

# Yale College

## Education Studies Program

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## 40 Acres and a School: Engaging Reparative Hybridity in Education Reform

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### Abstract:

Using contemporary education research and Black reparations theory as its baseline, this capstone considers the experiences of Black students within the education system, and employs analysis and imagination to create a reparative K-12 education reform framework. However, due to the complexities of Black reparations discourse and the nuances of education reform, this project both develops and engages a methodology entitled *reparative hybridity* to situate these seemingly disparate fields in conversation with one another.

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**40 Acres and a School:  
Engaging Reparative Hybridity in Education Reform**

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Education Studies Capstone

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## Introduction

"40 acres and a mule" was the first promise of reparations for slavery. In the simplest terms, reparations is the idea of making amends for a wrong through monetary compensation, remuneration, or otherwise. At the end of the Civil War, General Sherman released the renowned Special Field Order 15, which pledged that previously enslaved Black folks and their families were entitled to 40 acres and a mule as a means of securing genuine, substantive citizenship in the aftermath of legally enforced chattel slavery. Unsurprisingly, all land apportioned under this order was quickly nullified as President Andrew Johnson offered amnesty to many of the Confederate landowners whose land was originally confiscated.<sup>1</sup>

Although it was short lived, Special Field Order 15 very clearly identified the necessary beneficiary of a reparations program: formerly enslaved Black folks in a territory known as the *Sherman Reservation*. Furthermore, the 40 acres promised were understood to be necessary in order for the newly freedmen to actualize this freedom; "...without land, freedom and citizenship had no material basis from which to develop..."<sup>2</sup> However, since demands for reparations from slavery have never been formally recognized, government inaction persists, and racial discrimination in the wake of slavery continues to evolve what "40 acres and a mule" symbolizes.

So where does this leave the conversation of reparations today? Although many reparations scholars and advocates alike agree with the purpose of reparations as a project to repair the harm

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<sup>1</sup> Burch, "Forty Acres and a Mule' as a Pedagogical Motif", 120

<sup>2</sup> Burch, "Forty Acres and a Mule", 118

caused by slavery, there is no actual consensus on the theory guiding reparations or its practical application. Therefore, a variety of prevailing assumptions and questions dominate current reparations discourse.

The first of these questions relate to the *who* of reparations; that is, who will be the recipients of a reparations-based program? While many advocates for African Americans directly descended from enslaved people to be the primary beneficiaries, others have considered reparations within a larger project of repair that connects to both international and indigenous claims to restitution.

Next, the *what* of reparations is perhaps the most contested. Should it take the form of direct cash payments? A formal apology? Increased investment in social services?

Put simply, the lack of consensus regarding Black reparations in practice can largely be attributed to the inherent complexity to identifying what exactly are the *harm(s) caused by slavery*. While some scholars consider the largest “harm” to be the economic dispossession of Black people as a direct result of forced labor, as illustrated in the current racial-wealth gap, many have also considered persisting discrimination in the housing and educational systems as further evidence of this aforementioned harm. Therefore, an informed discussion of reparations must begin by acknowledging these nuances.

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As it relates to education, historical and contemporary reparations thinkers have often highlighted the importance of educational investment, but it is usually related to higher education

or exists as a bullet point in a larger list of reparation policy ideals.<sup>3</sup> Nevertheless, historians of education as well as critics of contemporary educational inequality have routinely identified today's education debt as a legacy of slavery. It is not surprising, then, that reparation theorists and supporters recognize education as a site for applying reparations in practice. Civil Rights leader James Forman wrote *Black Manifesto* (1969) where he demanded \$500,000,000 from white Christian churches and Jewish synagogues because they were "part and parcel of the system of capitalism,"<sup>4</sup> His plan apportioned \$500 million to restore land, create publishing houses, build centers for skills and workforce development, and to build international cooperations with African countries.<sup>5</sup> For education, \$130 million would be reserved for a "Black University" to be located in the South. More recently, scholars like Kerry Burch insist reparations be taken up as a pedagogical motif in schools for students to contextualize history, but does not spend much time engaging in its more immediate implications. She does however posit public education as a legitimate site for improving material conditions for underserved students.<sup>6</sup> This lack of specificity about K-12 education within the reparations conversation limits its perceived practical application within the larger context of addressing the educational debt.

Therefore, this capstone project will be at the intersection of Black Studies and Education Studies by bringing K-12 education research into the conversation of Black reparations. Using contemporary reparations theory as its foundation, an analysis of the largest debates in the field will be contextualized within a sphere of persisting educational inequality. Upon synthesizing

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<sup>3</sup> Call for Papers: "Ten Point Program for Reparations for African Americans in the United States", 2

<sup>4</sup> Forman, "Black Manifesto", 1969

<sup>5</sup> Forman, "Black Manifesto", 1969

<sup>6</sup> Burch, "Forty Acres and a Mule", 124

reparations end goal(s) with best practices within educational research, this capstone will work backwards to adequately address the harm of the current education debt.

Before a clear articulation of a plausible K-12 reparations framework can be presented, it is important to understand how different understandings of reparations inform and challenge one another. This intentional positioning of theory in conversation will help build the analytical tools necessary to consider reparations in the context of education. Within reparations discourse, there exists numerous models, which will be discussed later in more detail. However, most of these models employ conceptions of justice that are either corrective, distributive, or a combination of the two. The former is most concerned with law and morality, telling us “what justice permits or requires when someone has been denied a good that was her due,” while the latter suggests “how and why people in some group may have certain benefits and responsibilities regarding various divisible goods.”<sup>7</sup> In other words, some theories of reparations concern themselves more with the moral injury caused by harm, while others look to the unbalanced liability and benefits caused by an inappropriate distribution of resources. In the first instance, this places considerable emphasis on why a transgressor *should* provide repair for the harm they caused. In the second, it identifies what resources are unbalanced, and works to distribute them based on who needs it, irrespective of whether it comes from the transgressor themselves. As a result, most reparations arguments are built within the overlap of these ideas of justice. Put simply, corrective justice supports the right of a harmed individual to repair; while distributive justice illuminates material harm that must be repaired, and identifies parties who have benefitted from these systems, assigning liability, not blame.<sup>8</sup> Although steps toward a reparations framework, what oftentimes delineates reparatory justice from these other forms is the necessity of both a victim and transgressor.

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<sup>7</sup> Cohen, “Corrective vs. Distributive Justice: the Case of Apologies”, 663

<sup>8</sup> Taiwo, *Reconsidering Reparations*, 2

Basically, it is not reparations if the repair for wrongdoing does not originate from the perpetrator.<sup>9</sup>

If an apology helps facilitate moral repair, but does not ensure resource distribution, and compensation from a third party does not automatically mean reparations, how does this translate practically? Furthermore, how does this map onto the K-12 educational landscape? To answer this, it is necessary to first consider the gaps within the prevailing models of reparations to highlight areas of constitutive meaning, suggesting the importance of **reparative hybridity**<sup>10</sup> to a K-12 educational framework.

