**JUNE 7, 2023 / Texas messed with Houston schools**

**[HALF SECOND OF SILENCE]**

**[BILLBOARD]**

*SCORING IN – 8 Leg Down NO CRACKLE*

NOEL KING (HOST): Back in 2015, a state legislator in Texas, by the name of Harold Dutton wrote a bill that became a law.

NOEL: The law allowed TEXAS to take over schools that were deemed to be failing.

NOEL: Dutton himself went to a school that, once upon a time, was very good. It’s called Wheatley, and it’s in a poor part of Houston.

NOEL: In the years since Dutton graduated, the school hasn’t been performing well.

NOEL: And when the law passed, the state jumped. As of this month the state of Texas has taken over the entire Houston Independent School District and put in place its own school board. Harold Dutton is thrilled.

*<TAPE> HOUSTON PUBLIC MEDIA:*

*TX State Representative Harold Dutton: What this is about is changing the outcome for thousands and thousands of kids, particularly those in Northeast Houston.*

NOEL: Of course, he's just one person. There are nearly 300 schools in the district - and all that entails. Coming up, on Today, Explained: a takeover in Texas.

**[THEME]**

DOMINIC: I'm Dominic Anthony Walsh. I cover education and culture for Houston Public Media, which is Houston's NPR station.

NOEL: It’s Today, Explained, I’m Noel King. We recently started airing on KUHF, Houston Public Media, which is how we came across this story that Dominic’s been covering.

*SCORING – Bubbling Over*

*<CLIP> FOX 26 HOUSTON: We are breaking into programming at this hour to tell you that the Texas Education Agency will be taking over the Houston Independent School District. That decision was just handed down from the state. It will have a major impact on more than 200,000 students.*

DOMINIC: So, Houston ISD had an elected school board. They had hired a superintendent. But in March, the Texas Education Agency, which oversees public education in Texas, announced that it was going to take over the Houston Independent School District, which, by the way, is the largest in the state.

*<CLIP> FOX 26 HOUSTON:*

*TEA Commissioner Mike Morath: Failure is not an option. We want to make sure that we have provided the best leadership environment possible for Houston ISD.*

DOMINIC: And the way they do that is they appoint a board of managers and that board of managers assumes the role of the school board.

*MUSIC BUMP*

DOMINIC: Over the years, the HISD elected board has been accused of misconduct. So it's not without its critics, but it is worth noting that in the time between that alleged misconduct and now, all but two of the board members have left office and new board members have been elected. In addition the superintendent that the elected school board had hired is also being replaced with a state appointed leader.

*<CLIP> AP: Our schools should be run by our locally elected school board. As far as I'm concerned. This is a hostile takeover.*

*SCORING OUT*

NOEL: How was Texas able to do this? You've got elected leaders. The state says, no, we don't want these guys. We want our guys. Why is that legal?

DOMINIC: Yeah, so in Texas, it's been legal for a while for school boards to be replaced in cases of, you know, financial malfeasance, fraud, things like that. But in 2015, the state legislature in Texas passed a law that added another criteria for these types of takeovers, and it's actually more related to academic performance based on standardized tests, student outcomes after graduation. So what that 2015 state law said was if one campus, one single school, in an entire district fails to meet state standards for a certain number of years, the Texas Education Agency has a few options. They can close the campus. They can order alternative management. Or they can do what they're doing now. Appoint a board of managers to intervene at the district level. So here in Houston, you know, we're talking about more than 270 schools in this district. And one of those not meeting state standards for long enough is grounds for the Texas Education Agency to come in and take over the entire district.

NOEL: Well, let's talk about how many schools were failing. You said there are 200-how many?

DOMINIC: More than 270. It's fluctuated a little bit over the past few years. But I think the last number I've seen is 276 for this year.

NOEL: 276. And how many of those schools were failing?

DOMINIC: In 2019 prior to the takeover, more than 40 schools failed to meet state standards, But there's one in particular that triggers that takeover law. Wheatley High School. It's in a low income area of Houston, known as the Fifth Ward, a historically black community. It was hit really hard by Harvey, which was really tough for a lot of the students there.

*<TAPE> HOUSTON PUBLIC MEDIA:*

*Gabriel Jaden Flint, Wheatley High School student: It was destitute. Everyone was pretty much hopeless especially when we started coming back, most people didn’t have a home to come home to. Most people were sleeping in their car.. People couldn't really advance the way they could because they were thinking about home problems..*

DOMINIC: I've chatted with students who knew people who who died in Harvey, who were homeless after Harvey living in their cars.

