

Systems Change as Interest Convergence

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Abstract

This dissertation of praxis is a critical policy analysis of federal, state, and local policy artifacts with an application of interest convergence as the primary tool for analysis. This dissertation explores two pertinent case studies from the location of public school systems leadership perspectives: (1) the case of Special Education programming and funding in context with systems' initiatives focused on language of Inclusion; and (2) the case of school choice practices within a district that offers neighborhood comprehensive schools, choice schools, and alternative or re-engagement schools. These cases both reflect how policy and funding operate across institutions under an increasingly neoliberal, capitalist context where public schools systems leaders are placed at the intersection of policy and practice and shape systemic practices and conditions within their local context.

Keywords: Public schools, critical policy analysis, critical race theory, interest convergence, neoliberalism, special education, school choice

Acknowledgements

Early on in the journey of this pursuit for knowledge¹, I was reintroduced to my younger self through a ritual of sorts. This little Sarah was soft-spoken yet snarky, deeply serious yet very funny-lucky-do-do². She approached the world with trepidation and curiosity, both impressing and aggravating adults with never-ending-strings of *why? how come? And, what about...?* I wonder now, what does it mean to grow up being told you are an old soul? What (and whose) memories do I carry?

The truth is that I³ carry the stories, dreams, fears, and love from all of my ancestors who came before me, knowingly or not.

With this recognition, I thank those who came before me who I still carry with me; my grandma who always told me “women should rule the world” and reminded me that I was living her dream of becoming an educator. Thank you to my ever-loving and supportive family members who have checked in and continued to love on me even as I have been only able to show up in fragments and question marks these past three years; to my partner, James, and to Mom and Dad, Emily, Auntie, and Grandma.

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¹ Truthfully, I'm not sure there is or ever was a singular reason why I pursued my doctorate.

² “Funny lucky do do” was a bit of an echolalia sing song tick from my childhood. I still don't know what it means, but it's something (I'm told) I sang often and repeatedly.

³ I say “I” but we all carry these echoes from our ancestors.

⁴ Specifically, this phraseology (which I love so much it needs to be here) I credit to my dissertation chair, program director, colleague, and now friend: Dr. K.

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Release your dead

Release your dead

Holy ancestors

Holy ancestors

I saw in you a pattern

I saw the reason why

They never saw it in you

But I swear I saw it then

In my head there's a warrior

And it's a war to feel whole

And it's a fear to feel at all

And it's the wonder at love

And it's the weight of her

⁵ *And* believe in.

Release your dead
(for me they've bled)
Believe your dead
(to give me dreams)
Believe your dead
(to bring me dreams)

Excerpt from *Ancestors, the Ancients*, Chelsea Wolfe (2013)

Dedication

I dedicate this dissertation in praxis as a commitment to Lila Juliette Heffner, my newborn baby niece, and that I may be a good ancestor to her and all who come after me.

May we each be good ancestors to our future generations, and may more children get to live and learn in spaces while being *who* they are, *how* they are (Knaus, 2011).

I also dedicate this dissertation in praxis in loving memory to my fellow Cohort 6 classmate, Keith Moore. We are so lucky to have known and loved you, and to have witnessed you in this lifetime.

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Introduction

Positionality | *How do I arrive to this moment?*

In the realm of school systems, I am currently positioned as the Director of Budget Strategy in the Business Services department in a mid-sized public school district in South Seattle, located on the land of the Salish people of the Duwamish, Green, White, Cedar, and Upper Puyallup Rivers. Before that, I was a Human Resources Partner and staffing analyst, and before that, I was a high school classroom educator in my current school system, over 2,000 miles from where my family still lives and where I grew up in the land of Great Lakes, casseroles, and Midwestern pleasantries. Before I arrived at this moment, I was first a palate-expander-induced gap-toothed, chubby fifth grader who had a crush on her best friend.

My experiences as a white teacher in a racially diverse, structurally under-resourced school contrast greatly with my own public school experiences as a student. I attended public school during the days of fear-based D.A.R.E. programming and the emergence of the “No Child Left Behind” in a suburban context that was born out of the “white flight” out of Detroit. The curriculum reflected the middle-class, liberal, color-blind ideologies of the context I lived in. Here, in the Blue Ribbon Merit schools of Walled Lake Consolidated School District, I seemingly thrived as a student (or, at least my GPA and citizenship marks suggested). I was motivated terrified by ‘healthy competition’ with my peers. I learned to problem-solve struggle independently silently, governed by a bootstraps mentality. In reality, I was an always anxious and sometimes depressed child learning how to internalize my emotions and suppress my needs to perform strength. And then, on Sunday mornings, I’d go to church with my family, where I was taught about God’s love wrath. I learned to recite verses from the Old and New Testament with little developmentally appropriate support to understand concepts of heaven and hell. Looking back on the complexities of my own lived experiences and reflecting upon my privileges, I mourn my own experience

with schooling and childhood, having been covered in a zealous shroud of white guilt that convinced me:

1. That schooling “worked” for me, 2. That because I was a Good Student, I should become a Good Teacher, and 3. That because I was white, Christian, my parents did not yell or get divorced like my friends’ parents, and I was socio-economically privileged, I could not possibly have been negatively impacted by racism or other forms of oppression like heteronormativity, ableism, sexism, or fatphobia. I became an active denier of my own realities.

One way this denial manifests is in how I have learned to dismiss signals from my body and intuition. As someone who is naturally highly sensitive, I have spent much of my life unknowingly developing poor interoception to cope with the dehumanizing demands of my environments, where it felt unsafe to be sensitive or express emotion. I now have a host of undiagnosed gastrointestinal problems, a late-in-life ADHD diagnosis, am in recovery from an eating disorder, and wear a night guard to soften the clench and lock of my jaw. I wonder what would have been possible if I had been more attuned to my body earlier in life, rather than internalizing stress and performing the appearance of perfectionism, seeking to control others’ perceptions of me to create psychological safety.