### Current Models of Black Reparations:

Understanding how contemporary inequalities for Black people are a direct result of chattel slavery, racist policy, and violence informs much of the conversation today regarding Black reparations. Reparations scholars like Duke Professor William Darity have supported the legitimacy of the reparations claim, and have advocated for a *harm repair* model that includes direct cash transfers. Drawing from the history of housing segregation that has preyed on Black families, rampant discrimination in employment, and the long history of massacres and state-sanctioned violence against Black bodies, Darity recognizes that Black wealth has continued to be materially disrupted. His proposed estimate in financial reparations was about \$10-12 trillion, which amounts to about \$800,000 per eligible household. This was calculated by using the average wealth disparity (net worth) between Black and white families. The logic here is that the

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<sup>9</sup> Cohen, "Corrective vs. Distributive Justice: the Case of Apologies", 668

<sup>10</sup> conception of reparations built-on constitutive moral, social, and distributive features found across existing reparations frameworks

outstanding debt owed to Black Americans (as evident by disparities in education, wealth, employment, home-ownership, etc) can only be repaired by direct, intentional financial efforts.<sup>11</sup>

On the other hand, Roy L. Brooks advocates for a *relationship repair* (atonement) model that does not only look to repair harm via a cash transfer, but by also “emphasizing longer-term investments in education, housing and businesses that build up wealth.”<sup>12</sup> In this model, Brooks posits racial reconciliation as the necessary step to Black Americans trusting their government on racial matters. The violent history of Jim Crow, housing restrictions enforced by government-sanctioned redlining, and exclusion from participation in adequate, equitable schooling contribute to this mistrust. Therefore, he reasons, this requires atonement (apology + reparations) on the side of the government and the acceptance of this moral and material repair by Black Americans (forgiveness).<sup>13</sup> Similarly, other reparations theorists have taken up the question of reconciliation, considering the importance of repairing moral breeches to the goals of communicative (relationship) repair models of reparations. To this end, Margaret Walker and Jana Thompson both remark on the necessity of reconciliation to a reparations project, insisting that despite the need for material repair for historic wrongdoing, these actions are only necessary until a degree of moral stability between victim and transgressor is reached.<sup>14</sup> Therefore, although Robert should give Sally back the bike he stole from her, this is only necessary until Sally is able to forgive Robert for his harm (even if he has not fully returned the bike).

However, in his forthcoming book *Reconsidering Reparations*, Georgetown University professor Olúfẹ́mi Táíwò discusses the short-comings of both the harm and relationship repair models of reparations. First, he critiques the *harm model* for its failure to uphold the non-identity

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<sup>11</sup> Darity & Mullen, *From Here to Equality: Reparations for Black Americans in the Twenty-First Century*

<sup>12</sup> Brooks, *Atonement and Forgiveness*

<sup>13</sup> Brooks, *Atonement and Forgiveness*, X

<sup>14</sup> McGary, “Reconciliation and Reparations”, 547

problem<sup>15</sup> or “existential worry”, instead presenting a welfarist conception of harm that presents a binary of *welfare before the injury, and welfare after the injury*. In other words, the harm model fails to address the sobering fact that one cannot calculate the welfare owed to Black people in the absence of slavery, because without slavery, Black people would not be in the United States to this degree. In fact, without chattel slavery, there would exist some *non-identical other* in-place of Black people in the United States. Next, he discusses the limits of two branches of the *relationship repair* model: (1) Debt Repayment and (2) Communicative Repair. In both instances, Táíwò argues the subject of reparations is slightly altered. By focusing more intently on the relationship between perpetrators and injured communities, addressing the material conditions caused by slavery becomes secondary. Although the debt repair model considers material repayment to be a healthy step in repairing this relationship, neither it nor the communicative repair model prioritizes these material disparities.<sup>16</sup> This critique of relationship repair is also shared by Howard McGary in his piece “Reconciliation and Reparations” where he identifies a converse relationship between reparations and reconciliation, noting:

“In spite of the popular belief that morally decent persons have an obligation to forgive and be reconciled with their transgressors, I refuse to recognize such an obligation unless the transgressors have made genuine efforts to rectify their transgressions.”<sup>17</sup>

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<sup>15</sup> *the nonidentity problem* seeks to address the moral assessment of harm by establishing three separate intuitions of analysis: the *person-affecting* intuition, the intuition conferring an inevitably flawed existence on an individual who would not exist absent this act, and the intuition of the nonidentity - determining whether the act of conferring a flawed existence is morally wrong enough to instead bring no one or a *nonidentical*, better-off person into existence.

<sup>16</sup> Táíwò, *What's Missing*, n.p. (forthcoming)

<sup>17</sup> McGary, “Reconciliation and Reparations”, 555

In McGary's analysis, reparations is most importantly an apparatus to "rectify wrongdoing." Therefore, reconciliation and moral repair is not a required tenant of reparations, despite the potential positive impacts.<sup>18</sup> Furthermore, McGary challenges the notion of a victim's moral obligation to forgive, placing the onus of trust and relationship-building on the wrong-doer. However, this can only be achieved if the victims of injury believe the reparative acts to be genuine.<sup>19</sup> Still, in his view, this is not an adequate substitute for material repair.

On the other hand, Táíwò posits the constructive view of reparations as an imperfect, rearticulation of the reparations argument. Within this view, reparations is considered a project of distributive justice through a lens of *liability*, not responsibility, and for the purposes of achieving *justice*, not merely redressing harm.<sup>20</sup> The importance of this liability framework lies in its recognition that *perpetrator* and *victim* are not discrete categories throughout history. There exists a much more complicated narrative that would ultimately make deciding who can lay absolute claim to these identities an almost impossible task. Therefore, it is sounder to consider harm within a nexus of liability, where individuals are implicated in distributive justice so far as they benefit or are disenfranchised by inequity, but are not held responsible for harm claims. Unfortunately, the strength of this model doubles as its largest challenge: the constructive view is inherently a "world-building" project. Within a racial capitalist framework, this view examines the liability of all groups, which may be at odds with calls to redress the harm of a specific injured group. For instance, historical claims for Black reparations, or indigenous claims to land sovereignty. However, because this model does not ascribe blame or responsibility to a single

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<sup>18</sup> "But I don't deny that achieving forgiveness and reconciliation can have three very positive consequences: (1) it can allow the victims in many cases to move beyond their victimization, (2) it can establish or reestablish a positive relationship between victims and wrongdoers, and (3) it makes it more likely that victims and wrongdoers can work together to achieve common goals" (McGary, 2010, p. 555).

