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**Seeking Stability in Chicago:  
School Actions, (C)overt Forms of Racial Injustice, and the  
Slow Violence of Neoliberal Rationality**

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**Abstract:** During the 2012-13 school year, Chicago Public Schools (CPS) reported 18,669 students were enrolled in the Students in Temporary Living Situations (STLS) program. In this paper, we seek to discuss school closings in relationship to their impact on poor, unstably housed, black students in Chicago. Critical race theory (CRT) constructs of (1) whiteness as property (Harris, 1995), (2) racial realism (Bell, 1992; Buras, 2013), and (3) white supremacy as education policy (Donnor, 2013; Gillborn, 2005) will be the frames in which we situate and analyze the school actions that have resulted in the recent closure/consolidation of 49 Chicago Public Schools (CPS). We

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contend that these constructs related to race, when mixed with neoliberal rationality (Brown, 2015) conspire to foster disastrous school policy that unduly impacts vulnerable populations and de-democratizes Chicago in profound ways. For this project, the CPS STLS program manager overseeing STLS transitions during the 2012-13/2013-14 school actions, and civil rights lawyers-advocates who have spent over two decades working to enforce McKinney-Vento implementation in CPS were interviewed. Document analysis of court records regarding three cases through which the Chicago Public Schools were named as Defendants in litigation brought forth by families (parents and students) impacted by CPS' school actions; Chicago Teacher's Union data and IL General Assembly's Chicago Educational Facilities Task Force were completed. Findings reveal in order to promote equitable, and effective education policy for students of color experiencing housing instability means working against white supremacy and slow violence found throughout the US and world.

**Keywords:** School closings; instability/homelessness; McKinney-Vento, white supremacy; neoliberalism

### **Búsqueda de estabilidad en Chicago: Acciones escolares, formas manifiestas de injusticia racial y la lenta violencia de la racionalidad neoliberal**

**Resumen:** Durante el año escolar 2012-13, las Escuelas Públicas de Chicago (CPS) reportaron que 18.669 estudiantes estaban matriculados en el programa de Estudiantes en Situaciones Temporales (STLS). En este artículo, tratamos de discutir los cierres de escuelas en relación con su impacto en los estudiantes negros pobres, inestables alojados en Chicago. Utilizando un marco crítico de la teoría de la raza (CRT), situamos y analizamos las acciones escolares que resultaron en el reciente cierre / consolidación de 49 Escuelas Públicas de Chicago (CPS). Sostenemos que los constructos relacionados con la raza, cuando se mezclan con la racionalidad neoliberal (Brown, 2015), conspiran para fomentar una política escolar desastrosa que impacta indebidamente a las poblaciones vulnerables y desmitifica a Chicago de manera profunda. Para este proyecto, se entrevistó al gerente del programa STLS de CPS y abogados defensores de los derechos civiles. Se completó el análisis de documentos de los expedientes judiciales en relación con tres casos en que las Escuelas Públicas de Chicago fueron nombrados como Demandados. Los hallazgos revelan que para promover una política de educación equitativa y efectiva para los estudiantes de color que experimentan inestabilidad de la vivienda significa trabajar contra la supremacía blanca y la violencia lenta encontrada en todo Estados Unidos y el mundo.

**Keywords:** Cierre de escuelas; inestabilidad / falta de vivienda; McKinney-Vento, supremacía blanca; neoliberalismo

### **Procurar estabilidade em Chicago: Ações escolares, formas evidentes de injustiça racial e violência de racionalidade lento neoliberal**

**Resumo:** Durante o ano letivo de 2012-13, Chicago Public Schools (CPS) informou que 18.669 estudantes foram matriculados no programa Os alunos em situações temporárias (STLS). Neste artigo, vamos tentar discutir o fechamento de escolas em relação ao seu impacto sobre os pobres, estudantes negros instáveis ficam em Chicago. Usando uma parte crítica da teoria racial (CRT), estamos localizados e analisados ações escolares que resultaram na recente encerramento / consolidação de 49 escolas públicas de Chicago (CPS). Argumenta-se que as construções relacionadas com a raça, quando misturado com a racionalidade neoliberal (Brown, 2015), conspiram para promover uma política escolar que afeta indevidamente desastrosas populações vulneráveis e desmistifica profundamente Chicago. Para este projeto, entrevistamos o gerente de STLS CPS e defensores do programa de advogados de direitos civis. análise de documentos dos

arquivos judiciais relativas a três casos em que escolas públicas de Chicago foram nomeados como réus concluídas. Os resultados revelam que uma política para promover a educação equitativa e eficaz para estudantes de cor que experimentam instabilidade habitação significa trabalhar contra a supremacia branca e violência lento encontrado em todo os Estados Unidos e do mundo.

**Palavras-chave:** Fechando escolas; instabilidade / fenómeno; McKinney-Vento, supremacia branco; neoliberalismo

## Introduction

*CPS' plans amount to experimentation on our children, overwhelmingly low-income students and students of color...All students are harmed by this chaos and destabilization and students who are homeless are particularly vulnerable to harm. The very cornerstone of homeless education law and policy is to provide stability in education to students who lack stable housing. The massive scale of CPS school actions undercut the very stability that students who are homeless so need and richly deserve.* Patricia Nix-Hodes, Director, Law Project of Chicago Coalition for the Homeless (CCH), 2013

Homelessness among school aged children and youth continues to rise across the United States (Murphy & Tobin, 2011) in the wake of the 2008 economic meltdown, but most acutely in urban centers. Due to the housing instability/mobility children and youth experience, schools are critical anchors in their lives serving to create spaces of consistency, stability, and access (Aviles de Bradley, 2015). As de la Torre et. al. (2015) explain, “Schools are one of the few stable institutions in some communities, and closing them has the potential to further destabilize fragile neighborhoods and disproportionately affect the most vulnerable students in the system” (p. 1). The stability schools provide was recently and severely challenged when Chicago Public Schools (CPS) closed an unprecedented number of schools (49), at the end of the 2012-13 academic year (de la Torre et. al., 2015).

To fully understand the ramifications of closing 49 public schools, the most in U. S. history, readers might consider these school actions in light of the larger system-wide disruption ripple effect. Additional schools within CPS, beyond those that were officially closed, were impacted by being deemed “receiving/welcoming schools” and were thereby asked to accept students from the closed buildings. Various other schools became “turnaround” schools (schools where all faculty, administrators and staff are fired and replaced), and still others were forced to co-locate (i.e. merge) with other school buildings. The shifting of student populations only partially explains the broad disruption of educational access and services that occurred during this time, as it does not account for the required movement of teachers, administrators, and support staff across various locations. Moreover, these recent school closings are part of a decade old practice that began in 2002 when then CPS Chief Executive Officer, Arne Duncan, forced the closure of three “low-performing” schools (Vevea, Lutton, & Karp, 2013). To date, over 100 CPS schools have been subjected to “school actions,” defined as Board initiated closings, consolidations, and mass firings of school staff within buildings that have been deemed “turnaround” schools (Vevea, Lutton, & Karp, 2013).

While thousands of students were impacted, this paper is an effort to understand and document these school actions in the lives of youth and families experiencing housing instability; a necessary and relevant foci, particularly in this current political moment. For the purposes of this paper, the terms “homelessness,” “unstably housed,” and “Students in Temporary Living Situations

(STLS)” will be used interchangeably given the variations of terminology utilized in literature and the authors’ desires to nuance the manner in which conditions/experiences of “homelessness” are named and framed. School closings should be seen as extraordinary events to begin with; yet, in the case of students experiencing housing instability, the closing of a school is about much more than just denying lessons and content information. Instead, closing schools with high concentrations of students who meet the definition of “homeless” should be understood as a form of what Nixon (2011) refers to as *slow violence* “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 typically not viewed as violence at all...a different kind of violence, a violence that is neither spectacular nor instantaneous, but rather incremental and accretive...” (p. 2). Nixon’s description of slow violence illuminates the negative impact on the emotional and mental well-being of students who view their neighborhood school as a space of stability, safety, and care. The lives of children/youth experiencing homelessness outside of the school are enveloped by instability; forcing students and their families to uproot themselves from these spaces of stability highlights the slow violence they experience in Chicago due to school actions. As noted in the opening quote, schools are meant to serve as the cornerstone of stability for children and youth experiencing homelessness.