*Flint: People’s families died. I know a guy whose Grandmother drowned that summer. It wasn’t the best thing. And so I feel like for them to target and put a pin in that there year? It sucks because nobody was at their best.*

DOMINIC: So under the 2015 state law, it just takes one school to fail to meet state standards for five consecutive years. Wheatley is that school. Wheatley High School had failed to meet state standards even before 2015.

*<CLIP> KHOU:*

*TEA Member: They’ve missed a lot of chances to make a difference, and at least I believe they’re out of time at this point, and I believe a board of governors is almost virtually… virtually gonna happen.*

DOMINIC: And so we get to 2019, the law is officially triggered…the state announces it's going to take over the district, a lawsuit happens…

*<CLIP> KPRC: The 22-page lawsuit filed in Austin claims the TEA’s actions are nothing more than retaliation against people of color and their leaders for disagreeing with the TEA and Governor Abbott on education policy.*

DOMINIC: And we get to this year – more than three years after the TEA initially said it was going to take over the district – and the Supreme Court of Texas clears the way, and by March, they have announced that despite improvements over those years, they're still going to move ahead with the takeover.

NOEL: Between 2019 and 2023, the school district was attempting to not be taken over by the state. And I'm wondering what happened to failing schools in the district in the meantime? Did administrators work so that 40 schools were no longer failing? Like did things actually get better in the time that the independent school district, that the Houston school district held the state off?

DOMINIC: Yes. More than three quarters of the schools that failed to meet state standards back in 2019 when the state first tried to take over the district have since passed state standards. So there's still a few schools that have fallen short in the past couple of school years. We should note post-COVID, right? So post a big disruption. But yes, there has been progress and in the state's eyes, it's not enough.

NOEL: In the state's eyes it's not enough. And so they bring in this new board and this new superintendent. Tell me about him. Where does he come from?

DOMINIC: Mike Miles was superintendent in Dallas ISD.

*SCORING – Meiji de Tokasu*

*<TAPE> HOUSTON PUBLIC MEDIA:*

*HISD Superintendent Mike Miles: Our main job is to instruct the kids, that’s what we do and provide great quality instruction, so we’re going to do that, and we won’t allow a student to disrupt that learning process.*

DOMINIC: When he was there, he implemented some controversial reforms, including performance based pay for teachers. So teachers get paid based on how well their students do on tests, for example. Since then, he was in Colorado. He founded and ran a charter school network called Third Future Schools, a multistate network. They have campuses in Colorado and in Texas. He moved directly from Third Future Schools into Houston ISD last week. And already some of his comments have you know, they've offended teachers, to be frank.

*Miles: We have not been able to close the achievement gap. We have low proficiency. You really think 97% of all teachers in America are proficient? I don't think so.*

DOMINIC: And, of course, a lot of public education advocates say that's entirely unfair. And like, if we back up and look at the bigger picture of the takeover, it's justified by schools failing to meet state standards. Right? In Texas, we have this A through F rating system. And what Miles is saying about the education system and the way the state measures education in Texas, folks argue, just discounts all of these socioeconomic factors that make it hard for students to learn. And so you have this tension right, between stuff that happens outside of the school that makes it really hard for students to succeed and folks who think that if you reform the education system enough, it'll help students overcome those factors. So, Mike Miles very much falls on the reform side of that.

SCORING OUT

NOEL: Mike Miles is a reformer. He will not be alone of course, it's not just him who has been appointed by the state. There's also a school board that's been appointed. Who are these people? Where do they come from in Houston?

DOMINIC: Right. So there are nine members on this appointed board and the bulk of them live kind of west of downtown, northwest of downtown, in wealthy neighborhoods of Houston. So these nine members largely are less representative of Houston geographically than the elected board was.

NOEL: Why are people so concerned about this new board and this new superintendent? Do they have some plans for the district that people sense are perhaps not above board or meant to make people's lives more difficult?

DOMINIC: So they're concerned about the new board and the new superintendent, largely because there is no actual democratic method to hold them accountable. They're appointed by the state. They're, you could argue, beholden to the state. But yeah, there's this idea of this is a public good, a public institution, but right now it's not actually governed in a public way or in a democratic way. And so it opens the door for them to do things that might be unpopular. Mike Miles also has already unveiled pretty sweeping reforms to 29 schools. They include Wheatley high school as well as two others, and then all the elementary and middle schools that feed into them. Every staff member at those schools has to reapply for their job.

*<TAPE> HOUSTON PUBLIC MEDIA:*

*Dominic Anthony Walsh, reporter: And I imagine there’s some teachers who don’t like hearing that.*

*Mike Miles: Yea you know, well they can prove me wrong so please apply is what I would say, and go through the instructional interview, and then they’ll get a job at $95K.*

*DOMINIG:* He's also said that in these 29 schools, there probably won't be a librarian, which has been very controversial.