<sup>19</sup> McGary, "Reconciliation and Reparations", 556

<sup>20</sup> Táíwò, *What's Missing*, n.p. (forthcoming)

group as the “oppressor”, it requires individuals to problematize their relationship to the state and one another. This allows all moral actors to be implicated in the work of the constructive view, but contradicts an aforementioned definition of reparations that requires a perpetrator to directly repair the harm caused to a victim. The constructive view recognizes both that historical harm is not black and white, and the most productive form of redress is justice-oriented instead of harm-centric. Therefore, this further complicates the aims of contemporary reparations arguments, highlighting a tension between what Leif Wenar describes as “forward looking distributive considerations” and “backward-looking reparative considerations of independent force.”<sup>21</sup>

### **Reparative Hybrity**

After being introduced to the largest debates in the field of Black reparations, it can be difficult to apply these models and frameworks directly to the educational landscape without an analytical methodology. In their purest form, many of these theories have been developed to consider Black reparations holistically. This means that while the theories provide conceptual space for thinking about education reform for Black students, scholars have not theorized this domain specifically. What may be an adequate model of reparations to address financial disenfranchisement of Black folks or the moral injury of Jim Crow may not alone translate to a usable theory within K-12 education, and vice versa. Therefore, this project will engage in the practice of reparative hybridity -- developing a hybridized reparations framework by engaging competing reparations theories, distilling the most appropriate tenants of reparations discourse that align with contemporary education research. Due to this integrated framework and the complexity of the educational debt, aspects of harm and relationship repair will be engaged,

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<sup>21</sup> Cohen, “Corrective vs. Distributive Justice: the Case of Apologies”, 667

while also privileging the world-building aspirations of the constructive view. In this way, contemporary reparations theory will be a springboard to imagine new educational futures as opposed to a distinct set of reparative rules.

## Contemporary Education Reform Pathways

### The Educational Debt + Racial Capitalism

The *educational debt*, which is described as the “cumulative impact of fewer resources and other harm directed at students of color” has continued to increase as students in underserved schools are expected to perform academically without the adequate educational funding and school resources to be successful.<sup>22</sup> The consideration of the “cumulative impact” of harm is a departure from common social and political discourse that centers the *achievement gap* as the primary indicator of student educational inequality. This national gap in academic achievement is oftentimes framed as a “matter of race and class”, illustrating the schism between white students and their non-white peers as evident in standardized test scores, access to honors courses, high school graduation rates, college matriculation, and a host of other measures. Naturally following this limited scope of the problem and even narrower view of educational inequality, is a deficit-centric perception of underperforming (read: Black) students.

It is precisely for these reasons that Gloria Ladson-Billings turns to the *educational debt* as a more comprehensive diagnosis of current educational inequality. She begins her analysis of the debt acknowledging the intergenerational effects of education, and by extension the intergenerational impact of educational inequality, borrowing from Babara Wolfe and Robert

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<sup>22</sup> Ladson-Billings, “From the Achievement Gap to the Education Debt: Understanding Achievement in U.S. Schools”, n.p.

Havemen's work *Accounting for the Social and Non-Market Benefits of Education* (2001). Next, she separates the larger educational debt into the categories of *historical*, *economic*, *sociopolitical*, and *moral* debts that must be addressed in order to begin tackling the achievement gap. Her assertion of a historical, sociopolitical, and economic debt supports the observations made by Nataliya Braginsky, a New Haven public school teacher, in her piece "Not an 'Achievement Gap', a Racial Capitalist Chasm". Within her work, Braginsky describes the economic burden that befell her predominately Black and Latinx students during the COVID-19 pandemic, which has undoubtedly strained attendance and participation by these students. By evoking the term *racial capitalism* to describe this economic burden, Braginsky signals historian Robin D. G. Kelley's speech "What is Racial Capitalism and Why Does It Matter", where he explains:

"It's no accident that the global division of labor reflects this history [of white supremacy and capitalism] with the lowest paid and most precarious workers in the global economy being descendants of slaves, descendants of the colonized, descendants of the dispossessed."

Therefore, *racial capitalism* describes how capitalism operates within a racial system because racism reproduces the violence that is necessary to maintain capitalism. This allows educational researchers to identify the nuanced ways that students of color (especially Black students) have been intentionally denied the benefits of education including: a historic exploitation of Black labor to fund white schooling, Black student exclusion from mainstream educational institutions, prohibition from participation in civic processes dictating educational policy, differences in school funding and per-pupil spending along racial demographics, and future employment and income prospects that also differ along racial lines. As a result, with a

widening of the scope of the educational problem to include the tendrils of capitalism, it then becomes necessary that educational solutions also consider specifically the ways capitalism negatively affects those descended from the colonized and enslaved. Lastly, Ladson-Billings considers a significant portion of the educational debt to be *moral*, challenging education researchers and policy-makers to consider what is owed to those historically disenfranchised by the education system, which aligns with calls for reparatory justice. She concludes her work in-part by emphasizing that so long as the educational debt is unchallenged, the relational trust between the educational system and disenfranchised students will continually be eroded.

It is with this context that school integration and school funding are the education reform pathways given the most attention in this project. Considering the relationship between racial capitalism and the educational debt, these specific facets of education reform best facilitate conversations of material and moral repair, offering the appropriate space to engage reparative hybridity. However, it is important to recognize the nuances of the education system, and the limits of this analysis.

### **School Integration and Moral Relations**

Within education reform discourse of the last few decades, school integration has consistently been prioritized as the most effective way to achieve educational equality between poor, Black students and their more affluent peers. Historically, this rationale permeated social discourse, education policy, and educational research, finding support from both Civil Rights activists and neoliberal policy-makers alike. Recognizing that ‘separate but equal’ educational policies enforced since *Plessy v. Ferguson* (1896) were inherently harmful to Black children, many advocates believed school integration would ensure that resources afforded to white students in white schools would also be accessible to Black students. Therefore, the iconic 1954

Brown v. Board decision was believed to be the start of a more equitable future for Black students.<sup>23</sup>

Upon initial review, this legislative pivot from de jure segregation in schooling represented a necessary acknowledgement of injustices to what reparations theorist Margaret Urban Walker describes as *moral relations*. In her view, moral relations are “marked in part by shared dispositions and expectations” resulting in shared social values and normative standards.<sup>24</sup> Desegregation after Brown v. Board therefore represented a shared shift—at least legally if not individually. Andrew Cohen in his work “Corrective vs. Distributive Justice: the Case of Apologies” goes on to describe these standards noting:

“Certain normative features of human interactions capture the moral relations I have in mind. They range over expectations, powers to lay claims, liability to claims, and the mutual acceptance of values regarding what we may do, must do, and must not do for and to one another. These relations provide reasons for action. The shared understanding that there are such reasons provides a framework for interaction and expectations.”<sup>25</sup>

Views about who should be educated, who deserves access to quality education,<sup>26</sup> and which groups are most academically capable are therefore among the moral relations that influence decision making, claims making, and calls for action within the education system. However, what is most important to Walker’s understanding of moral relations is the *right of the*