In regards to the 2012-13 school closings, 88% of students who were attending closed schools were black, and 93% of the students attending closed schools were low-income (Chicago Coalition for the Homeless, 2013). Furthermore, the Chicago Coalition for the Homeless (2013) contends that a total of 127 schools were impacted by closures, “turnarounds,” and co-locations which includes a total of 41,096 students and 3,607 homeless students (8.8%) in the 2012-13 school actions. Given these demographic markers, we seek to situate this analysis of the CPS school closing within the particular context of poor unstably housed, black students in Chicago. By contextualizing school closings through the lens of both class and race, we intend to reveal a more complex understanding of the impact these actions have on students experiencing homelessness in Chicago, and challenge the often normative views of housing instability as a circumstance that effects all demographics equally.

Critical race theory (CRT) constructs of (1) whiteness as property (Harris, 1995), (2) racial realism (Bell, 1992; Buras, 2013), and (3) white supremacy as education policy (Donnor, 2013; Gillborn, 2005) will be the frames in which we situate and analyze the school actions that have resulted in the recent closure/consolidation of 49 Chicago Public Schools (CPS). We contend that these constructs related to race, when mixed with neoliberal rationality (Brown, 2015) conspire to foster disastrous school policy that unduly impacts unstably housed populations and de-democratizes Chicago in profound ways (Lipman, 2011). For purposes of this paper, we are utilizing Brown’s (2015) understanding of neoliberalism, which establishes neoliberal rationality as more than simply economic trends of privatization and corporatization that erode public spheres. But rather, these are symptoms of a deeper rationality that subvert the status of humans as equal participants imbued with natural and civil rights that must be protected in a democratic society. Brown (2015) argues:

...equality ceases to be an a priori or fundamental of neoliberalized democracy. In legislation, jurisprudence, and the popular imaginary, inequality becomes normal, even normative. A democracy composed of human capital features winners and losers, not equal treatment or equal protection. In this regard, too, the social contract is turning inside out. (p.38)

We believe these frameworks, when applied to black students experiencing housing instability, exposes the slow violence, both symbolic and material, they have been subjected to via the normalization and rationalization of school actions that occurred within CPS.

School actions by CPS and their impact on students in temporary living situations (STLS) is multifaceted. This manuscript attempts to paint a comprehensive landscape in order to “situate” the CPS school actions. We begin by outlining the historically persistent material and educational difficulties faced by STLS families and students. We provide a rich discussion of our theoretical concepts to orient the reader to these social/theoretical constructs, and provide a discussion of neoliberal rationality that is shaping, or at the very least, strongly influencing school actions. These factors led us to gather and analyze data through qualitative means. We present our findings and discuss the implications in relationship to education policy. Lastly, we highlight salient themes and implications for future work.

## **Background of the Problem**

To fully capture the impact Chicago school closings had on homeless youth, a complex back story of federal, state, and local policy alongside CPS’ logic that justified the school closings must be understood. This section will outline McKinney-Vento legislation, CPS’ policy regarding students in temporary living situations, State of Illinois legislation intended to protect marginalized populations, and the public narratives that reveal CPS’ logic that fueled the school closings.

### **McKinney-Vento and CPS’ Students in Temporary Living Situations (STLS)**

When children and youth experience housing instability, it becomes difficult to keep up with their roles as students (Murphy & Tobin, 2011). Nationwide, between 1.6 and 2.8 million youth experience homelessness/housing instability in a year (Hammer, Finkelhor & Sedlak, 2002; Murphy and Tobin, 2011). Students experiencing homelessness “face challenges that threaten everything they might want to achieve in life—graduating from high school, going on to college and pursuing meaningful work” (Raikes, Bridgeland, Duffield & Ingram, 2017, para 1). Further, children and youth experiencing homelessness experience trauma and disruption, having severe effects on their health (Raikes et. al. 2017). For example, youth experiencing homelessness are three times more likely than their housed peers to “attempt suicide, be forced into unwanted sexual activity and to be subjected to intimate partner violence; 40% struggle with depression compared to less than 1 in 3 housed youth” (Raikes et. al, 2017, para 2). Moreover, students experiencing homelessness are more likely to “fall behind academically due to school transfers, absenteeism, and other instability factors; they are more likely to be suspended; they are less likely to receive timely identification for special education services; and the list goes on” (ICPH, 2017, p. 2). A recent report by the Institute for Children, Poverty and Homelessness (ICPH) (2017) found that students experiencing homelessness face health and risk behaviors that present another set of challenges to educational achievement, making it more difficult to “finish school, pursue professional goals and remain stably housed in their own adult lives” (p. 2).

In an effort to mediate these obstacles, students and families experiencing housing instability are guaranteed their educational rights under the federal legislation of the Stewart B. McKinney Homeless Assistance Act (1987, and subsequently reauthorized as Mc-Kinney-Vento). McKinney-Vento is a broad Act, including funding appropriation for a vast array of services such as shelter, food, and medical care. Prior to the McKinney-Vento Act, there were virtually no standards (federal, state, or local) to ensure the educational rights for children and youth experiencing housing instability within schools; children and youth were denied entrance into schools as they lacked such documents as proof of permanent residence, medical records, social security cards, etc. The

McKinney-Vento Act mandates that all children and youth be enrolled into schools immediately without having the required documentation so as to reduce the number of school days children miss.

Despite the implementation of this act, there is a high mobility rate associated with homelessness, and mobility has been shown to have severe educational consequences (Hammer, Finkelhor & Sedlak, 2002; Murphy & Tobin, 2011). McKinney-Vento requires that states receiving funds under the Act assure that each student experiencing housing instability shall have access to a comparable free and appropriate public education in the mainstream school environment, including transportation services, gifted and handicapped educational services, school meal programs, vocational education, bilingual programs, and before and after school programs (U.S. Department of Education, 2002). McKinney-Vento defines homelessness as follows:

The term homeless children and youth (A) means individuals who lack a fixed, regular and adequate nighttime residence; and (B) includes (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus train stations, or similar settings; and (iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii). (NCLB Title X McKinney-Vento Homeless Education Assistance Improvements Act of 2002).

During the 2012-13 school year, CPS reported 18,669 students who were enrolled in the Students in Temporary Living Situations (STLS) program (formerly the Homeless Education Program). According to the CPS website,

Students in Temporary Living Situations (STLS) is the name of the Board's department that services children and youths enrolled in a CPS school and are experiencing homelessness. The Board's STLS program offers assistance to students in pre-kindergarten through 12th grade and their families. The goal of the STLS program is to protect the educational rights of students in temporary living situations and to provide services to students and their families. The staff in the Board's STLS Department also addresses barriers to enrollment, transportation, attendance, retention and success for students in temporary living situations.  
([http://cps.edu/Programs/Pathways\\_to\\_success/Pages/StudentsInTemporaryLivingSituations.aspx](http://cps.edu/Programs/Pathways_to_success/Pages/StudentsInTemporaryLivingSituations.aspx))

STLS program participants were disproportionately impacted by CPS' school actions, comprising 8.8% of students who were forced to relocate/consolidate schools, although making up only 4% of the CPS population (The Report of the Illinois General Assembly's Chicago Educational Facilities Task Force [CEFTF]. Findings and Recommendations Regarding the Implementation of IL P.A. 97-0474 and Planning for the Future of Chicago's Public Schools, 2013).

The CPS school actions met resistance both in the community and in the courtroom. Parents, teachers, students, community members, and activists participated in walkouts, strikes,

protests, teach-ins, etc. (Karp, 2016) in response to CPS' plan to close and/or consolidate schools. School actions by CPS include co-location/consolidation of a school, closing a school, or a boundary change (CPS Guidelines for School Actions, 2015). In addition to organizing actions of resistance, families impacted by CPS' school actions brought forth lawsuits against CPS for violating Illinois School Code(s) and student/family rights (*Brown, et. al. v. Board of Education of City of Chicago, et. al.*, 2012; *Swan et. al. v. Board of Education of City of Chicago, et. al.*, 2013; *McDaniel, et. al., v. Board of Education of City of Chicago, et. al.*, 2013); however, families did not find resolution for the purported educational violations through the courts.

Black families and communities were (and still are) disproportionately impacted by CPS' school actions. This reality exposes another violation of law, the Illinois Civil Rights Act (2003). The 2003 Act states:

- a. No unit of State, county, or local government in Illinois shall:
  1. exclude a person from participation in, deny a person the benefits of, or subject a person to discrimination under any program or activity on the grounds of that person's race, color, national origin, or gender;
  2. utilize criteria or methods of administration that have the effect of subjecting individuals to discrimination because of their race, color, national origin, or gender.