Unsurprisingly, I’m learning that I have a strong relationship with the concept of knowing. Knowing is not the same as being right. And unknowing is not the same as being wrong. There are many ways to be right, and what constitutes being right depends on who I am asking to validate my knowledge. I have also falsely placed knowing and unknowing in opposition, connected only by a thread that outlines frustration. However, frustration is also a teacher. Frustration helps me feel when there is misalignment or underlying tension. Since beginning my job in school finance, I have felt much frustration as I learn to apply my knowledges and skillset in a new context.

Within the first two months of starting in my current position as a central office administrator, responsible for managing our district’s federal, state, and local supplemental funds, I had to quickly learn

how to create budget and revenue projections for the upcoming school year. I felt rushed by a budget development timeline that felt imposed and decontextualized. It felt absolutely wrong to simplify the projection and allocation of resources into a series of formulas with numerical variables, especially when the accuracy of those projection numbers determines the extent to which our district will need to make budget reductions in the future, and the per pupil amount translates to dollars that school leaders plan which staffing positions they have capacity to fund or what materials they can afford.

You're overthinking it. Stop overthinking, my coworker snapped at me over my shoulder.

*You're **under**thinking,* I retorted.

I was trying to understand a complicated funding formula and needed the word problem story with people and names. Immediately, I felt heat in my chest and an unblinking focus in my eyes. Her comments to me surfaced a host of emotions and voices from my past, including my own, who told me that it was a problem that I had so many questions all the time, that my questions slowed things down, and that asking questions to people was threatening. These voices also told me that I was exaggerating when I was upset; their wide eyes and frustrated tone taught me that my tears made them uncomfortable and that I needed to stifle them. As a recovering child of white guilt and product of the public education system entrenched in white curricula, there are moments where my adult self is called upon to comfort my inner child. In these moments, I find healing in allowing myself to be emotionally⁶ expressive.

In a dehumanizing, racist, capitalist education system that would prefer me to be automated and willfully upload my knowledge to feed a generative artificial intelligence beast, I was most certainly not overthinking. I rightfully and righteously questioned the phases of decision-making and math behind the

⁶ Patricia Hill Collins reminds me that “emotions are considered not only appropriate but also necessary in determining the validity of an argument” (Collins, 1990) manifesting in material conditions and reflected in the language of financial enrollment caps and funding distribution based on “headcount FTE” when the numbers that generate, where people are treated as commodities.

Title 1 school funds I was now responsible for allocating across over 30 schools, where very limited fiscal resources were supposed to be distributed to provide “targeted interventions” to support the learning of over 18,000 students in order to “close the achievement gap,” (U.S. Department of Education, n.d.). It is counter-cultural to slow down to understand. It is counter-cultural to draw a relationship between “headcount full-time enrollment (FTE)” and a human being. Dehumanization occurs structurally through processes of extraction and exploitation (Patel, 2016; Au, 2009), which manifest in material conditions and are reflected by the language of finance, where people are a commodity to be counted, sorted, and claimed. In school budgeting, it is easier to discuss policies of enrollment caps and funding distribution in schools based on “headcount FTE” when the numbers generating dollars are faceless, raceless, neutralized, and omniscient. To humanize the “data” would evoke discomfort and illuminate how the current public school system is operating to maintain systems of anti-Blackness that benefit whiteness.

Public school systems are governed to operate under a capitalist context where school funding is determined by factors like student enrollment, in addition to the annually determined federal and state budgets that map out apportionment for investment across public sectors. Through omission of sufficient funding and scarcity, federal and state budget allocations shape the conditions under which Local Education Agencies (LEA), or districts, operate. In Washington state, whether an LEA can locally collect more funds relies on factors like property tax rates, a district’s credit rating, and voter support for levies and capital bonds that allow districts to collect additional taxes from property owners in their service area (Baker, 2018; Knight, 2019). Underlying each of these factors and variables, often represented numerically, are stories: stories of capital, wealth, land theft, exploitation, class stratification, and racial hierarchies reflected across institutions. While I may no longer be an educator in the Language Arts classroom, I bring storytelling elements into the space of school finance as a humanizing strategy for demystifying educational policy and resource management.

A Language & Introductory Literature Review

This dissertation is an amalgamation of written reflection, inquiry, analysis, plea, and meditation. Throughout the dissertation, a written representation of my knowledge construction process, I provide descriptive explanations for particular words that are critical to accessing the concepts and ideas expressed herein. Recognizing that language, particularly the *English* language, is used as a tool of oppression that has been used to Other by delineating who has access to knowledge (Jordan, 1985), I offer this section as a place of reference to be explicit about how I am intending to use and apply particular language. I realize that regardless of my intentions around writing structure, style, and language usage, I will not reach all intended audiences of readers. And, I realize that this dissertation is inherently exclusionary in the mere nature of this serving as a performance of knowledge necessary to obtain a degree in a higher education institution where I am engaging with academic, peer-reviewed, published pieces of writing and research, as well as policy and legal documents.

My purpose in naming this tension is to also illustrate the intentional ways that knowledge is constructed and presented in manners that are often not accessible to those who are represented in the writing or directly impacted by the policies or practices examined in the writing. This tension is also an argument for why discourse and dialogue *about* language is necessary; the process of constructing knowledge is fundamentally about the negotiation of meaning and sense-making of reality (Freire 2017, hooks 1994), rather than a pseudo-objective assertion of fact or Truth (Jordan, 1985; Brock, 2019; Smith, 2022) that is weaponized to delineate whose knowledge and experiences are valued most.