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<sup>23</sup> Brown v. Board of Education, History.com, Jan 2021, <https://www.history.com/topics/black-history/brown-v-board-of-education-of-topeka>

<sup>24</sup> Cohen, “Corrective vs. Distributive Justice: the Case of Apologies”, 669

<sup>25</sup> Cohen, “Corrective vs. Distributive Justice: the Case of Apologies”, 669

<sup>26</sup> *Cook v. Raimondo* (2018) and *Vergara v. California* (2012)

*victim to moral repair* in times of moral injury. That is, those who have experienced particular exclusion from defining moral relations, yet experience express disenfranchisement from the political economy it creates are entitled to repair. This conception originates from the Lockean rights-based account of reparations, which reasoned that “to deny a person’s right to reparation [from injury] is tantamount to a refusal to recognize the full moral status of the person.”<sup>27</sup> As a result, architects of *Brown v. Board* were operating in-part within the logic of an appeal to moral relations: Black students deserve an education that is comparable to their white counterparts and separate-but-equal policies relegate them to a second-class educational status. They also recognized that since Black families have historically been prohibited from exercising agency within the educational system’s moral field, there would have to be a necessary shift in political and social dynamics before moral repair for Black students could be achieved. So long as students were made to feel separate, but unequal, the moral injury inflicted upon them would remain. Unfortunately, despite school desegregation being inadequately enforced and oftentimes vehemently opposed by white parents, its underlying assumptions continued to pathologize Black students within the classroom: poor, underperforming schools were a result of the students within them, and not a result of structural inequalities and resource deprivation.

Over time, works like the Equality of Educational Opportunity (EEO) of 1966, commissioned by the Civil Rights Act of 1964 substantiated this social pathology in education research. Although the aims of the report were "concerning the lack of availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin in public educational institutions," the results indicated that students’ family backgrounds and socioeconomic diversity within the classroom were the largest determinants of academic success.

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<sup>27</sup> McGary, “Reconciliation and Reparations”, 549

Similarly, it was not teachers, but the character of a student's classmates that determined their learning potential.<sup>28</sup> However, more recent studies have determined a positive relationship between teacher credentials, experience, and knowledge and student academic achievement.<sup>29</sup> This, again, shifts culpability from the inadequacies of institutional resources to the individual deficits of Black students and their families. Unfortunately, this deficit-perspective is not a relic of the past, as many arguments for school integration today are still based on the assumption that concentrations of Black students in racially-isolated schools lead to lower levels of achievement.<sup>30</sup> Although this acknowledges a relationship between segregation and academic achievement, it misidentifies the source of this disparity: racism, not race.

These arguments, however, have been taken up by some of the most well-meaning policy-makers and advocates within education. Nikole Hannah-Jones discusses the responsibility of white parents in ensuring integrated, equitable schools in her article "Choosing a School for My Daughter in a Segregated City". She observes the prevalence of segregated schools and the concentration of white students within the top performing public schools in Brooklyn. Within her analysis, she recognizes, similar to the EEO, that low-income students perform better in schools with more economic and racial diversity. Therefore, it is the responsibility of middle-class parents of all races, to ensure underserved schools no-longer go overlooked by enrolling their children in previously segregated schools, which requires a "surrendering of advantage" to allow for truly equitable schooling.<sup>31</sup> In this view, Jones identifies the importance of resource

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<sup>28</sup> Dickinson, "COLEMAN REPORT SET THE STANDARD FOR THE STUDY OF PUBLIC EDUCATION", Johns Hopkins Magazine, 2016

<sup>29</sup> Desimone & Long, "Teacher Effects and the Achievement Gap: Do Teacher and Teaching Quality Influence the Achievement Gap Between Black and White and High- and Low-SES Students in the Early Grades?", n.p.

<sup>30</sup> "A Call to Action to Raise Achievement for African American Students", Center on Education Policy, 9

<sup>31</sup> Hannah-Jones, "Choosing a School for my Daughter in a Segregated City", n.p.

allocation and is careful not to place the burden of repairing poor school quality on Black and Latinx students within segregated schools. She shifts culpability to that of middle class parents in an attempt to avoid this pathologizing because she understands the structure of school segregation is upheld by individual choices, and therefore, “Saying my child deserved access to ‘good’ public schools felt like implying that children in ‘bad’ schools deserved the schools they got, too.”<sup>32</sup> Unfortunately, her work, along with school integrationists across the political spectrum have arguments rooted in evidence that proximity to other poor, Black students increases disparities in academic achievement for Black students.<sup>33</sup>

This presents a complication to the claim to moral repair emphasized by Locke and rearticulated by Walker and Thompson. The attention to topical implementation of equity through integration fails to consider the impact a Eurocentric education system steeped in racialized outcomes would continue to have on Black students in newly integrated schools. In its current form, this concept of moral relations that guides school integration insulates in-school and in-classroom policies that further stifle Black students’ participation in establishing shared, consensual moral expectations within educational spaces. In essence, school integration prunes the leaves of a tree rotted at its core. This is not to say that school integration has not benefited Black students, as studies have alluded to gains in academic and social development for students in socioeconomically and racially diverse schools. Some of these proposed gains include: increased reading scores on the National Assessment of Educational Progress, increased graduation rates, and access to more robust academic resources;<sup>34</sup> however, whether these gains can be attributed strictly to school integration, and to what degree is highly contested. As

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<sup>32</sup> Hannah-Jones, “Choosing a School for my Daughter in a Segregated City”, n.p.

<sup>33</sup> Hanushek & Rivkin, “Harming the Best: How Schools Affect the Black - White Achievement Gap”, 388

<sup>34</sup> “The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms”, The Century Foundation, April 2019

discussed by Ronald F. Ferguson and Jal Mehta, many studies tracking the progress of education post-Brown v. Board have evidence that neglects confounding variables such as the duration of the study, selection bias of school sites observed, and variation in classroom quality across schools. As a result of these methodological challenges, these authors assert, “A *tentative* [emphasis added] conclusion is that a combination of racial and socioeconomic mixing often improve outcomes—particularly non-test score outcomes—for nonwhite students who might otherwise attend low-income segregated schools.”<sup>35</sup>

On the other hand, there have been numerous studies to consider the specific negative impacts of Brown v. Board on Black students and teachers, revealing a more complicated narrative than test scores and graduation rates are able to capture. Within “Fifty Years after Brown: The Benefits and Tradeoffs for African American Educators and Students,” James E. Lyons and Joanne Chesley outline several obstacles to adequate education for Black students that formed in the wake of school integration. The first of which was the visceral decline of Black teachers as desegregation policies dismissed tens of thousands of qualified, credentialed Black teachers, replacing them with white educators. To this, Lyons and Chelsey note the important role Black educators played as both advocates and role models for Black students within schools and classrooms.<sup>36</sup> Quoting from the work of Mercer & Mercer, these authors contend that “[operating] a public school system without Black teachers is [like teaching] white supremacy without saying a word.”<sup>37</sup> This is significant to the development of moral relations within an academic setting, as white teachers have much autonomy over defining the shared expectations