Given the disproportionate impact, this work documents the role economic class and racial status have played in the decisions made by CPS' school actions.

### **CPS' Logic for School Closings**

The public narrative from CPS officials persistently purport their policy decisions are based on factors of utilization, economics and “failing” schools. The central justification for the 2012-13 school closings was CPS's claim of “under-utilization”—the idea that school buildings are not being used to their proper capacity, or not to their full potential in terms of space. This is an important component related to all school districts' ability to plan for demographic shifts in housing and birthrates and the impact these numbers have on school facilities planning. CPS claimed that “half of our schools are half-empty,” which made possible the “‘crisis’ of ‘under-utilization’ demanding an urgent response by CPS to eliminate expenses (‘wasteful spending’) on ‘half-empty’ school buildings” (CEFTF, 2014, p. 18). In a neoliberal context, optimization of capacity for economic efficiency takes precedence over the thoughtful consideration of the needs and desires of individuals based on their unique lived experience. Further, labeling the schools as “failing” justifies their closing as the rhetoric was that students were not learning—an assessment based on low-test scores (read: failing). This narrative however does not account for the disinvestment, destabilization and disenfranchisement occurring in CPS schools for decades (Gutierrez and Lipman, 2012). While this discussion is beyond the scope of this paper, it is a critical factor to consider (for further details see the Collaborative for Equity and Justice in Education publications, <http://ceje.uic.edu/publications/>).

In regards to the claim of “under-utilization,” CPS chose “actions” done in haste over deliberative “planning” that would consider the entanglements of those living in poverty who see schools as a place of stability and care. This aspect embodies the carelessness, and “blunt instrumentation,” of neoliberal rationality that minimizes the implications at the level of civil and human rights, as well as educational law that ensure vulnerable populations, such as STLS students, are not unduly harmed. Brown (2015) argues “the law is not set aside in neoliberalism, but instrumentalized for its purposes, on the one hand, and proliferated in complexity and detail, on the

other...neoliberalism law is the opposite of planning. It facilitates the economic game, but does not direct or contain it” (p. 67). In Chicago and around the US, we see on the one hand neoliberal agendas being bolstered and made possible by decades of legislation and legal maneuvers, and on the other hand, the proliferation of “complexity and detail” manufactured through chaotic school closings—mainly for Black and Latinx students and families experiencing housing instability.

## Theoretical Lenses for the Examination of School Closings

### Critical Race Theory

Critical race theory (CRT) provides a framework in which to center race as we consider school policy decisions that overwhelmingly affected students of color, particularly black students, who are also experiencing housing instability. As Ladson-Billings (2013) succinctly explains, CRT makes “race the axis of understanding inequity and injustice in the US” (p. 34). Centering the construct of race is necessary to unpacking a significant factor shaping the educational experiences and opportunities of poor, unstably housed black students. CRT stems from critical legal studies (CLS), a movement that “challenged liberalism from the Left, denying that law was neutral, that every case had a single correct answer, and that rights were of vital importance” (Delgado & Stefancic, 2001, p. 144). Key tenets of CRT recognize that:

- racism is a normal daily occurrence in U.S. society;
- there is a hierarchical system that places whiteness over all other racial/ethnic persons;
- race and races are products of social thought and relations—they are not objective or fixed, society invents, manipulates or retires races when convenient—a social constructionist theory;
- people of color only attain concessions when it is in the interests of powerful whites—a theory of interest convergence;
- although whites are placed above all other races, different values are placed on different races depending on the function whiteness would like for them to serve in society—notation of differential racialization;
- no person has a single, unitary identity—notation of intersectionality; and,
- people of color require a vehicle to express their unique voice and tell their own story. (Delgado & Stefancic, 2001)

The lens of CRT is a useful tool in making sense of the actions taken by Chicago’s Board of Education, particularly in relation to policy decisions that disproportionately impacted black students. The construct of whiteness is connected to a set of expectations, assumptions, privileges and benefits associated with the social status of being white (Harris, 1995). Although we view education as a “right” for all students and families, schools have increasingly been privatized, often via charter schools, limiting public control and access. These shifts reflect the Neoliberal agenda and rhetoric of market-based policies. Despite our assertion that schools should remain a public good, given the changing landscape of education, our application of Harris’ (1995) notion of *Whiteness as Property* reflects the neoliberal logic permeating public school discourse, particularly the equation of whiteness to “use and enjoyment,” and “the absolute right to exclude.” In this sense, the act of closing 49 schools, limits STLS *use and enjoyment* of the educational facilities, and ultimately *excludes* black STLS from accessing schools altogether. Thus, the education that is purported to occur within a school building is equated to the notion of *whiteness*—whites continue to be sole benefactors to educational spaces and therefore non-whites can and will be excluded from “white” space(s). As a

function of white supremacy, whiteness remains a concept based on power relations, a social construct established on white dominance and black subordination (Harris, 1995). Harris (1995) further notes “Through this entangled relationship between race and property, historical forms of domination have evolved to reproduce subordination in the present...” (p. 277). In this understanding, the connection between race and property in the case of the 2012-13 school closings is reflected in one’s ability to access education—as schooling in the United States is so inexplicably linked to the housing circumstances of a neighborhood (Smith and Stovall, 2008). As will be highlighted, school closings contribute to the instability black STLS families continually endure.

This framing underscores the historical, and persistent disinvestment of particular Chicago communities, the disposability of individuals living in said communities, and the neoliberal rationality that views schools as potential places of profit and market capital, rather than as vital democratic spaces of education for students and their families; particularly for those who do not have access to consistent, stable housing. Harris’ (1995) notion of whiteness as the right to exclude creates conditions that limit and/or deny black students experiencing housing instability the opportunity to engage in knowledge acquisition, and activities that have the possibility of resulting in improved material and life conditions. The implicit message given to families and their children reifies property in relationship to, and as a proxy for, the construct of whiteness.

Furthering concepts of whiteness, Gillborn (2013) explains, “...a CRT perspective on race and education views policy as at best acting to preserve the status quo and defend as normal the state of White supremacy...serving to *manage* race inequality at sustainable levels while maintaining, and even enhancing, White dominance of the system” (p. 138). Understanding the social construction of race allows for an examination of the ways in which race (both whiteness and blackness) is continually constructed and reconstructed via education policy decisions. Gillborn (2013) states,

I consider the role of education policy in the active structuring of racial inequity. Like bell hooks, my analysis centres on a conceptualisation of “white supremacy” that goes beyond the usual narrow focus on extreme and explicitly racist organisations. Rather, this analysis focuses on a more extensive, more powerful version of white supremacy; one that is normalized and taken for granted. (p. 3)

Applying Gillborn’s framing to CPS’ decision to close 49 schools that had the greatest impact on black students and their families provides a space in which to problematize decisions that have been viewed by CPS as “normal.”

The public narrative from CPS officials’ purport their decisions are based on factors of utilization, and economics. Although this may be the rationale used to make determinations regarding school actions, a deeper look recognizes the inequitable impact of these decisions on poor, unstably housed black students. As Sussman (2001) notes, “Judicial treatment of racial discrimination claims deserves greater inquiry and study” (p. 209). The intent of school decisions may not be to further marginalize students of color experiencing homelessness; however, the impact and outcomes do in fact have inequitable consequences. Gillborn (2013) reminds us that these decisions contribute to taken-for-granted beliefs and practices saturating society, further extending the dominant position of whites who have obtained social status and accumulated property wealth at greater rates than non-white populations. The value and importance of Gillborn’s work offers an understanding of policy decisions as a structural practice that maintains white racial domination in Chicago. Much of what has been written on CPS school actions omits a discussion inclusive of STLS students. Our efforts in documenting policy decisions made by CPS in relation to STLS seeks to illuminate the manner in which school structures and policies continually reify structures of white

supremacy and black inferiority. This is especially significant for families and their students who have limited and inconsistent access to stable housing. Forcing families and students to travel further distances to attend school, and lose vital connections to stable adults/peers, has significant and detrimental effects on the development and educational attainment for STLS.