In his writing, *Pedagogy of the Oppressed*, Paulo Freire reminds those working towards education for freedom how “dialogue with the people is neither a concession or a gift, much less a tactic to be used for domination. Dialogue, as the encounter among men to “name” the world, is a fundamental precondition for their true humanization,” (Freire, 2017, p. 137). I aim to elevate Freire’s

suggestion that dialogue is a fundamental precondition for humanization, while also critiquing that his earlier writing uses the masculine noun, othering women and non-binary peoples.

On School, Schooling, and Education

'Schooling' and 'education' are not synonymous; I use the term "schooling" as homage to the ways schools in the United States operate in service of the settler-colonial project, aimed at constructing systems of knowledge that maintain the accumulation of wealth and preserve power for white interests. Individual 'schools' are parts of a larger institution that "primarily rewards students for order and compliance," (Stovall, 2018, p. 51). This etymology explores the physical *and* ideological construct of schooling and emerges from abolitionist discourse by grassroots activists and scholars in resistance to the prison-industrial complex (PIC) (Stovall, 2018, p. 51). Schools are not places of objective learning; rather, schools enact processes of learning, or knowledge construction, that "send [young people] messages about capitalist hierarchy and their place in it. Schools are [...] where we establish the rules for how democracy is to function," (Ewing, 2025, p. 230). 'Schooling' in this sense is "a process intended to perpetuate and maintain the society's existing power relations and the institutional structures that support those arrangements" (Shujaa, 1994, p. 15). Generally speaking, 'schooling' has a negative connotation in my writing and draws upon Paulo Freire's representation of the banking system in schooling. This banking system is where "the scope of action allowed to the students extends only as far as receiving, filling and storing the deposits" (Freire, 2017, p. 45). Here, teaching and learning is a transaction where the teacher holds power and knowledge that is deposited to the student. This factory-model of schooling values rote memorization and instruction that places the teacher in a position to lecture, not providing students the opportunity for discourse or to influence the learning content or pedagogy.

With these linguistic framings of ‘schools’ and ‘schooling’, I find myself often questioning my own beliefs about what transformation is even possible in ‘schools’ towards humanizing futures. I am not alone in this wondering; critical race theorist and legal scholar David Stovall poses a similar question: “Given the constraints and foundations of state-sanctioned violence as ‘schooling’, can education happen in the institution commonly known as ‘school’?” (Stovall, 2018, p. 52). In conversation with Stovall, Eve Ewing reflects upon how this question prompts us to wonder “what do we call the places where education happens if we are abolishing ‘school’?” (Ewing, 2025, p. 260). In contrast to the ‘schooling’ and banking system, Paulo Freire speaks to how education can be the practice of freedom, “as opposed to education as the practice of domination which denies that man is abstract, isolated and unattached to the world [...] And denies that the world exists as a reality apart from people” (Freire, 2017, pg. 47).

Counter to this dehumanizing, transactional banking system in schools, bell hooks, Betina Love, Rochelle Brock, and Paulo Freire imagine teaching and learning processes rooted in reciprocity and dialogue (hooks, 1994; Freire, 2017), wholeness (Brock, 2019), and love (hooks, 1994; Love, 2019). bell hooks and Paulo Freire lift the role of dialogue praxis in transformative learning processes as well as emphasize the communal practice of dialogue as a strategy towards transformation. A praxis of dialogue is critical to our ability to “assess knowledge claims” during the process of knowledge construction or meaning-making (Brock, 2019, p. 24). bell hooks speaks to Paulo Freire’s concept of praxis as “action and reflection upon the world in order to change it,” (hooks, 1994, p. 14). Here, I present the process of education as an amalgamation of these ideas shared by hooks, Freire, Love, and Brock; where the process of learning is humanized and where education for freedom involves dialogue alongside cycles of reflection and action.

On Coloniality, Settler Colonialism, and Schools

Coloniality is a process which “casts some beings as higher and others as lower, seeks to stratify for the purposes of dominion,” (Patel, 2018, p. 102). In colonial relationships, there are processes used to create power hierarchy that places the imposing colonial peoples above all others. In the case of the United States, for colonialism to be successful for the European settlers, a system by which to categorize and assign value to all people was necessary; this is where the social construct of race was formed through language and codified into doctrine (Zamudio et al., 2011). In the United States, race was constructed around proximity to land ownership and wealth, which became synonymous to whiteness. Whiteness has historically been defined by what it is *not*, effectively and ambiguously defined as a void, continually reshaped as new forms of Othering became necessary in order to protect white wealth and institutions in the United States (Grande, 2003; Vaught, 2008; Dumas, 2016; Ewing, 2025).

The roots of public education in the United States are intertwined with the centuries-long settler colonial project, where colonial processes of domination and categorization (Patel, 2015, p. 19) are applied to delineate statuses of humanity, and from those categories of human and not, the ability to own land and others (Wynter, 2003, p. 300-301). Rooted in an Indigenous theory, Eve Tuck and K. Wayne Yang draw upon writer and historian Stephanie Smallwood (2007) in regard to how settler colonialism in the United States functions with anti-Blackness. Smallwood illustrates how settler colonialism in the United States provides the “context for the destruction of Indigenous peoples to acquire land, and the enslavement of people from the continent of Africa as units of capital for trade, labor, and disposal,” (Smallwood, 2007, p. 2). Settler colonialism in the United States is where the process of colonialism also relies on the theft, extraction, and exploitation of land (Smith et al., 2019), in addition to the colonial exploitation of people through labor. In a system of anti-Black settler colonialism, wealth is generated by the exploitation of land and people under capitalism. In this settler colonial system, people and land are

put in a relationship with one another on the basis of wealth and exploitation - both of land and people through labor (Smith et al., 2019, p. xv).