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<sup>35</sup> Ferguson & Mehta, “Why Racial Integration and Other Policies Since Brown v. Board of Education Have Only Partially Succeeded at Narrowing the Achievement Gap”, 194

<sup>36</sup> Lyons & Chesley, Fifty Years after Brown: The Benefits and Tradeoffs for African American Educators and Students”, 304-305

<sup>37</sup> Mercer & Mercer, Standardized testing: Its impact on Blacks in Florida's educational system. Urban Education, 8, 105-113.

and normative values that define these moral relations. Therefore, research on teacher perceptions of Black students illustrate the deleterious effect of Eurocentric curriculum and deficit perspectives on Black students' participation in their educational experience and the expectations that define this experience. In regards to the former, Eurocentric curriculum employs colonizing ideologies<sup>38</sup> which privilege white people as the authority of knowledge production, and reinforces whiteness as a standard by which all other students must acquiesce. This ultimately posits Black intellectualism as either impossible or anomalous in academic spaces, and Black history as non-essential to adequate schooling for Black students, rendering them invisible. Furthermore, this Eurocentrism embeds itself within the attitudes of educators, enforcing a deficit perspective that pathologizes Black students within the classroom.<sup>39</sup> As stated in “(Re)Creating the Script: A Framework of Agency, Accountability, and Resisting Deficit Depictions of Black Students in P-20 Education”:

“To put it simply, the personal beliefs and values of educators and administrators pertaining to Black bodies lead to inequalities for Black students in comparison to their White peers. Often the conceptual categories perceive Black students as disadvantaged, academically deficient, sexually irresponsible, and even criminals (DeGury, 2005; Harper, 2015). These and similar stereotypes cultivate beliefs of Blackness as disparaging and limiting, thus reinforcing racist ideologies.”

Interestingly, these findings also elucidate the aforementioned *complication* to the moral repair claim championed by school integrationists. If all moral actors are bestowed the right to repair from moral injury, and moral relations must be accepted and shared, then Black students will

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<sup>38</sup> colonizing ideologies are described by Christine Sleeter as “*Traditional school curricula teach[ing] the values, beliefs, and knowledge systems that support colonization.* (Sleeter, 2010, p. 194)

<sup>39</sup> Williams et al., “(Re)Creating the Script: A Framework of Agency, Accountability, and Resisting Deficit Depictions of Black Students in P-20 Education”, 253-254

continue to undergo express moral injury within these Eurocentric spaces. Therefore, while socioeconomic and racial mixing in schools contributes to resource equity, which may improve academic outcomes, school integration alone only symbolically repairs the moral injury of *separate but equal*. Black students' experiences within schools reveal a harm to moral relations unanticipated by the logic of *Brown v. Board* that require more attention to the specific relationship between Black students and their academic environment.

These tensions are further explored in disciplinary policies that disproportionately impact Black students in desegregated schools. According to a 2012 national study, during the 2009-2010 school year, nearly one out of every six Black students (17%) were suspended at least once compared to one of every twenty white students.<sup>40</sup> Furthermore, a report by the U.S. Department of Education's Office of Civil Rights regarding the same 2009-2010 school year confirms that despite representing only 16% of the student population, Black students made up 32% to 42% of those suspended or expelled. White student suspension and expulsion percentages were comparable to Black students, but these students made up 51% of the student population.<sup>41</sup> Unfortunately, these punitive practices severely disrupt instructional time for students and increase the risk of school dropout, which in return becomes a large predictor of student incarceration.<sup>42</sup> Although these statistics highlight disproportional abuses against Black students generally, most academic literature on racialized disciplinary policies focus on the specific experiences of Black boys within these criminalizing systems. While helpful, this gendered discourse on school discipline often excludes data highlighting disproportionate policing of Black girls within schools. As stated in the same 2014 U.S. Department of Education's Office of

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<sup>40</sup> Losen and Gillespie, "Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School"

<sup>41</sup> Lyons & Drew, "*Punishing schools: Fear and citizenship in American public education*"

<sup>42</sup> A Call for Change: Providing Solutions for Black Male Achievement, 183-184

Civil Rights report, “12% of school-aged Black girls across the country have experienced out of school suspensions, compared with 7% for Native American girls, 4% for Latinas, and 2% for White girls.” Similarly, a joint study spearheaded by the African American Policy Forum and the Columbia Center for Intersectionality and Social Policy Studies revealed that among all girls expelled during the 2011-2012 school year in New York Schools, 90% were Black girls and zero were white.<sup>43</sup>

In order to effectively understand the depths of moral injury incurred by Black students through these harmful disciplinary policies, it is important to contextualize these practices within what Saidiya Hartman describes as the *afterlife of slavery*. This term is used to identify the oppressive, lingering emptiness after the regime of violence and terror inflicted by slavery. Stephen Dillon, author of *Possessed by Death: The Neoliberal-Carceral State, Black Feminism, and the Afterlife of Slavery*, explains:

“Even as slavery’s afterlife is crushing, visible, and pervasive, it also looks like dust in the air. In other words, slavery’s mark on the now manifests as the prison, as poverty, as policing technologies...”<sup>44</sup>

It is exactly within this category of *policing technologies* that we find punitive disciplinary policies. Borrowing from the work of Hartman, Connie Wun in “Against Captivity: Black Girls and School Discipline Policies in the Afterlife of Slavery” considers the way these practices create conditions of captivity and control for Black students, submitting them to consistent surveillance and denying them *access to injury*.<sup>45</sup> She also considers Damien Sojoyner’s work on Black radical education to articulate how discipline “confines [Black] political and social

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<sup>43</sup> African American Policy Forum and Columbia Center for Intersectionality and Social Policy Studies, “*Black girls matter: Pushed out, overpoliced and under-protected*”

<sup>44</sup> Wun, “Against Captivity: Black Girls and School Discipline Policies in the Afterlife of Slavery”, 173

<sup>45</sup> *access to injury* - the ability to have claims of harm be recognized as legitimate

identities.”<sup>46</sup> It is from this understanding of discipline that Wun positions Black students (and specifically Black girls) as *captive objects* -- “one that is ever-observed yet without recognition.”<sup>47</sup> Students constituted as captive objects are oftentimes denied the right to defend themselves in times of conflict. This means they are already and always deemed criminal in moments of disciplinary infraction, and more importantly are not considered to have a claim to moral injury because of their status as objects. Therefore, the normative values Black students are expected to adhere to within schools ultimately label any attempt at self-autonomy as defiance. “Talking back” is a disciplinary infraction instead of a moral being exercising their right to moral repair in the time of injury. As a result, Black students are overly policed by subjective, non-violent infractions like *defiance* and *disobedience*.<sup>48</sup> Thus, challenging the idea that school integration alone is sufficient in repairing structural moral harm within schools.