Bell's (1992) concept of racial realism also provides a frame in which to consider the impact of school actions/policy shaping educational opportunities and outcomes of STLS. Racial realism recognizes that racism is a permanent part of the American landscape (Bell, 1992). Despite the efforts of parents, community organizers and activists in resisting the school actions of CPS, the concept of racial realism recognizes "...the US has promised democracy and delivered discrimination and delusions; racial realism insists on both justice and truth" (Bell, 1992, p. 99). Our hope in uncovering these racial realities is not to invoke feelings of helplessness or hopelessness; instead, we seek to provide a nuanced and candid assessment of the dynamics that have unfolded in order to respond in ways that are restorative and just. Racial realism also recognizes the economic position of blacks in society—a valid indicator of power in the US (Bell, 1992). During the 2013-14 school year, black students comprised approximately 84% of the 22,144 students identified as the STLS population of CPS, yet are only 39% of the general CPS population (CCH, 2014). Conversely, whites comprise 1.6% of the STLS population and are approximately 9% of the general CPS population. These numbers elucidate the racial reality that blacks are overrepresented amongst students experiencing poverty and instability in CPS. Although CPS and the courts rationalize their decisions to be in the best interest of all students, these decisions were discriminatory in practice—disproportionately and negatively impacting STLS—who were overwhelmingly black. Understanding the impact of school actions/policy within CPS requires the use of frameworks that center constructs of race and class functioning within public institutions.

**Slow Violence: Meaning(s) and Racial Symbols.** Historically and currently, capitalism, neoliberalism, and racism coalesce to uphold hierarchies of race and class in the U.S. context. The courts purport to ensure equal opportunity and uphold equal protection under the law for all U.S. residents. However, history demonstrates that even court rulings such as *Brown v. Board of Education* (1954), while celebrated at the time, have never been "fully honored at the bank" (Bell, 1992, p. 23). Although many in the civil rights community and beyond have been critical of the effectiveness of *Brown v. Board of Education* in bringing about racial justice in the area of education, most would agree it served as a symbol of hope in the struggle for educational equity.

Adding to our CRT framework we recognize decisions made by CPS as acts of violence—both symbolic and material—against students of color experiencing housing instability. When discussing violence, we refer to the slow violence (Nixon, 2011) inflicted on communities of color; in particular, poor, unstably housed students and families attending Chicago Public Schools closed in 2013. Nixon (2011) focuses on the environmental impact of slow violence; we borrow from this concept, noting the long-term, sustained effects of school actions on the students, families and communities in which a majority of school closings and consolidations occurred. Students and families experiencing housing instability are continually in flux—moving from shelter-to-shelter, house-to-house and/or motel. The emotional toll of not knowing if and where one can sleep and attain food is a constant relentless burden; schools (and the individuals within them) may be the only constant factor in the lives of children and youth experiencing housing instability—making them critical spaces of continuity in the lives of STLS.

Nixon (2011) remarks, "Their [those who lack resources] unseen poverty is compounded by the invisibility of the slow violence that permeates so many of their lives" (p. 4). In an effort to uncover and document the impact of school closings on STLS, our work highlights the intersection

of race, class, and neoliberal rationality shaping educational policy in Chicago. The marginalization experienced by STLS is two-fold, requiring the illumination of factors of race and class that perpetually shape their experiences with schools, and ultimately decisions that reproduce perceptions of their disposability. This understanding provides a more complex picture of the challenges students and families experiencing homelessness face; particularly the ways in which policy decisions made by CPS, gradually, but consistently, strip STLS and their families of their right to an education—a right guaranteed by McKinney-Vento.

Further, “such displacements smooth the way for amnesia, as places [schools] are rendered irretrievable to those who once inhabited them...” (Nixon, 2011, p. 7). The stripping away of schools in this sense is both a symbolic and material violence that overwhelmingly affects black students—their racial status justifies the *exclusion* they experience—a right granted to whites (Harris, 1995). Neoliberal rationality ushers in unrelenting waves of policies and practices that slowly erode access to basic human rights such as schools, affordable housing, mental health services, and ultimately one’s emotional and physical well-being—an erosion negatively and disproportionately affecting black students in CPS’ STLS program. To adequately respond to these policies and practices, violence must be understood as more than simply brute force, but rather the soft, stealth-like, violence of long-term disinvestment and dispossession made possible through white supremacy and neoliberal rationality. Only then can educators adequately enact brands of resistance to policy decisions shaping the lives of black students experiencing housing instability and homelessness.

## Methods

Qualitative methodology was the approach utilized for this research. Qualitative research can be defined as a naturalistic, interpretive approach to understanding a phenomenon (Denzin & Lincoln, 1998). Qualitative research focuses on recognizing multiple realities, attempting to understand varying perceptions, and challenging positivist notions of one single version of an event or events. Rist (1998) argues that “Qualitative work can provide ongoing monitoring of the situation—whether the condition has improved, worsened, remained static...qualitative data would be relevant for learning how the organizational response to the condition or problem has been conceptualized” (p. 412). In this regard, we utilized qualitative research as a means to monitor an ongoing situation—how vulnerable populations, particularly STLS, experience mass school closing—made possible by educational policy decisions.

For this project, authors interviewed the CPS STLS program manager overseeing student transitions during the 2012-13/2013-14 school actions, and civil rights lawyer-advocates who have spent over two decades providing guidance and oversight to CPS in its implementation of McKinney-Vento. Through semi-structured interviews with these key participants, we were able to weave together the nuanced story of how mass school closings impacted STLS students. Interviews with these participants led to document analysis of 3 court cases brought forth against CPS by parents and students impacted by school actions, and the Chicago Educational Facilities Task Force (CEFTF) report and recommendations to CPS based on their extensive research and findings regarding school utilization and related school actions. In particular, this study presents STLS program manager and civil rights lawyer-advocate’s interview data as well as a robust document analysis (Bowen, 2009). The documents analyzed were court records in which the Chicago Board of Education and Chicago Public Schools were named as defendants in litigation brought forth by families (parents and students) impacted by CPS’ school actions (*Brown, et. al. v. Board of Education of City of Chicago, et. al.*, 2012; *Swan, et. al. v. Board of Education of City of Chicago, et. al.*, 2013; *McDaniel, et. al., v. Board of Education of City of Chicago, et. al.*, 2013). Furthermore, a variety of Chicago Teacher

Union (CTU) documents and data were accessed and utilized to construct comprehensive understanding of school closings, as well as The Report of the Illinois General Assembly's Chicago Educational Facilities Task Force (2014).

The Chicago Teachers Union (CTU) documents and data were noted by those we interviewed as reliable sources of data. The complexity of tracking STLS students in Chicago is a major undertaking, and not one that has been easily accomplished currently or historically. However, the research wing of CTU is seen as a reputable source among those working with this population of students. Furthermore, The Report of the Illinois General Assembly's Chicago Educational Facilities Task Force (2014) is a thorough and complete document regarding the complexity of the school closings. This document was drafted through the work of multiple constituencies, and one of the committee members was interviewed as a participant in this study.

Although we desired to interview students and families experiencing instability and homelessness—in an effort to center their voices—we were unable to make contact despite the efforts of advocates and liaisons to identify families/students to be interviewed for this work. Our inability to connect directly with students and families experiencing homelessness impacted by school closings is a limitation of our current work. We fully recognize their expertise and knowledge of housing instability and school mobility and actions is far greater than we can capture in this analysis.

Both authors were present during all interviews, took copious notes, and then met to discuss themes that emerged from interviews. Data was analyzed using constant comparative methods, allowing themes to be generated from the data itself instead of pre-determining categories (Maynard, 1994). The constant comparative method for analyzing qualitative data allows the researcher to examine each item of data coded in terms of a particular category, and notes similarities with and differences from other data that have been similarly categorized (Hammersley & Atkinson, 1995). The same approach was taken for document analysis. The authors both reviewed the court cases and related educational documents independently, then met to discuss themes that emerged from said documents. Themes were modified and collapsed as appropriate. A qualitative research approach offered the tools needed to provide further insight into the ways in which policy decisions affected STLS students.

### **Data Analysis and Findings: Seeking Understanding—Advocates, Litigation, & Public Discourse**

Several themes arose in the data—for the purposes of this paper, we highlight two overarching themes: “School actions as white supremacy,” and “Neoliberal policy as white supremacy.” These themes should concern all educators and citizens. In particular, the theme of “school actions as white supremacy” effects all students impacted by school closings, but most acutely by black STLS who represent one of the most vulnerable subsets of public school children. In the sections below we explore how this theme came to animate our analysis of CPS's school closings. As noted, students of color comprise 98% of students experiencing housing instability in CPS (CCH, 2014-15). Given the disproportionate number of black students impacted by CPS' school actions and their over-representation within the STLS program, consideration of the student's class and racial status should be a central factor in unpacking education policy decisions, especially when deciding to close or consolidate schools serving a majority of black students experiencing housing instability.