In the United States, residential boarding schools and vocational schools were established to carry out these colonial processes of domination and categorization through shaping knowledge and determining who had access to which knowledges (Au et al., 2016; James-Gallaway et al., 2024). Schools became a primary tool of settler colonialism in the United States where knowledge was protected as white property (Au et al., 2016). The dehumanization and exploitation of Indigenous children in residential boarding schools created an economic base for investment under capitalism. Black children were not legally able to attend schools until after the Civil War ended in 1865, only to be met with a slew of other discriminatory barriers to accessing school (Williams, 1995; Watkins, 2001). Higher education land grant universities, including one that I obtained two degrees from, were founded on the basis of the government stealing Indigenous land and committing acts of displacement and genocide in order to create a relationship of property ownership and wealth, further protecting white interests (Ewing, 2025, p. 225).

The relationship between settler colonialism and education institutions is tangled and fraught. Still today, school systems in the United States operate within racialized policy structures that turn classrooms into places of violence, erasure, and compliance (Love, 2019; Ewing, 2025). School systems today are upheld by individual and institutional structures that are driven by ethos and epistemologies that reflect the dominant “master script” (Ladson-Billings, 1998, p. 18). This “master narrative” reflects the Eurocentric, American values that play out in liberal ideologies and are interwoven with elements of capitalism, the myth of meritocracy, color blindness, and above all else: a value of “whiteness as the default cultural standard,” (Zamudio et al., 2011, p. 22). Public schools in the United States “have played an instrumental role in creating and upholding racial hierarchies, preparing children to expect unequal

treatment throughout their lives,” (Ewing, 2025, p. 5). Educators, practitioners, and policy-makers cannot presently engage in school reform efforts framed at addressing inequity without reckoning with the settler colonial, capitalist origins of the education institutions in the United States.

On Liberalism, Neoliberalism, & Capitalism

A critical cultural contextual element to the institution of education in the United States is the presence of a capitalist economic system, which creates conditions for growth of political ideologies like liberalism, and now, neoliberalism to take hold. Capitalism is the economic system that places value on production of wealth, competition, and individualism. Political theorists (Mills, 2017; Rawls, 1971) describe the political ideology of Liberalism as “a reaction against monarchies and state religions that diminished the freedom of individuals,” where the ideology is “predicated on the equal rights of morally equal individuals,” (Mills, 2017, p. 5). Liberalism emerged in the 17th and 18th centuries as and “focuses on concepts such as justice, equality, liberty, and freedom in ways that idealized society and its institutions, and was largely silent on issues of oppression and exclusion of these ideals,” (Douglass et al., 2025, p. 25). In the U.S., Liberalism emerged from the same Euro-Western, Protestant-Christian and patriarchal context that also laid groundwork for systems of settler coloniality. Liberal ideology emerges from the same ethos that were applied in the U.S. to create systems of anti-Blackness where the exploitation of people and land result in material gain for white capitalist settlers.

Neo-liberalism or “new” liberalism emerged in the United States at a time where the class divide was between the top 1% and the rest of the populace was decreasing following World War II and the introduction of various public-funded programs (Harvey, 2007, p. 27). Philosopher and economist, David Harvey writes about the unique conditions necessary for the rise of neoliberalism in the United States:

“Increased social inequality was necessary to encourage entrepreneurial risk and innovation, and these, in turn, conferred competitive advantage and stimulated growth. If conditions among the

lower classes deteriorated, it was because they failed for personal and cultural reasons to enhance their own human capital through education, the acquisition of a protestant work ethic, and submission to work discipline and flexibility. In short, problems arose because of the lack of competitive strength or because of personal, cultural, and political failings,” (Harvey, 2007, p. 34).

Here, Harvey outlines the ways that neoliberalism operates with the same ethos rooted in anti-Black settler colonialism that culturally, economically, and *legally* created conditions for land theft, exploitation through labor, and racial segregation. Under neoliberalism or “new” liberalism in the context of the United States, there is a greater economic ideological emphasis on free-market competition with less government regulation, as well as greater value on individualism alongside values of choice, entrepreneurship, and innovation. This manifests as increased competition in the market, and the privatization of formerly public goods and services.

Within a system of racialized capitalism, building upon Marxist theory, Robinson defines racial capitalism as the “idea that capitalism as we know it does not exist without racialized systems of harm, extraction, and exploitation,” (Robinson, 2000, p. 9). In other words and as Critical Race Theory also frames, anti-Black racism is present everywhere, all the time (Rogers-Ard & Knaus, 2021); capitalism is embedded across institutions and exists only alongside these racialized systems of harm, extraction, and exploitation that Robinson speaks of. Within education institutions, “for Black and Native children, schools are also a place where their ordained role within a capitalist society - sources of extraction - is taught, reinforced, and ultimately normalized,” (Ewing, 2025, p. 230). In order to analyze school systems and the institutions and conditions that shape them, an understanding of political ideology contexts is necessary in order to look longitudinally at trends and patterns in political and educational discourse.

Context and Tension

To humanize myself and others while living and working in dehumanizing institutions like the public education system, I bring storytelling to my dissertation process as a relational and grounding strategy. My approaches are grounded in a foundation of relational epistemology (Chilisa, 2020), which emphasizes the importance of dialogue and storytelling as essential components in the humanization process. To seek out opportunities for humanization in education is counter to the very origins of schooling in the colonized Americas (Ewing, 2025).

The public school system today continues to reproduce racialized, gendered, and class inequities (Ladson-Billings 2006; Love 2019). This inequity reproduced in schools is done so by design (Au, 2009); no matter the initiatives or policy efforts put into place, the institute of public education will always reverberate back to its assimilationist origins constructed in residential boarding schools, and enacted through exclusionary policies, English-only mandates, and white-centric curriculum (Au et al, 2016). Though, attempts at education reform to address particular inequities have occurred. I say *attempts* here because even when there are perceived reforms that would appear to benefit Black students or peoples, these supposed gains only occur when they converge with the interests of whiteness, ultimately ensuring that any progress for Black students is curtailed by white interests (Bell, 1992). This structural pattern is called interest convergence, and is discussed in a future section within my theoretical framework, grounded in Critical Race Theory (Bell, 1992).