### **School Funding and the Harm-Repair Model**

School funding is another notable pathway in education reform discourse. Oftentimes, increased educational funding is considered the silver bullet of K-12 education, assuming additional monetary resources in underperforming schools will lead to increased academic achievement. Nevertheless, this assumption is not entirely baseless as many educational studies have identified the correlation between access to educational resources and improved performance. Thus programs like Title 1 of the Elementary and Secondary Education Act provide additional financial assistance to schools and other local educational agencies with large percentages of low-income students.<sup>49</sup> Given nearly one in three Black children live in poverty,<sup>50</sup>

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<sup>46</sup> Wun, “Against Captivity: Black Girls and School Discipline Policies in the Afterlife of Slavery”, 176

<sup>47</sup> Wun, “Against Captivity: Black Girls and School Discipline Policies in the Afterlife of Slavery”, 179

<sup>48</sup> Wun, “Against Captivity: Black Girls and School Discipline Policies in the Afterlife of Slavery”, 182

<sup>49</sup> US Department of Education: <https://www2.ed.gov/programs/titleiparta/index.html>

<sup>50</sup> Flemming-Hunter, “Project 1619 Revisited”, 89

and many attend underfunded schools, reparations advocates understandably call for educational investment as a central focus of any reparatory educational program.<sup>51</sup>

Furthermore, this belief also finds itself within the logic of the *harm-repair model* of reparations. Borrowing from reparations theorists William Darity and Kirsten Mullen, the *harm-repair model* considers reparations as a project of restitution for past harm inflicted by the institution and afterlife of slavery. Therefore, its practical policy implications commonly follow an economic rationale, insisting on direct cash transfers calculated by using the average wealth disparity (net worth) between Black and white families. The logic here is that the outstanding debt owed to Black Americans (as evident by disparities in education, wealth, employment, home-ownership, etc) can only be repaired by direct, intentional financial efforts. It is in this spirit that *harm-model* supporters might favor initiatives like Public Education Opportunity Grants providing roughly \$63 billion per year in federal funding to the 25 percent of districts with the highest poverty rates in each state.<sup>52</sup> Similarly, initiatives increasing per-pupil expenditures would align ideologically within this model, as it suggests students most negatively impacted by the educational debt would receive necessary financial support.

However, despite these beliefs, there is no consistent positive correlation between increased educational spending and increased academic achievement. Although federal spending per pupil increased by over 3 times between 1970 and 2005, and federal tax expenditures by 138 percent since 1985, U.S. reading scores on the National Assessment of Educational Progress (NAEP) have remained relatively stagnant since 1970. Similarly, the average freshman graduation rate as of 2006 (73.4 percent) was lower than the rate during the 1990-91 school year

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<sup>51</sup> "Black Lives Matter Reparations Policy Agenda", 226

<sup>52</sup> Public Education Opportunity Grants were Proposed by the Center for American Progress

(73.7 percent). Furthermore, districts in many large cities have been found to exceed \$10,000 in per-pupil spending, but have graduation rates below 50 percent.<sup>53</sup>

Although average NAEP reading scores have stagnated, there has been an increase in reading and math scores for Black and Hispanic students, suggesting a relationship to increases in spending. Despite these gains, there still remains a significant gap in NAEP scores between these students and their white peers, meaning increases in funding alone still do not adequately address this racial disparity.

Notwithstanding the shortcomings of direct school funding in solving issues of academic achievement, there is still room to consider other uses of funding within the *harm-repair model*. Ultimately, this conception of reparations prioritizes redressing the present-day *material conditions* affecting [Black] students living in the wake of slavery.<sup>54</sup> Therefore, physical evidence of disinvestment and neglect including dilapidated buildings and outdated textbooks that have plagued low-income schools cannot go unaddressed in a reparations-based education reform plan. Furthermore, although funding may not be the silver bullet to the educational debt, there does exist a considerable funding deficit in low-income schools that exacerbates these inequalities: non-white districts receive \$23 billion less in funding than white districts despite serving comparable numbers of students.<sup>55</sup> Unfortunately, resource allocation is also a major challenge, with many states maintaining the same rigid public school funding structures for generations, allocating funds into “inflexible spending categories” that are unresponsive to the evolving needs of schools and students.<sup>56</sup> As a result, not only are schools serving Black and Brown children receiving less funds, but they are also unable to direct those funds appropriately.

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<sup>53</sup> Flemming et al., “Does Spending More on Education Improve Academic Achievement?” 3-5

<sup>54</sup> Táiwò, *What's Missing*, n.p. (forthcoming)

<sup>55</sup> edbuild.org

<sup>56</sup> educationpost.org

Even still, programs like Race to the Top and standards-based stipulations in Title I funding force underserved schools to adopt test-based standards and curriculum enforcing Eurocentrism in exchange for increased funding<sup>57</sup>, the trap of racial capitalism.

## The Reparative Framework

The previous section scrutinized prevailing arguments within contemporary education reform discourse in order to make plain the tensions between reparations theory and the practices oftentimes privileged as most effective in improving the educational debt. This was necessary to engage reparative hybridity as an analytical methodology, and to situate Black reparations theory within K-12 education. Now, reparative hybridity will be engaged once again, but for the purpose of outlining a constructive education reform framework that is attentive to the specific needs of Black students, while employing corrective and distributive justice. Even still, the following section is not an exhaustive reparations policy platform, nor is it a comprehensive education reform plan. Instead, it is artful consolidation of theory and research to imagine a more equitable education system. Therefore, the solutions presented will remain entirely conceptual to avoid specific economic or political challenges. In essence, this will be a practice in engaging the *what* of K-12 educational reparation, more so than the *how*.

### 1. Decoupling School Funding from Property Taxes

The first aspect of a reparatory education reform framework is a necessary decoupling of school funding from property taxes. Given the history of government sanctioned housing segregation through redlining, racially restrictive covenants, and predatory lending, inequality in

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<sup>57</sup> Edley Jr. et al., "Policy and the Education of Minority and Disadvantaged Students", 72

housing directly affects the types of resources available to schools within these communities.<sup>58</sup> Additionally, education policy is incredibly decentralized, so school financing works differently in every state, with only a very small amount of funding coming from the federal government. This lack of substantial federal support for educational funding can be linked in-part to the landmark 1973 case *San Antonio Independent School District v. Rodriguez*, which concluded with Justice Powell writing the majority opinion that since education is not a right guaranteed in the constitution, funding inequities in education were not the responsibility of the federal government. Despite this ruling, there existed multiple lawsuits against school districts who were accused of unconstitutional school funding structures. One such case occurred two years before the *San Antonio* verdict was announced. In *Serrano v. Priest* (1971), the California State Supreme Court cited both the equal protection clauses of the United States and California constitutions, ruling that school funding apportioned based on local property taxes was unconstitutional.<sup>59</sup> This set the precedent for *fiscal neutrality*. As stated by school funding reformist Michael A. Rebell:

“...the level of resources available to students in each school district should not be a function of wealth, other than the wealth of the state as a whole. In other words, the fiscal neutrality principle holds that the state has a constitutional obligation to equalize the value of the taxable wealth in each district, so that equal tax efforts will yield equal resources.”<sup>60</sup>

Similarly, *Rose v. Council for Better Education* (1989) ruled the Kentucky school funding system was unconstitutional, and went a step further to condemn the entire Kentucky school

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<sup>58</sup> Milner, “Analyzing Poverty, Learning, and Teaching Through a Critical Race Theory Lens”, 19-21

<sup>59</sup> Edley Jr. et al., “Policy and the Education of Minority and Disadvantaged Students”, 75

<sup>60</sup> Edley Jr. et al., “Policy and the Education of Minority and Disadvantaged Students”, 74

system for failing to provide “thorough and efficient” education to its students. This spurred the Kentucky Education Reform Act, which defined *thorough and efficient* education in terms of developing seven distinct capabilities in Kentucky schoolchildren, which ranged from communication to socio-emotional and vocational skills.<sup>61</sup> Despite these individual cases calling for restructuring of school funding systems, there still exists large disparities in funding from district to district.

It is no surprise then, that critical race theorists cite the relationship between race and property as an analytical tool to understand school inequity. Within “Toward a Critical Race Theory of Education” Ladson-Billings and William F. Tate IV signal the work of Dr. Cheryl Harris in her Harvard Law Review article, “Whiteness as Property”. In it, Harris outlines several “property functions of whiteness,” which serves to describe the nuanced ways whiteness embodies and bestows the right to property. Although there are four basic functions, the most important to the conversation of school funding and property taxes is the *rights to use and enjoyment* that whiteness bestows.<sup>62</sup> Put simply, the concentration of well-resourced schools and quality educational opportunities within affluent communities illustrates the rights of these (disproportionately) white students to *use and enjoy* the benefits of these economic and academic privileges. Also, decisions made by white parents including *white flight* and environmental preferences<sup>63</sup> dictate which schools receive adequate funding. It is no accident that some of the most underserved schools are filled with Black students that are in underserved communities filled with Black people. Therefore, reorganizing school funding so that it is no longer reliant on

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<sup>61</sup> Edley Jr. et al., “Policy and the Education of Minority and Disadvantaged Students”, 76

<sup>62</sup> Harris, “Whiteness as Property”, 1734

<sup>63</sup> Within the study “Is There A School Finance Channel? Effects of Ambient Air Pollution on K-12 Education in USA”, Biplab Datta recognized a relationship between air quality and the property tax base for school funding within these communities. He found that schools in areas with better air quality was associated with a higher property tax base and more academic resources.

property taxes is a step towards repairing the reverberating harm of discriminatory housing policies, which has embedded itself into the material harm found in low-income Black schools. This restructuring would disrupt current resource allocation patterns, which would allow low-income schools more money to hire qualified teachers, which is a large predictor in student academic achievement.<sup>64</sup> Finally, this structural change would null many school integrationist arguments that insist integration is the only way to keep resources within Black schools.

## 2. Relationship Repair in School Climate and Classroom Culture

Continuing the earlier discussion of moral harm caused by pathologizing attitudes and discipline, moral repair is most important to address through relationship repair models at the school and classroom-level. Although some proponents of reparations disagree on the relevance of restoring relationships between the transgressor and the victim or reaching a point of (racial) reconciliation to a reparations project<sup>65</sup>, educational scholarship consistently notes the importance of student - teacher relationships and a healthy school climate to positive academic achievement and student engagement. According to “Educating the Whole Child: Improving School Climate to Support Student Success”, “... effective learning depends on secure attachments; affirming relationships; rich, hands-on learning experiences; and explicit integration of social, emotional, and academic skills.” This practice, as mentioned in the title of the article, is described as *educating the whole child*. This pedagogical model explicated by Linda Darling-Hammond and Channa M. Cook-Harvey privileges the conditions that make students feel safe and supported in the classroom, recognizing that toxic stress and external adversity can influence

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<sup>64</sup> Hanushek & Rivkin, “Harming the Best: How Schools Affect the Black–White Achievement Gap”,

<sup>65</sup> Reconciliation and Reparations

students' ability to focus and learn effectively within the classroom.<sup>66</sup> In order to circumvent these potential barriers to holistic education, an emphasis is placed on developing lasting relationships between teachers and their students. Alongside aiding in healthy language and brain development, having at least one stable, responsive relationship with an adult can have a protective effect against potential adversity by modeling productive social behaviors and identifying signs of distress in children.<sup>67</sup> However, positive relationships alone are not sufficient enough to repair the moral harm inflicted in schools. This also requires an overhaul of school culture to ensure students are supported at a structural level. Firstly, overly-punitive, zero-tolerance disciplinary policies that reinforce the *policing technologies* mentioned by Dillon, ultimately contribute to Black student dispossession by making schools physically and psychologically unsafe, increasing contact with the juvenile system.<sup>68</sup> Therefore, these in-school practices must be replaced by policies that approach discipline restoratively. To this, Thalia González in "Keeping Kids in Schools: Restorative Justice, Punitive Discipline, and the School to Prison Pipeline" advocates for the use of restorative justice within education due to its aims of accountability, restitution, and community restoration. Because of its underlying assumption that delinquent behavior is a breach in the social contract between a student and school community, restorative justice practices allow for an honest evaluation of moral relations within an educational space.<sup>69</sup> Students are given the opportunity to establish expectations between the transgressor and victim, and the community is responsible for holding these parties accountable

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<sup>66</sup> Darling-Hammond & Cook-Harvey, "Educating the Whole Child: Improving School Climate to Support Student Success", 6

<sup>67</sup> Darling-Hammond & Cook-Harvey, "Educating the Whole Child: Improving School Climate to Support Student Success", 5

<sup>68</sup> Gonzalez, "Keeping Kids in School: Restorative Justice Punitive Discipline and the School to Prison Pipeline", 282

<sup>69</sup> Gonzalez, "Keeping Kids in School: Restorative Justice Punitive Discipline and the School to Prison Pipeline", 299-300

to those shared norms. This restores a level of moral agency within schools, as Black students are able to contribute to the social contract within their educational space without fear of being deemed *captive objects*.