## **School Actions as White Supremacy**

Through interviews and document analysis, we gained a critical perspective on the decision-making processes underpinning CPS' school closings policy. As others have noted, there is a relationship between housing access policy and school policy (Smith and Stovall, 2008; Powell, Kearney & Kay, 2001). These decisions are often informed by socially constructed norms of race, class, and gender. Schools, inherent in their role as a public institution, are implicated in the reification and perpetuation of the status quo (Gillborn, 2013). These dynamics unfolded as we analyzed the court documents and interviews conducted with participants.

Coordinated efforts were put into place to facilitate the transition for STLS families. As described by the STLS coordinator at the time, Principal Transition Coordinators (PTCs) were put in place to support the school actions and transition process for students. The PTCs were "great" retired CPS principals (Personal interview, March 22, 2016). CPS leadership provided full support for PTCs, and the STLS coordinator engaged in weekly check-ins aimed at ensuring STLS student rights—these rights being of critical importance to a "smooth" transition to the new/welcoming school (Personal Interview, March 22, 2016). Additionally, the STLS coordinator described her ability to "enroll any STLS to any CPS school from August through October 2013" (Personal interview, March 22, 2016). Despite the mechanisms put in place (including a hotline created in March 2013), hundreds of STLS did not gain access to "better" schools (Interview, April 4, 2016). The transition plan put into place failed to account for the racial, emotional, and class realities STLS and their families must negotiate daily. Although the STLS coordinator anticipated potential issues (e.g. factors of mobility), consideration of racial and emotional factors influencing and shaping the daily lives and decisions of STLS families seemed to be missing from CPS' transition planning. Consideration of said factors is necessary to developing effective transition plans that account for the nuances of race in school and community spaces.

Unfortunately, and despite the efforts of the STLS coordinator, the educational opportunities created (or lack thereof) for students were undesirable at best, resulting in the exclusion of black students, a practice that propagated concepts of white supremacy and whiteness as property. These actions reflect the centering of whiteness, as they assumed black STLS families had access to resources and systems afforded their housed counterparts. These actions also reflect the economic racism (Davis, 2016) of CPS' actions. Intentional or not, the school actions effectively disenfranchised and furthered instability for black STLS. For a group of students and adults already on the fringes of the social-economic ladder, what seem like minor actions actually have a long-lasting negative impact on their stability as well as their social and educational mobility. Not only does this further marginalize black students, it also keeps in the place the status quo of whiteness.

Interviews with lawyers from the Chicago Coalition for the Homeless (CCH), the lead organization working to enforce McKinney-Vento requirements in CPS for over two decades, also reveal the manner in which school actions further excluded black student's access to schools. One lawyer noted, "They [CPS] would ask [students/families] where do you want to go? But would not provide opportunities for them to visit schools, or get a sense of whether or not the school was a good 'fit.'" (Interview, April 4, 2016). CPS provided students and families with "choice;" however, these choices did not allow for a true exploration of the new school and its ability to meet the student's needs due to STLS' lack of access to transportation and stable housing that may have allowed them to travel to and from potential school sites. Further, the lawyers expressed concerns over deadlines that inherently excluded STLS families from a true "choice." For STLS families wishing to apply to higher performing schools (by CPS standards), application deadlines to said schools occurred prior to the announcement of school closings (Interview, April 4, 2016). For STLS families attending schools that were closed or consolidated, the announcement of the school closing

occurred after application deadlines for select schools; therefore, families were excluded “by design” from said opportunities (Interview, April 4, 2016). Even with a hotline in place, lawyer-advocates went on to explain the ways in which CPS made it “difficult to obtain information that would allow for better a transition for STLS students” further stating, that “often the information provided was inaccurate” (Interview, April 4, 2016).

The school actions highlight how families of color experiencing housing instability were further relegated to the margins and rendered powerless within CPS and in direct violation of their right to educational access afforded them by McKinney-Vento. The Chicago Educational Facilities Task Force Report (2014) states, “Research has shown that the combination of high residential mobility and school mobility can have particularly devastating effects on learning and behavior for children living in poverty and those who are experiencing homelessness” (p. 46). Information requested by CEFTF from CPS indicates that approximately 1,329 STLS had either not enrolled in their designated school (525) or had transferred out (804) of CPS (CEFTF update on school actions SY 2013 report, 2/24/14). Given that black STLS comprised 88% of the population that means that of the 1,329 STLS impacted, approximately 1,169 were black. The prevailing theme of students inequitably impacted is that they are black. These actions further exclude educational access for unstably housed black students, simultaneously valorizing whiteness (Harris, 1995). The material benefits of whiteness are reproduced through CPS’ actions—contributing to the racial system and structure that protects white students and families from school displacement.

According to the insight gained throughout interviews, we found the school actions taken by CPS excluded unstably housed students from applying to and ultimately accessing higher performing schools once learning that their school would be closed. Even worse, the lawyers shared that hundreds of students never showed up to their welcoming (designated) school. When the lawyers pushed CPS to find out where these students enrolled, they were unable to obtain the requested information (Interview, April 4, 2016). As noted by the lawyers, the exclusion experienced by STLS families was not accidental; it was inherent in the design (structure) of CPS’ decisions and subsequent “choices” for students. Acknowledging the racial composition of STLS impacted by CPS’ school actions must be considered, particularly in the city of Chicago where racial segregation is, and continues to be, associated with access to basic needs such as housing, food security, and schooling. The exclusion of STLS families from higher performing schools, and for far too many who never enrolled in their designated/welcoming school, reflects the salience of whiteness functioning within the structure of CPS as the needs and opportunities of black STLS are disregarded. Families and students in unstable housing situations have already been excluded from stable, consistent and adequate housing; making it more difficult for students to achieve academically and for parents to maintain a regular and predictable schedule for their children. Removing what may be the only consistent factor in the lives of STLS creates further instability; excluding them from, and harming their chances at academic success.

Similar to the disproportionate number of students of color that make-up the STLS program, court documents (*Brown, et. al. v. Board of Education of City of Chicago, et. al.*, 2012; *Swan et. al. v. Board of Education of City of Chicago, et. al.*, 2013; *McDaniel, et. al., v. Board of Education of City of Chicago, et. al.*, 2013) note the disproportionate impact school actions had on communities of color in CPS. Outcomes of the *Brown* (2012), *Swan* (2013), and *McDaniel* (2013) cases against Chicago’s Board of Education highlight the reality that the property interest of whiteness is “resilient and adaptive to new conditions” (Harris, 1995, p. 288). The court’s decision in the *Brown* case to *not* grant the African-American parents’ preliminary injunction for the relief of school actions (*Brown, et. al. v. Board of Education of City of Chicago, et. al.*, 2012) solidified the existing state of affairs (school closings and consolidations that overwhelmingly impact black students and communities) as “neutral and

fair, however unequal and unjust it is in substance” (Harris, 1995, p. 287). The plaintiffs in the *Brown* (2012) case were all African-American and clearly articulated the psychological and emotional harm that would be inflicted on their children (CPS students). The court’s decision reflects its “investment in whiteness” (*Brown, et. al. v. Board of Education of City of Chicago, et. al.*, 2012; Harris, 1995), championing the needs of white students while simultaneously disregarding the needs of black students. Furthermore, the legal decisions made in the court cases families filed against CPS reflect the ways in which “...American law has recognized a property interest in whiteness that, although unacknowledged, now forms the background against which legal disputes are framed, argued and adjudicated” (Harris, 1995, p. 277).

In a recent special edition newsletter on *Black Lives Matter*, critical race scholar David Stovall (2015) explains,

As a hypersegregated metropolis, the realities of race and class are stark, despite local government’s attempt to veil said truths via marketing strategies and public relations initiatives.... As a constant reminder of the after-life of slavery and bondage (Hartman 1997), Black working-class residents of Chicago are perpetually reminded of their disposability, while the actions of government are rationalized as conscript with market trends and “responsible” law making. If families don’t have places to live nor places to send their children to school, and are experiencing disproportionate persecution from law enforcement, we have returned to Woodson’s (1933) assertion that young people are not only being lynched in classrooms, but also in their respective homes and neighborhoods. (p. 24-25)

The symbolic and material realities of students and families losing their schools via “responsible” decision making by the courts is reflective of a symbolic lynching occurring in their communities. Court documents reveal implicit and explicit notions of white supremacy functioning in the decision-making processes among school officials. Below is an excerpt of testimony provided by a CPS official discussing two elementary schools within a short distance from one another (McDaniel 126-3 Exhibit 2; *McDaniel v. Board of Education and City of Chicago*; 2013). One school identified as overcrowded by CPS was Lincoln Elementary, serving primarily white students, and the other school, Manierre Elementary, is identified as underutilized by CPS and serves primarily poor, black students. At Manierre, in 2012, black students comprised 98% of the school population and STLS enrollment was approximately 10% of the student population (SY 11-12 7%; SY 12-13 12.5%) (ISBE, FOIA, 2016). The large percentage of black, unstably housed students attending Manierre Elementary highlights the significant number of students negatively affected by the school actions—actions supported and solidified by the courts.