Despite evidence to the contrary, such as the closure of Black schools and mass firing of Black educators (Bell, 2004; Tillman, 2004), many argue that the *Brown vs. Board of Education* case was successful in legally ending segregation in public schools. In the last few decades alone, school reform attempts and accountability measures have been embedded into policy efforts like the familiar “No Child Left Behind” and “Common Core Standards”, recertification of “Elementary and Secondary Education

Act”, along with “Race to the Top” (Love, 2023; Douglass et al. 2025). Each of these policy waves are shaped by cultural context under neoliberalism where ethos of color-blindness, individualism, and productivity persist, influencing not only what supposed problems are identified, but also defining or omitting who is most impacted by these supposed problems (Douglass et al., 2025, p. 131).

To better understand the underpinnings of these supposed reform efforts that shape schools today, we must consider how policies both define problems *and* present solutions through their language and curation of data stories. One explanation for the patterns in education policy and reform is offered by Takayama (2007) who refers to “the so-called education crisis” as a “construct” where “every crisis story line has common characteristics that legitimize a particular way of making sense of a given social condition” (Takayama, 2007, p. 427). Even seemingly well-intentioned equity initiatives are routinely constrained by structural logics that persist across policies, practices, and institutions, ensuring that the harm of past and current inequities is not undone, but reconfigured (Bell, 1998). In this way, education leaders must be equipped to decode policy jargon, and critically engage with the ever changing policy context that shapes the institution of schooling across the United States.

Policy analysis through a critical lens offers a framework for interpreting the relationships between problem framing and supposed solutions. Critical policy practitioners Sonya Douglass, Janelle T. Scott, and Gary Anderson (2025) examine patterns in education policy and look across economic and social institutions to ultimately present leadership for justice grounded in policy advocacy as a part of a project to rethink and protect the institution of public schools. They highlight how in the context of widening racial and economic disparities “‘Problems’ are ‘created’ or ‘given shape’ in the very policy proposals that are offered as ‘responses,’” (Douglass et al, 2025, p. 48). And, in understanding the origin of schools in the United States as designed to colonize, all analysis and enactment of educational policy

into practice must be done through a race-explicit lens that questions the framing of equity initiatives within such policies, as well as questions the very purpose of ‘schooling’ in the United States holistically. The core tension that my proposed dissertation analysis will explore is this phenomenon where policies frame and respond to problems that appear to address inequities in orientation, but where systemic changes towards equity are constrained by white-centric dynamics of interest convergence, resulting in outcomes that continue to reproduce the inequities they claim to solve.

Theoretical Framework

“Let me begin by saying that I came to theory because I was hurting - the pain within me was so intense that I could not go on living. I came to theory desperate, wanting to comprehend-to grasp what was happening around and within me. Most importantly, I wanted to make the hurt go away. I saw in theory then a location for healing,” (hooks, 1991, p. 1).

For this dissertation in praxis, I adopt a systems-leadership perspective to look across institutional⁷ levels of the schooling system and understand how racial equity initiatives actually play out in policy and practice. I examine not just what two supposed reforms are implemented, but also *how* each is framed, *who* the reform efforts position as the problem or beneficiary, *and* what happens when each initiative meets the structural realities of schooling. I apply a Critical Race Theory theoretical framework focused on patterns of Interest Convergence within school system change efforts. Legal scholar and Critical Race practitioner Derrick Bell describes Interest Convergence as the phenomenon where “the interest of blacks in achieving racial equality will be accommodated only when it converges with the interests of whites,” (Bell, 1980, p. 523). Recognized within the CRT and educational research field as a foundational case study and critical legal studies analysis that laid the groundwork for CRT,

⁷ Here, I mean that I am interested in telescoping up and down between federal, state, and local contexts of schooling systems.

Derrick Bell frames how *Brown v. Board of Education* is a key instance of Interest Convergence and explores how this CRT tenet is reflected in the policy language and process of this case.

Lifting the foundational work of Gloria Ladson-Billings and William Tate (1995) in applying tenets of Critical Legal studies and bringing race-explicit Critical Analysis into education research and policy landscape, I integrate a Critical Policy Analysis methodology with Interest Convergence to the context of problem framing and change processes in educational systems. Gloria Ladson-Billings published a piece called *Critical Race Theory - What it is not!* (Ladson-Billings, 2013) where she narrates her lived experiences in shaping the public introduction and translation of CRT into the field of educational research alongside William Tate.

Looking for an entry point to introduce CRT into the field of education, Ladson-Billings and Tate submitted a proposal for the American Educational Research Association (AERA) where they held an advanced paper session for the paper titled, "Toward a Critical Race Theory of Education" (Ladson-Billings & Tate, 1994). Prior to this, Ladson-Billings writes about how her thinking about civil rights and race was transformed after Tate shared a *Harvard Law Review* article by Professor Kimberlé Crenshaw (1988), "Race, Reform and Retrenchment: Transformation and Legitimation in Antidiscrimination Law," (Ladson-Billings, 2013, p. 34). From there, Ladson-Billings drew a connection to the literary work by Derrick Bell, *And We are Not Saved: The Elusive Quest for Racial Justice* (1989) which conceptually connected to Crenshaw's legal writing, which Ladson-Billings says challenged her thinking and challenged the "acceptance of the slow and incremental process of traditional civil rights legislative and judicial processes or the notion that race was 'just another variable,'" (Ladson-Billings, 2013, p. 34).

In addition to the field of legal studies and education, CRT builds on insights of Black feminisms whose experiences across multiple intersections of oppression as being both Black and women failed to be acknowledged in legal writings, but also in the field of anti-racist movements and in feminist

movements that failed to account for the lived experiences of women along lines of race *and* gender.