Within the work of educating the whole child is the commitment to developing strong social and emotional skills in students. Darling-Hammond notes the importance of incorporating social and emotional learning within the classroom in order to build skills such as emotion management, interpersonal communication, and metacognition. This is believed to improve students' "self-efficacy and control" by allowing students to better respond to adversity.<sup>70</sup> However, these skills become mute if they are not enforced by an educator adept in *culturally sustaining pedagogy*. As described in "What is Culturally Sustaining Pedagogy and Why Does it Matter?",

"CSP positions dynamic cultural dexterity as a necessary good, and sees the outcome of learning as additive rather than subtractive, as remaining whole rather than framed as broken, as critically enriching strengths rather than replacing deficits. Culturally sustain-ing pedagogy exists wherever education sustains the lifeways of communities who have been and continue to be damaged and erased through schooling."

These tenants of CSP are significant to the conversation of moral, relationship repair. While restorative justice policies can reinstate self-autonomy to Black students within schools, CSP works to restore the relationship between students and academia. As mentioned earlier in regards to Eurocentric education, current modes of learning privilege

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<sup>70</sup> Darling-Hammond & Cook-Harvey, "Educating the Whole Child: Improving School Climate to Support Student Success", 7

the *white gaze*, implicitly signaling to non-white students their inadequacy in educational spaces.<sup>71</sup> Therefore, a pivot towards education that honors the linguistic and cultural variations within a classroom decenters whiteness as the academic standard, and instead reframes conversations of access and equity.<sup>72</sup> This is necessary to truly repair moral harm inflicted upon Black students, as education has often deprioritized their experiences, and contorted their intellectual abilities into a frame measured against explicitly white educational values. In essence, when Black students' experiences and contributions are deemed essential to the learning environment, their relationship to the institution will also improve.

### **3. Emphasizing Material Harm through the Harm Model**

The final portion of this reparative K-12 framework considers the aims of most harm model advocates of reparations: material repair. This means that despite the aforementioned importance of relationship and moral repair to the Black student experience, without an intentional effort to improve the physical and environmental conditions students inhabit while in school, harm will continue to manifest. In a letter issued by the Assistant Secretary of the United States Department of Education Office for Civil Rights, resource equity in school districts was considered in order to capture the depth of this material inequity. This report separated resources into larger categories in order to specify which resources are lacking in underserved schools. These categories include, but are not limited to: academic programs, capacity of teachers, physical environment of school facilities, and education technology.<sup>73</sup>

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<sup>71</sup> Alim & Paris, "What is Culturally Sustaining Pedagogy and Why Does it Matter?", 2

<sup>72</sup> Alim & Paris, "What is Culturally Sustaining Pedagogy and Why Does it Matter?", 3

<sup>73</sup> US Department of Education (OCR) Dear Colleague Letter from The Assistant Secretary, 3

Although participation in school-sponsored extracurricular programs have supported improved academic performance, schools serving students of color are less likely to offer these beneficial extracurricular and after school programs. Similarly, Black and Latinx students are underrepresented in Advanced Placement courses and a large percentage of these students attend schools with a disproportionately smaller number of math and science classes.<sup>74</sup> As mentioned in the report,

“...of the high schools serving the most black and Latino students in the 2011-12 school year, only 74 percent offered Algebra II and only 66 percent offered chemistry. Comparable high-level opportunities were provided much more often in schools serving the fewest black and Latino students, where 83 percent offered Algebra II courses and 78 percent offered chemistry.”

Similarly, much attention is paid to the quality and experience of teachers who are enlisted to teach Black students in low-income schools. As mentioned earlier, qualified teachers have a positive effect on academic achievement, which makes the necessity for these teachers that much more important. Unfortunately, schools serving mostly Black and Latinx students are 1.5 times more likely to hire inexperienced, first or second-year teachers, which can dramatically influence the academic experience of these students.<sup>75</sup>

Perhaps one of the most important harms in need of material repair are the physical spaces students spend their school day. While research supports that academic achievement and teacher retention are linked to quality physical space in schools, evidence suggests the state of many low-income schools have resulted in quite the opposite.<sup>76</sup> For many underserved schools,

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<sup>74</sup> US Department of Education (OCR) Dear Colleague Letter from The Assistant Secretary, 3

<sup>75</sup> US Department of Education (OCR) Dear Colleague Letter from The Assistant Secretary, 12

<sup>76</sup> US Department of Education (OCR) Dear Colleague Letter from The Assistant Secretary, 17

dilapidated buildings, inadequate heating, and malfunctioning HVAC systems exacerbate existing health concerns like asthma, which lead to chronic absenteeism among students and negatively impact academic achievement.<sup>77</sup> Additionally, there is great disparity in the availability of facilities necessary to facilitate academic instruction. For instance, many schools do not have proper libraries or labs for academics or sports facilities to engage in extracurricular activities.<sup>78</sup>

Lastly, educational technology is an important aspect of student learning when it is aligned with the curriculum.<sup>79</sup> Therefore an emphasis on providing these materials equitably will expand opportunities for learning, while also teaching technology literacy skills. Some of these technological resources include: laptops, tablets, audio-visual equipment, and reliable internet access (both at school and at home).

## Conclusion

In order to improve the educational debt for Black students, it is necessary to first contextualize their experience in the education system within a broader history of material and moral harm. It is with this context, that frameworks related to Black reparations become useful, as they have considered relationships of injury and repair within social and political systems linked to slavery. Therefore, to understand the role of reparations in K-12 education, it is necessary to engage reparative hybridity as an analytical device. Since the field of Black reparations is both extremely nuanced and contested, juxtaposing these frameworks with contemporary education research allows one to distill (at least conceptually) the most appropriate

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<sup>77</sup> North, "How school funding can help repair the legacy of segregation", n.p.

<sup>78</sup> US Department of Education (OCR) Dear Colleague Letter from The Assistant Secretary, 18

<sup>79</sup> US Department of Education (OCR) Dear Colleague Letter from The Assistant Secretary, 18-19

tenants of reparations, and the best practices of achieving educational equity for Black students within this framing. Nevertheless, because this framework intentionally engages constructive arguments of reparations, the effects of this framework are purposely world-building, and encompasses all students.

### **Future Research**

If given the opportunity to extend the research in this project, I would be interested in considering modes of educational reparative justice that originate outside of the federal government or school systems. This inquiry rests on the question of whether reparations can only come from the state? Additionally, what are the roles of institutions that may not be directly responsible for harm caused to victims, but have benefitted from this harm? Civil Rights leader James Forman wrote *Black Manifesto* (1969) where he demanded \$500,000,000 from white Christian churches and Jewish synagogues in order to begin repairing material harm inflicted upon Black people. His rationale in pressuring religious institutions instead of the state was a deliberate attempt to call attention to other institutions that uphold pillars of white supremacy. This is an interesting delineation from most reparations conversations that center the government as the main culprit, and has some applicability today. In this vein, the University of Pennsylvania's decision to donate \$100 million dollars over 10 years to the School District of Philadelphia<sup>80</sup> in lieu of paying taxes could be an interesting case study to consider these questions.

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<sup>80</sup> Mezzacappa, "Penn announces \$100 million, 10-year gift to Philadelphia school district", Chalkbeat Philadelphia, Nov. 2020

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