To reveal just how overtly aware CPS officials were regarding the disruptive nature of school actions, and the double standard that was applied to black and white communities, we turn to the court transcript:

Q. (Lawyer). Is Manierre in an area that is near overcrowded schools?

A. (CPS official). It is near, yeah.

Q. And was there any consideration of moving boundary lines at Manierre so that Manierre students—moving boundary lines so that students in these overcrowded schools could attend Manierre?

A. I don't remember that specifically.

Q. Are some of these schools in that area white schools or predominantly white schools or have a significant white student population?

A. Some of the schools in that area do have predominantly—I think. My recollection is some of them on this map that I'm looking at are predominantly white.

Q. Why not shift the boundary lines so that some of the students in the overcrowded schools could go to Manierre and keep it off the list of underutilized schools?

A. The—so why not? I mean, a lot of people make this decision. A—but a reason why not is because *it is highly disruptive to relocate people from their existing school to go to another school.* [emphasis added]

Q. But you're closing 49 schools, aren't you? So it's highly disruptive for those students, aren't they?

A. It is disruptive. By definition, they're moving schools.

Q. And those students are all black in many, many, many, many cases, isn't that fair to say?

A. Many of the students are black.

Q. Isn't the Board more concerned about disruption when it is affecting students who are not black as opposed to students who are black?

A. No. That's patently false.

Q. Explain—explain that in connection with the Manierre decision. You just said that disruption is undesirable.

A. So Manierre and General are two underutilized schools—and by the way, the disruption was taken into account, and Manierre was taken off the table. So we're talking about a change that did not happen, is not—is not happening.

Q. But Manierre is still deemed underutilized under these criteria, right? And there has still —

A. Yes.

Q. — been no decision made to put students in the overcrowded schools that are near Manierre into Manierre, isn't that fair to say?

A. It's fair to say no decision has been made.

Q. And doesn't it talk about construction of new schools at Children's Hospital in Lincoln Park when Manierre is underutilized and is within some reasonable distance of where these overcrowded schools are? I think it's at page 20...

A. I'm not sure what your question is.

Q. Well, I think if you look at page 22, 23 — I don't have the copy before me. Oh, yes, I do. Page 22, “Situation and considerations, other. Lincoln overcrowding has been a concern for many years and is culminating. Various proposals have been discussed and there are various viewpoints in the community. Elected officials are exploring funding option for new construction at Children's Memorial site.” So your building — there is possible construction at Children's Memorial site when Manierre is underutilized. . .

Q. And what was not proposed was moving any of the white children into Manierre to keep those Manierre children from the, quote, harmful effects of disruption, right?

A. *We'd be going into a neighborhood and saying we're sorry you moved into this neighborhood to go to this school. You can't go to this school anymore. So that's a difficult thing to do* [emphasis added]. And so moving boundaries is a challenging thing in all communities of the city.

The CPS official testifying clearly understands the harmful effects of disruption for white students and families as they did not want to tell these families, “You can't go to this school anymore.” Yet, this official seems less concerned with the educational disruption for the thousands of students and families attending the 49 closed and consolidated schools. The implication is that black families who moved into communities or made travel arrangements with family and friends to attend schools can

readily be told they can no longer go to a particular school; given their racial status in society, their educational needs are deemed less important.

We contend that the 2012-13 school closings reify white supremacy through law and further entrench disparities and inequalities (Harris, 1995). CPS' reluctance and outright refusal to disrupt the educational conditions of white students solidifies notions of white supremacy, concurrently contributing to educational disparities and inequities for black students. "Whites have come to expect and rely on these benefits, and over time these expectations have been affirmed, legitimated, and protected by law" (Harris, 1995, p. 277). As evidenced by the court transcript above, in conjunction with the school actions disproportionate impact on poor, unstably housed black students, one can see the protections granted by the courts to insuring the benefits and rights afforded whites. Further, CPS' hesitancy to move white students from one school to a predominantly black school is another way in which CPS policy decisions reinforce racial segregation in schools.

The overt recognition on the part of the official's reluctance to disrupt the educational lives of economically advantaged white students (and their families) attending a primarily white CPS elementary school is startling. Access to school space demonstrates the ways in which whiteness is systemic and structural, significantly shaping the choices and decisions made regarding economically advantaged white student access to education—preference is given to white students (and their families); simultaneously these decisions enforce the marginalization and disposability of poor black students—their educational rights and needs are disregarded when in competition with white student needs. CRT urges the naming and framing of white supremacy in the U.S. context that continually disadvantages people of color, in this case black students (and families) attending CPS. If, as this CPS official highlights, school closings and actions are *highly disruptive* to families, we argue that CPS' decision to proceed with closing a record number of schools that impacted approximately 14,000 students—primarily black—reflects its continued investment in whiteness. The CPS official questioned (above) regarding collective school decisions reflects historical patterns of racial segregation that are perpetuated by "facially race-neutral legal rules and institutions" (Ford, 2001, p. 230).

The decisions made by CPS are reflective of the systemic and structural racism functioning within school districts (systemically) such as CPS. It also affirms the social construction of whiteness functioning in society in both overt and covert ways. We see similar policies regarding school actions implemented in Philadelphia, Detroit, and Washington DC—urban spaces also comprised of large populations of poor students of color (de la Torre, et. al. 2015). Inequality around racial status is not merely reflected in Chicago's school system, but in other city structures as well, including housing, the justice system, policing, and health/mental health care. Sussman (2001) notes "If other local institutions appear racially polarized, there is every reason to believe that school authorities will again be subjected to similar influences" (p. 224). The current (and historical) racial landscape of Chicago is reflective of deep racial disparities of basic access to social institutions. It is these social forces and accepted norms of white supremacy that make it difficult for school officials (and other social actors) to "resist the influence of pervasive racial bias" (Sussman, 2001, p. 224). Recognizing the racial composition of the STLS population of CPS provides a lens through which to understand the choices and decisions made by CPS and court officials. Even if unintentional, there is no denying the inequitable outcomes of school actions on the opportunities and access to stable, consistent schools for unstably housed black students in CPS.

Another excerpt from court documents highlight the "race-neutral" approach in their rulings,

Plaintiffs have no standing to challenge the impact the Board's decision have on African-American students...The percentage of African-American students (or Latino or Caucasian) attending all Chicago Public Schools is inapplicable because the Board cannot approve a school action or a turnaround based on academic criteria unless a school is on probation for at least one year...Thus, the race of the students attending any schools which are not subject to school action or turnaround based on academic criteria is simply not relevant, and insufficient to support plaintiffs' civil rights claim. (*Brown v. Board of Ed of the City of Chicago*, 2012, Sect. 2-619.1, Motion to Dismiss, p. 17)

This ruling highlights the court's belief that the approach taken by CPS to make decisions regarding school actions are fair, race-neutral (color blind) and provide equal access and rights to all students. This approach is grounded in the basic tenet of liberalism (Harris, 1995). At face value, the court's statement appears race-neutral as they are applying their rationale to students of all races. However, Bell (1992) reminds us that "Absence of visible signs of discrimination creates an atmosphere of racial neutrality and encourages whites to believe that racism is a thing of the past" (p. 6). The court has made a decision based on a racial ideal—one in which students of all races are perceived and treated equally—however, the reality and persistence of racism and white supremacy (racial realism) in society continues to exist despite obvious or "visible" signs of discrimination. The court's failure to recognize the disproportionate impact on black students removes any culpability on its part in contributing to white dominance and black subordination (Harris, 1995).