This tension illustrates what Kimberlé Crenshaw describes as intersectionality; she writes in the *Stanford Law Review*: “Because of their intersectional identity as both women *and* of color within discourses that are shaped to respond to one *or* the other, women of color are marginalized within both,” (Crenshaw, 1991, p. 1244). To explore the lines and intersections of race and gender, Crenshaw examined legal cases that documented experiences of domestic violence experienced by women of color. She explains that,

“where systems of race, gender, and class dominion converge, as they do in the experiences of battered women of color, intervention strategies based solely on the experiences of women who do not share the same class or race backgrounds will be limited to help women who because of race and class face difference obstacles,” (Crenshaw, 1991, p. 1246).

Crenshaw’s critical legal studies through a Black feminist lens that included concepts of intersectionality deeply informed the application and understanding of Critical Race Theory in the early 1990s.

Following the AERA session, Ladson-Billings and Tate published their article with *Teachers College Record* and continued engagement with scholars, including Derrick Bell, Kimberlé Crenshaw, and Richard Delgado, who offered a combination of cautions and encouragements as CRT was extending from law and moving into education. Moving across higher education institutions, scholars connected and shared knowledge that introduced scholars to write and contribute further to the literature on CRT in the field of education, including Solorzano (1997), Lynn (1999), Taylor (1999), Solorzano and Yosso (2001), and Delgado Bernal (2002) (Ladson-Billings, 2013, p. 36). It is the works of these educational scholars that supported the proliferation of CRT within educational research spaces.

Together, Gloria Ladson-Billings and William Tate leveraged their access to law school faculty colleagues and access to the law library at the University of Wisconsin-Madison, where they engaged in deep study, not just reading the dense legal studies, but reading and connecting precedents for

arguments to the legal cases that legal scholars were citing (Ladson-Billings, 2013, p. 35). Among these foundational legal scholars who laid the groundwork for the conceptual framework of CRT in relation to educational studies are Richard Delgado, Mari Matsuda, Charles Lawrence III, Neil Gotanda, Gary Peller, and Cheryl Harris (Ladson-Billings, 2013, p. 35).

Informed by the foundational legal studies and CRT works into the early 2000s, Richard Delgado and Stefancic (2001) identify five key tenets of CRT:

- “Belief that racism is normal or ordinary, not aberrant, in US society;
- Interest convergence or material determinism;
- Race as a social construction;
- Intersectionality and anti-essentialism; and,
- Voice or counter-narrative,” (Delgado and Stefancic, 2001, p. 6-9)

Delgado and Stefancic (2001) provide an accessible entry point for interested race-explicit scholars to engage with CRT, offering historical context for the CRT movement and providing descriptive language and concrete examples that outline the above tenets of CRT. As regaled by Delgado and Stefancic:

The critical race theory (CRT) movement is a collection of activists and scholars interested in studying and transforming the relationship among race, racism, and power. The movement considers many of the same issues that conventional civil rights and ethnic studies discourses take up, but places them in a broader perspective that includes economics, history, context, group- and self-interest, and even feelings and the unconscious. Unlike traditional civil rights, which embraces incrementalism and step-by-step progress, critical race theory questions the very foundations of the liberal order, including equality theory, legal reasoning, Enlightenment rationalism, and neutral principles of constitutional law,” (Delgado & Stefancic, 2001, p. 2-3).

What is particularly engaging about their framing of CRT is the way that they present CRT as a theory that, unlike other fields, “contains an activist dimension” that “not only tries to understand our social situation, but to change it; it sets out not only to ascertain how society organizes itself along racial lines and hierarchies, but to transform it for the better,” (Delgado & Stefancic, 2001, p. 3). Here, CRT offers a hopeful opportunity for scholars to support the application of a theoretical and conceptual framework to understand how power is organized across institutions that shape daily life so that this understanding might provide insight into leverage points for transformation.

Within my analysis of two case studies, I specifically apply the CRT tenet of interest convergence looking at how institutions frame problems related to special education programming, as well as school choice policies - both of these examined in our current “new” neoliberal context. Delgado and Stefancic also refer to this as “material determinism” and describe this as the phenomenon where “because racism advances the interests of *both* white elites (materially) and working-class people (psychically), large segments of society have little incentive to eradicate it,” (Delgado & Stefancic, 2001, p. 7). Derrick Bell provides an analysis of Interest Convergence with the 1954 U.S. Supreme Court case *Brown v. Board of Education*, where, according to Delgado and Stefancic, he “hypothesized that world and domestic considerations - not moral qualms over blacks’ plight - precipitated the pathbreaking decision,” (Delgado and Stefancic, 2001, p. 19).

Derrick Bell (2002) describes how the economic interests of white elites coincided with the interests of Black Americans momentarily; the United States was at a pivotal moment and was globally visible following the end of World War II, the end of the Korean War, and in 1954, was in the Cold War. At this time, the growth of technologies that allowed the spread of news media globally depicted imagery of American society and represented the violence and racism that Black Americans, many of whom had just returned from military service, were experiencing through daily violence, lynchings, racist law

enforcement, and racial segregation. So, in 1954, when the Supreme Court passed *Brown v. Board of Education*, presumably ending racial segregation in public schools, it comes as no surprise that (1) this only ended de jure segregation, not de facto segregation, or that (2) this case was a response to the United States' interest in improving its image to the global market (Irons, 2002; Tillman, 2004). In addition, this policy move did not actually respond to the demands of Black families who were organizing in favor of an equal education, who did not advocate for their children to attend *white* schools (Tillman, 2004; Ash & Anderson, 2013). The policy also resulted in the closure of Black schools and mass terminations for Black educators and administrators "which threatened the livelihood of Black educators, the structure, values, and cultural norms of the Black community, and ultimately the social, emotional, and academic success of Black children," (Tillman, 2004, p. 281). Yet, still today most state curricula presents a revisionist history that teaches generations of students⁸ across school contexts that *Brown v. Board of Education* should be applauded for ending racial segregation and that it was a great achievement of the Civil Rights movement (Zamudio et al., 2011, p. 34-35). Though today, public schools are still highly racially segregated, this segregation in public schools is accomplished through structures such as the use of standardized test scores, academic tracking, red-lining, and school choice policies, which continue to protect white interests and manifest seemingly new ways for anti-Black racism to persist within the public education system (National Center for Education Statistics, 2001; Ladson-Billings, 2006; Ash & Anderson, 2013; Douglass et al., 2025).