*Mike Miles: We will have, obviously, books that kids can take, but not necessarily a librarian staffing it.*

DOMINIC: So already he's unveiled reforms that have a lot of people concerned.

NOEL: How are parents in this big independent school district reacting to it having been taken over by the state? Is there even one reaction or are they divided?

DOMINIC: Oh, it's a very mixed bag.

*<CLIP> FOX 26:*

*HISD Parent: TEA will say that our schools are failing. But I would say that TEA is failing us and our schools.*

DOMINIC: There are folks who have wanted to see Houston ISD change for a long time

*<CLIP> KHOU:*

*HISD Parent: The last administration, they lied. They denied, they deflected. And we're just looking forward to a fresh start where the new board will be transparent with us.*

DOMINIC: Even the teachers union says, Yeah, we recognize that there are things that could change. But again, the question is how are those changes made and who's making them?

*<TAPE> HOUSTON PUBLIC MEDIA:*

*Wheatley High School teacher Donnie Walker: What's going to happen to Wheatley in the future? That's still up for grabs. I don't know. But what I hope happens to Wheatley is that it stays the same, is continued thriving. People support. People come in and see for themselves and start having a bad perception based off of the past or what someone told them.*

DOMINIC: The alumni base from Wheatley plays a really prominent role in both the push to reform schools and education in Texas and also against it. So the district that Wheatley is in, within their elected board trustee went to Wheatley and she was very much opposed to the takeover.

*<TAPE> HISD Board Trustee, Kathy Blueford Daniels: So to have seven people from the west side, who don’t know anything about the northeast side, and the south side, that these kids have to pass a dope house walkin to school…spare me.*

*SCORING – STR Lost and Found*

DOMINIC: Folks are not excited about teacher turnover. They're not excited about not having school librarians. But there are definitely parents and teachers who see some potential good in these reforms. There's both optimism and a lot of skepticism.

NOEL: Dominic Anthony Walsh of KUHF. You can catch Today, Explained at 7:30 on weekdays there. Coming up next: this situation is not unprecedented. We talk to a scholar who studies what tends to happen when a state takes over local schools.

**[BREAK]**

**[BUMPER]**

NOEL:Today, Explained. I’m Noel King. Domingo Morel is a professor of poli sci and public service at NYU’s Wagner School and, while it may seem kinda niche, or niche… his field of study is: what happens when a state takes over a local school district.

DOMINGO: So I've been studying state takeovers of local schools for over ten years now. It started off as my dissertation at Brown University, and then since then I have published a book on state takeovers and have continued to research takeovers.

NOEL: It's obviously of great interest to you. Were you, by any chance, educated in a school district where the state took it over?

DOMINGO: So I did attend a public school system that was threatened to be taken over by the state, the Union city public schools in New Jersey in the 1990s. And then I graduated from the Providence Public Schools in Rhode Island, which was recently taken over by the state of Rhode Island. So, yes, I do have experience.

NOEL: How common is it for a state to take over an elected school board, a school board that's been democratically elected, as we are now seeing in Houston?

DOMINGO: We have over 10,000 school districts in this country and only about 110 takeovers or roughly over the last 30 years or so, so it’s not very common.

NOEL: What tends to be the case when a city's schools are taken over by the state? What sorts of things do these situations have in common?

DOMINGO: Because we have, again, over 10,000 school districts across the country and only about 110 or so takeovers, the argument that takeovers are about improving schools or schools that are in need of improvement just does not hold. Right? Because if that was the case, we would have a lot more takeovers. There are a lot more school districts that are struggling. But my research shows that there are several factors that are associated with the increased likelihood of a takeover, the first being populations of color, particularly African-American communities. Right. So they are once you have increased numbers of African-American students and a population, that increases the likelihood of a takeover. The second factor is partisan politics. So usually takeovers are being led by Republican governors and Republican led state legislatures, and they're happening in communities of color, which are mostly associated with the Democratic Party and particularly locally elected officials. And finally, there's a question about resources. And so my research shows that when communities fight for more resources for their schools through the court systems and actually win court cases, that that increases the likelihood of a state passing a law to take over our school district. So these are the factors that are mostly associated with that.

NOEL: So in that case, based on your research, what we see happening in Houston today is actually the way it normally happens.

DOMINGO: As absolutely consistent with what we see happening across states and cities that we have a majority Republican, majority white state legislatures and governors taking over a majority communities of color. The rhetoric, the justification for the takeover is often about improving schools. That's what we hear from state officials. That's what we hear supporters of state takeover is that it's about improving schools.

*<TAPE> NJ SPOTLIGHT NEWS:*

*Former NJ Governor Chris Christie: Nearly 90% of Camden schools, 23 out of 36 are in the bottom 5% performance-wise of all of New Jersey. We’re not acting because we got everything perfect or we believe we know better, we’re acting because inaction is immoral.*

DOMINGO: However, what the research shows is that they don't lead to improved schools.