Despite the court's lack of recognition of these racial realities, the same court documents outline the following:

Of the 10 schools for which the 12 plaintiffs are LSC [Local School Council] members, 100% of those schools had a student population which was greater than 85% minority, and 100% of the schools had a student population which was greater than 85% African-American and Latino. (*Brown v. Board of Ed of the City of Chicago*, 2012, Sect. 2-619.1, Motion to Dismiss, p. 18)

Even when the racial composition of the schools reflects a disproportionate number of students of color affected by school actions, this reality is continually disregarded in the court's decision. Again, we see that "rights were for those who had the capacity to exercise them, a capacity denoted by racial identity" (Harris, 1995, p. 286). McKinney-Vento is intended to protect the educational rights of all students experiencing housing instability; CPS' school actions undercut the rights to school stability for black STLS.

### **Neoliberal Policy as White Supremacy**

To contextualize the theme of "school actions as white supremacy" further, we turn to neoliberal rationality to shed light on how we arrived at such a reality where the rights of citizens can be so easily subverted. Lawyers denounced the economic "reality" that "ensuring proper transition is 'costly' and CPS is more interested in costs savings, not human investment" (Interview April 4, 2016). This sentiment reflects the neoliberal ideology driving CPS policies and practices and the lack of value connected to STLS (who are overwhelmingly black). As noted by Donnor (2013), "The racial disparities and inequities created, reproduced, and refined by whiteness, like property, not only establish a unique set of explicit and tacit rules, expectations, and practices regarding access in deployment, but governing institutions, such as the judicial and educational systems, are also instrumental in assigning their societal value" (p. 200). Black students are often not viewed as

“valuable” in neoliberal society and this is reflected by CPS’ lack of investment to ensuring educational stability for black STLS.

The STLS program coordinator echoed concerns voiced by lawyer-advocates. As expressed by the coordinator, their goal was to “not get in trouble for McKinney-Vento violations” and to accurately provide the Illinois State Board of Education (ISBE) noncompliance reporting (Interview, March 22, 2016). The coordinator appeared to express a genuine sincerity and concern for STLS families. Her concerns regarding accurate reporting to ISBE and proper McKinney-Vento implementation included monitoring STLS access to services (transportation, uniforms, etc.), their enrollment at “welcoming” schools, and the identification/location of students who did not enroll at their assigned “welcoming” school. These efforts were muted when the STLS office stopped receiving reports after the 1st quarter of the new academic year (Interview, March 22, 2016). Even though a system had been created to document STLS transition to new/welcoming schools, CPS itself did not follow through on ensuring the system remained in place. The STLS coordinator became disenchanted with the lack of information being provided, subsequently hindering her ability to provide STLS with needed support and resources; and, as a result, she chose to leave the position after the 2013-14 school year.

The effects and impact of neoliberalism, as expressed through the persistent themes of privatization, hyper-accountability, and corporatization made possible by “turbo-capitalism” (Nixon, 2011) has already been well traversed in educational research (Anyon, 2014; Lipman, 2010; Ross & Gibson, 2007). In particular, Lipman’s (2010) work exposes how neoliberal agendas have controlled educational policy initiatives, as well as housing policy, economic development policy, and the overall political climate in Chicago for decades. Lipman’s important turn to the “right to the city” is a necessary development that reengages the status of citizens’ civil and human rights related to urban centers and neoliberal reforms. Can citizens be simply displaced because the demands of gentrification necessitate their removal to make way for economic progress? Can funding metrics be revamped to bring about the amplification of inequity and the redistribution of wealth to favor the wealthy simply because the market allows for it? These important questions are at the center of the Chicago Public School closings—which can be seen as little more than a land grab of public entities that have already been paid for by generations of taxpayers. All of which has been done in plain sight; thus, this story is less covert than it is overt. As Stovall (2013) insightfully explains,

“...we should understand these policy machinations as public, where state actors and interested parties are supporting rhetorical rationales while materially implementing strategies to permanently remove particular residents from urban areas. Coupled with the neoliberal push for privatization of the public sector, schools become the conduit for an illusion of progress placing student and families of color in the affected areas on the periphery” (p. 568).

While CPS may have provided a narrative of progress and good intentions as their rationale for the unprecedented closure of 49 schools, our document analysis and interviews with key stakeholders reveal how these decisions create more instability for students and families experiencing homelessness. Policies that further marginalization and hinder opportunities for self-sufficiency, educational access, and better life outcomes for black STLS.

Key neoliberal legislative turns that made the 2012-13 school closing possible are as follows: Illinois General Assembly’s Omnibus Education Reform Act of 1985, the 1995 General Assembly decision that restructured CPS and gave “intervention powers” to a mayoral controlled School Board, the 1996 authorization of 15 charter schools in Chicago, and the 2009 General Assembly decision to increase the cap on charter schools to 70 in the City of Chicago. The legislative

groundwork and policy decisions favoring neoliberal outcomes were laid far in advance of the 2012-2013 school closings. Thus, recent policy decisions should be seen as strategic extensions of economic development and urban policy reforms, and not necessarily the result of some sudden altruistic desire to increase student achievement and opportunity for low-income children of color.

The housing and racial status of students most impacted apparently played a role in the school actions and decisions made by CPS, as well as the legal decisions made by the Cook County court system. We assert the impact of school closings reveals the slow violence (Nixon, 2011) poor, unstably housed, communities of color are continually subjected to in a neoliberal, white supremacist society. As Buras (2013) declares, “Using theoretical constructs such as whiteness as property, however, enables critical race education policy analysis to delve below taken-for-granted understandings and provide a reading of the policy formation and implementation process that accounts for the very real power that whites exercise to their own benefit” (p. 225). Similar to Buras and others (Donnor, 2013; Gillborn, 2005), we argue the necessity of including constructs of race, class, and neoliberalism in discussions and analyses of education policy in urban centers such as Chicago, particularly for black STLS.

Policy decisions made by CPS and reinforced by the court rulings reified the status quo of whiteness, having detrimental impacts on poor, unstably housed students of color already disenfranchised by neoliberal policy approaches to education. Due to these neoliberal policy decisions (market driven reforms), STLS have even less access to stable schools and relationships despite the educational rights guaranteed them by McKinney-Vento. These school actions/policies are reflective of “a continuation of the racist neoliberal policies implemented by cities to further marginalize low-income African-American and Latino/a communities” (Stovall, 2013, p. 577). A significant indication of the marginalization STLS face, is their lack of consideration and representation in the policy decisions made by CPS. The neoliberal model in which one believes the market can solve the myriad of political, economic and social issues is inherently false, given these opportunities are out of reach to the majority of low-income, working class families of color (Stovall, 2013). STLS are continually stripped of the (scant) resources afforded them; schools are supposed to provide access to stability and social mobility via McKinney-Vento requirements—this possibility becomes obsolete once the school no longer exists. CPS’ actions of closure, consolidation and turnaround exacerbates and accelerates STLS’ already tenuous trajectory towards trauma, violence and poor academic outcomes (including increased suspensions and lack of access to special education services). Their class (homeless) and racial (black) status in society function to rationalize inequitable impacts, simultaneously safeguarding conditions of white supremacy.

### **Discussion: Dispossession, Disposability and the Slow Violence of School Closings**

The school policy decisions enacted by CPS and their subsequent influence must not be regarded out of context. Given the educational and socio-political landscapes of Chicago, consideration of neoliberal rationality, white supremacy (Gillborn, 2005; Harris, 1995), racial symbols (Bell, 1992) and slow violence (Nixon, 2011) functioning within CPS, the City of Chicago and the State of Illinois are necessary lenses through which the CPS school actions/policy decisions must be examined. The court’s ruling that upheld the closing of schools in Chicago, served and continues to serve as a racial symbol (Bell, 1992) of white supremacy simultaneously sending a message of black inferiority and disposability. The emotional and psychological violence perpetrated against students of color (specifically those enrolled in the STLS program) by removing a significant space of stability (schools) conveys the message that they are disposable and “undeserving” of

educational stability and access. The racial symbols of violence also contribute to the potential for physical violence. The imposition of emotional and psychological violence on the hearts and minds of young people already experiencing duress due to their unstable housing situations has the potential to further create conditions of “engineered conflict” (Stovall, 2016).

School policy upholding closures and consolidation reifies student and families “marginal” housing status and justifies inequitable systems and structures that limit one’s ability in securing access to consistent, safe, stable, and familiar schools. As Bell (2004) states “The psychic damage done by unofficial long-term exclusion is impossible to measure” (p.199). School closings contributed to the exclusion of students experiencing homelessness; the harm enacted on families is, in fact, immeasurable. Consequently, it became apparent that race/racism and white supremacy coupled with a neoliberal logic cloaked in the language of “better” educational opportunity lay beneath the surface of CPS’ policy decisions. The short-term harm documented to date is pervasive throughout the policy decisions made by CPS officials and administrators, speaking to the essential need for a change in educational policy creation, examination, inaction, and reform.