A theoretical framework grounded in CRT and Interest Convergence offers insight into how white (material) interests converge with Black interests to undermine any instances of perceived progress. CRT requires examination into historical context, foundational legal and policy studies in order to make sense

⁸ Growing up in my midwestern largely homogeneously white suburban context, *Brown v. The board* was taught to me as the end of school segregation and as a success. I specifically remember reading excerpts from the Scholastic book *Through My Eyes* by Ruby Bridges (Bridges, 1999).

of the representations of supposed progress that is purported to benefit Black Americans. Many researchers offer seemingly promising perspectives and applications of CRT in the field of education today (Milner, 2008; Milner & Howard, 2013; Gilborn, 2014) however, Derrick Bell and other foundational CRT scholars were exclusively focused on studying the impact upon Black Americans. This is a limitation of the proliferation of CRT today, and practitioners must still critically engage with the origins of new iterations or hot takes on CRT so as not to lose the key component of Derrick Bell's framing of CRT as grounded in the examination of how the United States specifically operates from a place of anti-Blackness (Bell, 1991).

Rationale for the Research

Students deserve educators and staff at all levels of the organization who are committed to a transformational justice approach in education (brown, 2021, p. 167) and who are also "compelled to confront biases that have shaped teaching practices in our society and to create new ways of knowing, different strategies for the sharing of knowledge," (hooks, 1994, p. 12). The purpose of my research is to critically analyze with a race-explicit lens the problem-framing and prescription of solutions embedded into policy, and imposed upon the public school system. I applied a theoretical framework grounded in the Critical Race Theory tenet of interest convergence to analyze how both policies across levels and systems define and frame problems of racial inequity they seek to address, and examine how the system operationalizes towards *supposed* solutions to the identified inequity. By naming how systemic dynamics across policies and school systems converge to constrain racial equity work, my analysis equips systems-level leaders and practitioners with tools to navigate and disrupt the structural conditions that maintain inequity in schools.

Systems-level leaders and practitioners are terms used to refer to people working within a district office or regional school consortiums across multiple districts (i.e educational service districts, or

ESD). This includes individuals who are positioned by their system as decision-makers, policy-enforcers, and practice-operationalizers and may include individuals with job titles that include terms like manager, director, executive director, or superintendent. Systems-level leaders and practitioners include those positioned to see summative, cumulative, district-wide or regional trends across multiple schools and community contexts. These individuals work at the intersections of their own district or regional consortium (i.e. Educational Service District) while also regularly interacting with state offices or agencies. These agencies govern accountability efforts, dictate funding, or provide guidance to systems that, while external to the district or school, still shape conditions for how a district should function and require engagement of systems-level leaders.

The above description of systems-level leaders excludes individuals in their function as individual school leaders or those who work insularly within one school context; however, this is not to say that a school leader or classroom educator may not also at times *inform* systems-level practices or decisions in their capacity as a committee or advisory member, providing their expertise and experience at the school level. Though, in my framing, school leaders operating as systems-leaders intermittently is the exception, not the rule. I realize this may alienate school leaders who are already critical of school district central offices for their role in shaping school conditions and for central office's disconnect from schools in operationalizing programs or initiatives. That said, I still aim to reach an audience of systems-level leaders as research on system-wide policy enactment is undertheorized and represented in the field of educational research, as I share in more depth in a later section. I am specifically looking to address the unique positionality of systems-level leaders in shaping conditions for students and educators through policy interpretation and practice implementation across a breadth of schools and programs, while *also* serving as district liaison to regional, state, or even federal agencies in their given programmatic or operational area of expertise. Systems-level leaders by this definition are uniquely

positioned to hold a bird's-eye view of a collection of schools or districts, and are accountable not only to those schools, but also to governing bodies such as School Boards or accountability agencies like county, state, or federal fiscal and legal offices, as well as to the state superintendent office for instruction or educator standards board.

Specifically, a key element of this dissertation is to foreground the necessity of race-explicit analysis in educational change efforts to a primary audience of systems-level leaders. Critical race theory reminds me, as a systems-level leader myself, that initiatives aimed at addressing racial inequity are routinely undermined by the protection of white interests (comfort, power, resources) - a predictable pattern known as interest convergence (Bell, 1980, p. 523).

For example, the federal Title I, Part A program illustrates how white interests intercept intervention efforts aimed at addressing disparities in academic outcomes through "closing the achievement gap." The program was established in 1965 and is outlined in the Department of Education's Elementary and Secondary Education Act (ESEA) which was recertified as the Every Student Succeeds Act (ESSA) (Knight, 2019). Under both ESEA and ESSA policy contexts, Title I, Part A protects white interests by centering whiteness as the academic baseline through reliance on standardized assessment scores as indicators of student success, and through measurement of knowledge gaps for all students in comparison to the baseline score average for white students. Title I, Part A programming does not interrogate white-centric instructional practices and curriculum in schools, and attributes the "gap" in academic achievement to low-income status, rather than to the white-centric schooling and use of standardized assessments in measuring knowledge and determining a student's level of academic success (Ladson-Billings, 2006). Rather than address deeper, institutionalized economic disparities, or interrogate white centric schooling practices, Title I, Part A offers "soft money" that is variable year to year and comes with accountability-strings-attached for already under-resourced schools serving

predominately students of the Global Majority. Like many other mandated intervention programs that provide funding with strings attached to white-centric metrics (Douglass et al., 2025), Title I, Part A merely serves as a band-aid for systemically produced and maintained wounds where unattainable whiteness is the only antidote. While the federal Title I, Part A program may be presented as an intervention strategy by the federal government to provide states and school districts with additional resources to “close the achievement gap”, this program only reinforces white interests by serving as a distraction to the deep economic inequities that persist across public schools districts today along lines of race and socio-economic status.⁹