*<TAPE> KPRC 2 CLICK2HOUSTON:*

*Dr. Erin Baumgartner, HERC: They must think that there’s something about their plan that’s going to be different than what state takeovers have looked like around the country and what we see is on average, they tend to not do much to support students and improve their outcomes.*

DOMINGO: Now that we have, again, over 30 years of evidence that this is not what happens, what are the other factors that we see that are associated with this? And so what happens is that it's, again, the racial, partisan dynamics that lead to the disempowering of communities, the losing of a school board, the losing of the ability to influence curriculum decision making for the school district, like who the superintendent is going to be and things like this. Right. And so the reality is that it's about not improving schools, but disempowering communities.

*SCORING –CEZ UBM*

*<CLIP> CBS NEWS: The scene is nothing short of apocalyptic. 80% of New Orleans including much of downtown is under water.*

DOMINGO: After Hurricane Katrina in 2005, the state took over the school district, it became the first all charter school district in the country…

*<CLIP> PBS NEWSHOUR: Seizing the moment, the state took control of the city’s failing schools. Pink slips were sent to all 5,000 teachers and the state set out to remake New Orleans as a city where nearly all the schools would be independently run charters. Local school officials were no longer in charge.*

DOMINGO: And while the majority of the student population in New Orleans is Black, the majority of the new school board charter members were white. Not only that, the New Orleans public schools had the largest black teaching force in the country at the time. Within ten years after the takeover, it decreased by 25%. So it was less than half of the school. Of the teaching force was black following Hurricane Katrina. And finally thousands of jobs were lost. And most of these jobs, you know, they usually represent, you know, good, decent paying jobs for community members. And so most of the people that lost out on these jobs were those who live from New Orleans and people from the city of New Orleans. So this is what the New Orleans example shows. And the data on school improvement has not been very strong. While there was some evidence in the early years that that takeover led to improved schooling and outcomes in New Orleans, that has flattened off and in some cases has decreased. So we just don't even have good evidence that after all of that, that the schools have improved in New Orleans.

SCORING OUT

NOEL: Now, our reporter in Houston was telling us that some residents of that city are concerned about this takeover because the gentleman who's been appointed as superintendent does have a history of being a charter school guy. Is that another trend that what we are pushing for when a state takes over in a particular city is there is a push to go charter?

DOMINGO: If we see takeovers as a political act, right, a political intervention, and one that removes any opposition to an agenda that the state has, then we see how clearly charter schools are connected to this, right? So in many communities they don't want the increased like increased charter schools either because the teachers unions, community groups, elected officials, they want their traditional public schools. And when the state is interested in increasing the number of charters, one of the options that they have is to take over to remove that opposition. And so we do see that state takeovers are associated with the increased number of charter schools coming into the district. While New Orleans is the most drastic example because it went to an all charter school system, other districts have also increased their charter schools, although not all of the schools are charters. So that is associated with takeover. And so I think that Houston being so close to New Orleans, there are people within the district now who have seen New Orleans as a model. I think it's fair, fairly safe to assume that Houston is going to be looking to increase the number of charter schools, whether it's an all charter majority charter, significant charter, we don't know. But I think it's safe to assume that that is probably a reality in Houston.

NOEL: One thing that has to be true for a state to get involved in a city schools is that the schools just are not doing well. Some number of them, some percentage of them are not doing well by commonly held standards. I am hearing you saying it often doesn't work out that well when a state comes in and takes over. What other options does the state have? What are the options does the city have?

DOMINGO: You know, I was part of a public school system that was under threat. That was a Union City public schools And the Union city public schools were not taken over. And today is considered a model school district across this country. And so what ends up happening in Union City? Well, Union City was able to get more resources from the state. Officials did not view the local community as a problem that needed to be removed, but instead saw it as an asset that needed to be cultivated politically and economically. And so the state can and should have a role to play in helping improve schools by providing adequate resources, by providing the expertise that they have at the state that may be lacking in some degree at the local level. But they can lend that support.

*SCORING IN – CEZ CEZ 4052 Drone Music*

DOMINGO: They can convene community groups, parents, school board members that create the spaces for people to come together to talk about what it is that needs to happen to improve the schools and so they can foster a community collaborative effort rather than taking over and separating communities from schools.

CREDITS: Dr. Domingo Morel teaches poli sci and public service at NYU. Today’s episode was produced by Victoria Chamberlin and edited by Amina al-Sadi. It was fact-checked by Laura Bullard and engineered by Michael Rapheal. I’m Noel King. It’s Today, Explained.

**[10 SECONDS OF SILENCE]**