New Course," *Yale LJ* 106 (1996).

67. W. E. Burghardt Du Bois, "Does the Negro Need Separate Schools?," *Journal of Negro Education* (1935): 328.

68. For a dynamic and far-ranging exploration of contemporary segregation and inequity, see Gary Orfield and Chungmei Lee, "Racial Transformation and the Changing Nature of Segregation," in *K-12 Integration and Diversity* (Los Angeles, 2006).

69. Among the most provocative critiques of the *Brown* decision, see Michael J. Klarman, "How Brown Changed Race Relations: The Backlash Thesis," *Journal of American History* 81 (1994); Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* (New York, 2011); For a consideration of the holistic failings of *Brown*, see James T. Patterson and William W. Freehling, *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy* (Oxford, 2001); Viewing the decision within its larger societal context, see Mark Tushnet, "The Significance of *Brown v. Board of Education*," *Virginia Law Review* (1994).

70. Derrick Bell, *Silent Covenants: "Brown v. Board of Education" and the Unfulfilled Hopes for Racial Reform* (New York, 2004), 4.

71. Jennifer Rose Jacoby, "Race-Conscious Charter Schools and the Antibalkanization Perspective of Equal Protection," *University of Pennsylvania Journal of Constitutional Law* 15 (2013): 1564.

72. Jim Chen, "With All Deliberate Speed: *Brown II* and Desegregation's Children," *Law & Inequality* 24 (2006): 3.

73. Terrance L. Green and Mark A. Gooden, "The Shaping of Policy: Exploring the Context, Contradictions, and Contours of Privilege in *Milliken v. Bradley*, over 40 Years Later," *Teachers College Record* 118, no. 3 (2016): n. 3.

74. "Mississippi Rejects Bill to Close Public Schools," *Baltimore Afro-American*, 2 January 1954, 5.

75. Herbert Ravenel Sass, "Mixed Schools and Mixed Blood," *Atlantic Monthly* (1956), 198.

76. For a clear articulation of the mechanics of charter school advocacy coalitions, see Michael W. Kirst, "Politics of Charter Schools: Competing National Advocacy Coalitions Meet Local Politics," *Peabody Journal of Education* 82 (2007).

77. The following articles offer a glimpse into the growing call for schooling alternatives: "Quality School Choice for Inner-City Children," *New York Times*, 21 January 1981. "New York City Must Rid Itself of 'Separate and Unequal' Schools," *New York Times*, 17 July 1986. William Price-Curtis, "Black Progress Toward Educational Equity," *Educational Leadership* 38 (1981). Priscilla Van Tassel, "State Weighs Open Choice Schooling," *New York Times*, 13 March 1988.

78. See the following for expanded analyses of Sputnik's impact on American education policy. Carl Kaestle and Marshall Smith, "The Federal Role in Elementary and Secondary Education, 1940–1980," *Harvard Educational Review* 52 (1982). Cathy Wissehr, Jim Concannon, and Lloyd H. Barrow, "Looking Back at the Sputnik Era and Its Impact on Science Education," *School Science and Mathematics* 111 (2011).

79. David P. Gardner, "A Nation at Risk," National Commission on Excellence in Education, U.S. Department of Education, Washington, D.C., 1983, 6–7.

80. Patrick McGuinn, "Swing Issues and Policy Regimes: Federal Education Policy and the Politics of Policy Change," *Journal of Policy History* 18 (2006): 216.

81. Walter E. Williams, "A Minority View: Black Parents Win," *Atlanta Daily World* (1990), 4.

82. Eric Harrison, "Milwaukee School Choice Proposal Ignites Bitter Racial, Political Battles," *Los Angeles Times*, 3 August 1990, A4.

83. Rogers Worthington, "Milwaukee Proposal Splits City, Educators School Plan Called 'Urban Apartheid,'" *Chicago Tribune*, 22 November 1987, 4.

84. "Milwaukee Challenges Black School District Plan," *Chicago Tribune*, 29 September 1987, 4.

85. George A. Mitchell, "The Milwaukee Parental Choice Program," *Wisconsin Policy Research Institute Report* 5 (1992): 7.

86. Harrison, Milwaukee School Choice Proposal.

87. *Ibid.*

88. Mikel Holt, *Not yet "Free at Last": The Unfinished Business of the Civil Rights Movement: Our Battle for School Choice* (New York, 2000), 60.

89. "School Choice on Trial," *Washington Post*, 24 June 1992, A18.

90. "School Choice in Milwaukee," *Washington Post*, 30 March 1992, A16.

91. Mitchell, *The Milwaukee Parental Choice Program*, 1–7.

92. Ted Kolderie, "Beyond Choice to New Public Schools: Withdrawing the Exclusive Franchise in Public Education, Policy Report No. 8," *Progressive Policy Institute* (1990), Washington, D.C., 6–7.

93. For an account of compromises made, see F. M. Hess, "Markets and Urban Schooling: What Choice-Driven Competition Is Doing and How to Make It Do More," *Educational Freedom in Urban America* (Washington, D.C., 2004); John D. Merrifield, *The School Choice Wars* (New York, 2001).

94. Hubert Morken and Jo Renee Formicola, *The Politics of School Choice* (New York, 1999), 289.

95. Tim Mazzoni, "The Policymaking Influence of the State School Lobby: A Minnesota Study," paper presented at the annual meeting of the American Educational Research Association, Chicago, 1985. Mazzoni, "The Changing Politics of State Education Policy Making."

96. Eugene E. Garcia, *Hispanic Education in the United States: Raíces y Alas* (New York, 2001). David L. Leal and Kenneth J. Meier, *The Politics of Latino Education* (New York, 2011). Kenneth J. Meier and Joseph Stewart Jr., *The Politics of Hispanic Education: Un Paso Pa'lante y Dos Pa'tras* (New York, 1991). Tom T. Stritikus and Eugene Garcia, "Revisiting the Bilingual Debate from the Perspectives of Parents: Policy, Practice, and Matches or Mismatches," *Educational Policy* 19 (2005).

97. Betts and Tang, "A Meta-Analysis of the Literature on the Effect of Charter Schools on Student Achievement."