When the court failed to uphold the rights of unstably housed students and families of color, these outcomes can be perceived as a symbolic assault on one’s access to “life, liberty, and the pursuit of happiness” (Burch, 2012). These symbols of violence are rooted in white supremacy, capitalism, and neoliberal rationality. James (1996) notes “Anti-racist definitions that focus on state dominance, highlighting the institutionalized power of white supremacy, are largely absent from some of the most popular postmodern studies of race, identity and culture” (p.45); our work is an attempt to understand the implications of CPS’ school actions on black students experiencing housing instability, by including a racial lens. Hill (2016) further explains, “. . . racism cannot be reduced to intentional acts of bigotry, we must rely on thicker analysis, accounting for structural, psychological and cultural dimensions of racism” (p. 11). It is our intent to acknowledge the racial hierarchies prevalent in the U.S. context, subsequently framing CPS actions, and the court rulings upholding said actions against students of color in temporary living situations as forms of racialized, slow violence. James (1996) further notes, “State abuses overtly shaped by race are mitigated in the aftermath of constitutional amendments guaranteeing rights to all citizens” (p. 45). Neoliberal rationality does not hold the a priori belief in “guaranteeing rights to all citizens” and instead replaces that notion with the guaranteeing of free market capitalism unhindered by government intrusions at the center of societal aims. Thus, what appears to be a symbolic act of violence to some, may in fact inflict real, slow violence upon others.

The data uncovered through our work indicate that neoliberal rationality is overwhelmingly driving educational policy in Chicago. The economic imperatives of the city, state, and region are prioritized over the human needs of children. Poor, black children and their families are consistently “losing” as a result of policy decisions, while their affluent, white counterparts continue to be beneficiaries. As previously identified by Karp and Vevea (2016),

Under Mayor Rahm Emanuel, CPS has spent millions on brand new schools and expensive additions, even in places where neighboring schools have plenty of space for extra students. This new construction is disproportionately going to schools that serve the white, middle class, sometimes ignoring opportunities to create more diverse schools. (para. 1)

Furthermore, they highlight the reality that \$475 million or 73% of all money went to schools where white students make up more than a quarter of the student body (only 12% of Chicago’s schools have more than 25% white students). Whether intentional or not, it is clear that neoliberal policy and financial decisions serve the interests of white students and families and simultaneously harm black

students and communities. The court decisions that uphold these policy decisions reify the psychological, symbolic and material violence enacted against black students and families experiencing housing instability as evidenced by CPS' lack of care and accountability for the hundreds of STLS that are no longer part of the CPS system.

Moreover, the school actions contribute to increased instability, segregation, and educational inequity for black students experiencing housing instability. This is especially evident when examining the outcomes of school actions for Lincoln and Manierre elementary schools. Our work contributes to the established findings of Karp (2016) in which she found that in the case of Lincoln and Manierre, CPS has taken two very distinct approaches—approaches based on racial constructs and ideologies. These differences include investing 19 million dollars into an annex for Lincoln, despite the space that exists within Manierre. Karp (2016) notes “But once the new annex was built onto Lincoln, there would be no incentive for wealthier residents of the Lincoln Park area to look to Manierre as an option for their children.” Given the glaring inequities presented in the Brown, Swan and McDaniel cases and the more recent work of Karp and Vevea (2016), it is clear that the neoliberal rationality driving educational policy decisions and the court's role in upholding said decisions results in the systemic exclusion and marginalization of unstably housed black students in CPS. Similar to Hanchard (2015), we recognize the school actions enacted by CPS' Board of education as “symbolic, historical and conceptual dimensions of the unfortunate phenomena of state sanctioned violence against black communities, black people and black youth” (para. 8).

Ideologies rooted in white supremacy continue to drive education policy. Bell (1992) states, “A realistic appraisal of racism's crucial role in the society, far from being capitulation, would enable us to recognize the potential for effecting reform in even what appear to be setbacks” (p. 92). CPS' decision to close 49 schools did not serve the interests of STLS families. On the surface one would believe these practices and policy decisions serve(d) the interests of all students; however, data reveal a pattern of inequity and a continued investment in whiteness—no matter the cost. CPS and the courts may have intended to put in place structures and practices to support student success, but the reality is that the majority of STLS were displaced and excluded from school access by these very policies.

Given the above, we contend that the contemporary neoliberal climate in Chicago represents a conflation of large scale political ethos through the “reconstructions of liberalism and conservatism, [which] encourages a morality that is economic; a social perspective that is individualist...and, an economic understanding that is merciless;” a conflation that subverts “rights” narratives and creates a world where no humane alternative is possible (Heybach & Sheffield, 2014). This conflation is made possible through the gradual reframing of humans as economic-only actors who are devoid of inherent meaning—meaning that can only be protected and fortified by individual rights of protection (natural, property, civil, and human). Rather than citizens imbued with natural rights who live bound by a social contract with others where some personal liberties are sacrificed for the greater good, neoliberalism seeks only to further a conception of humanity that are required to “earn” value through financialized forms of meritocracy within a civilization that “insists that markets ‘know best’” (Brown, 2015, p. 221).

As inequality is amplified through slow forms of symbolic and material violence, the exponential impact on vulnerable populations as seen throughout this analysis of CPS school closings is devastating. The school actions that CPS has implemented, dating back to *Renaissance 2010*, and inclusive of the more current closure of 49 schools, reflect the slow violence waged against students and families of color, but especially black students experiencing housing instability. Unfortunately, as neoliberal rationality becomes naturalized most succumb to the belief that these realities are “just the way it is.” The process of naturalization is the key mechanism to turning

neoliberalism into more than just an economic framework—it becomes through naturalizing processes an ethical, social, political, even moral, construct. Once naturalized, there seems little that can be done to effectively challenge neoliberal constructs.

In addition, if CPS (and other school districts) are truly concerned with supporting the academic and emotional needs of STLS (and subsequent effective implementation of McKinney-Vento), race also must be a significant factor to consider in policy decisions regarding school actions. When students of color are disproportionately impacted, whether deliberate or not, these inequities must be centered in policymaking decisions and practices. The nexus among race, neoliberal policy, and homelessness (with specific reference to McKinney-Vento and school closings) simply cannot continue with such neglect. Ignoring the racial realities as well as class and power differentials found in neoliberal education policy decisions serves to further enact slow violence against students and families of color experiencing housing instability; and, as a result of these decisions, engender further conditions of school instability recreating the cycle of slow violence so highlighted via CPS school actions.

Recognition of the above described policy impacts as well as their sources is a necessary (though not sufficient) first step in the creation, promotion and implementation of homeless education policy that disrupts, rather than reproduces racial and class inequities for black students and families experiencing housing instability. Given the continued push towards privatization, (particularly with the current secretary of education, Betsy DeVos—an avid proponent for charter schools), educators, policy makers and communities would be remiss by not engaging a neoliberal, race/class analysis in understanding the potential harm of what may on the surface appear to be “good” education policy decisions.

Finally, this work necessitates future research regarding the long-term impact of school closings on already highly mobile students experiencing homelessness. In particular, future research should seek to document how STLS students fair in school as they matriculate through elementary and secondary school, and the shift in populations and subsequent resources for neighborhoods that experienced the 2012-13 school closings. And still, we believe that creating a platform for STLS to speak for themselves—particularly black (and Latinx—a sub-group continually missing from narratives and analysis regarding housing instability and McKinney-Vento) STLS—is ever vital to understanding their lived experience. We believe hearing the firsthand accounts of the impact these school closings had on the everyday lives of families and their educational trajectories is crucial. Furthermore, we believe that academics who address McKinney-Vento policy and neoliberal educational policy need to illuminate the insidious, unconscious, rationality offered by neoliberalism that is working against the status of human as equal actors protected by civil and human rights. As these actions are gradual, overt and accretive, we must not let this slow violence (Nixon, 2011) against families and communities of color continue to enact damage through policies and practices that appear fair or neutral. Students, families—all of us—should not be seen as economic-only actors who are disposable for the betterment of the market. This dangerous turn must be resisted through new and continued forms of anti-racist, democratic citizenship that interrogate the current “common sense” (Kumashiro, 2009) of school closing.

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