Attending to these patterns of interest convergence enables practitioners to more clearly identify the system (il)logic that limits equity work aimed at addressing racial disparities, and to strategize with and against them. This is especially urgent as systems-leaders in public schools are increasingly tasked with solving deeply racialized social and economic problems produced and reinforced across institutions. At the same time, school systems are simultaneously pressured to operate according to market-based neoliberal values that emphasize competition, individualism, and efficiency. By illuminating tensions of interest convergence within systems-change efforts seemingly oriented towards equity, my analysis supports practitioners in identifying and resisting the structural conditions that reproduce racial inequity. The purpose of my conceptual analysis, grounded in interest convergence, is to illuminate these tensions to support more transformative action.

Additionally, this research fills a gap in the existing body of work on leadership development, which is primarily focused on school-based instructional leadership and is disconnected from operational leadership. For example, the Professional Standards for Educational Leadership (PSEL) framework provides a high-level overview of what school leaders must be able to do, focused mainly on

⁹ I share this assessment, also grounded in my lived experience as the programmatic and fiscal authority for all federal Title programs in my district.

instructional leadership over operational leadership. It emphasizes “how leaders must engage in transformational practices to improve schools,” (Douglass, 2025, p. 2). In the state of Washington, the Association of Washington State Principals (AWSP) provides its own leadership framework used across districts as a coaching and evaluation tool to support. AWSP focuses on a principal as an instructional leader charged with “creating a culture that focuses on continuous progress that strives to create a learning environment that engages all learners,” (AWSP, 2020, p. 3). This framework provides leaders with a linear and “deliberate strategy (plan, implement, assess, reflect) focused around a theory of action that explains what is supposed to happen and why,” (AWSP, 2020, p. 3). The keyword here is “*supposed*”.

Many of these school leadership frameworks do not attend to the “policy or political forces under which school leaders must lead,” (Douglass, 2025, p. 2). Similar to the AWSP example, school leadership frameworks at the national and state levels often focus on theories of change and theories of action grounded in “ideal theory” (Mills, 2017). These theories of change or theories of action are often disconnected from the realities school and systems leaders face in a very real educational policy landscape where “the proliferation of charter schools and privatization limit the growth potential of public education through limited resources and dwindling support from those politicians who seek to starve public schools in the interest of choice and competition,” (Douglass, 2025, p. 3). This proliferation of charter schools and privatization is only a current manifestation of settler colonialism and neoliberal ethos playing out in the current context under recent policy movements like No Child Left Behind (NCLB), Common Core State Standards (CCSS), Race to the Top (RTTT), or One, Big, Beautiful, Bill (OB3B or OB3). These policy contexts emerge from both Republican and Democratic parties, and mutate according to the current demands placed upon the institution of schools that ultimately serve to maintain white interests and wealth, rather than ever transforming institutions that uphold anti-Blackness and settler

colonialism. My research aims to provide insight and concrete strategies for practitioner-leaders, like myself, to strengthen our capacity for Critical Race Theory-grounded analysis that interrogates system logics rather than lead from theories of change operating in “ideal state” naming what is *supposed* to happen that presume objectivity.

This research project is grounded in two case studies, each of which frames a current challenge from the perspective of a public school district systems-leader practitioner. Each case study is reviewed through Critical Policy Analysis, which provides an inquiry framework that analyzes the distribution of power, and highlights tensions between ideal state and reality. This race-explicit policy work is urgent and necessary as public schools are positioned to operationalize policy-framed solutions to address racialized social problems generated across broader political and economic structures, all while being reshaped by neoliberal demands for efficiency, competition, and chronic underfunding.

Research Question

Because I am interested in using Interest Convergence as a tool for analysis at a systems level scale to examine patterns across a breadth of programs, I applied a method of Critical Policy Analysis to the context of two case studies that reflect current systems change efforts represented by systems leaders. Critical Policy Analysis (CPA) as a methodology and tool for analysis differs from traditionalized policy discourse. Traditional policy discourse is grounded in Eurocentric Western constructs of problem-solving that are linear and operate within a positivist paradigm. In contrast, CPA provides a framework for “interrogating the distribution of power and resources,” (Douglass et al., 2025, p. 46). CPA also positions practitioners as policymakers with agency “to the extent that they decide at the street level which aspects of the policy they will implement,” (Dougless et al., 2025, p. 35). Perhaps more important than the question of which policy aspects are implemented is the question of *how* practitioners operationalize policy through practice. The methodology of CPA asks:

- Who benefits from this policy or practice?
- Who is hurt by this policy or practice?
- Whose knowledge informs this policy?
- How are social inequities classed, raced, and gendered?

Grounded in a theoretical framework of interest convergence and methodology of Critical Policy

Analysis, my overarching research question asks:

How do change processes reflect dynamics of interest convergence, and what does this reveal about the possibilities and limits of policies and practices framed as addressing inequities within school systems?

To support my research, I developed a framework that responds to the above inquiry, grounded in the Critical Policy Analysis methodology. Each system-level case study is framed around a vignette that illustrates the problem situated within the local public school district context, centering on practitioners' perspectives as they engage in change processes rather than presenting traditional theories of change or omniscient case studies. The vignettes provide a narrative representation of a problem or solution context that both informs and grounds my application of Critical Policy Analysis. In my methodology section, I further explicate the research question above and discuss its application across the case studies.

Role as Researcher

My epistemological standpoints are built upon stories; stories in books, reality television (yes, I consider this as anthropological research), music, and film. Stories offer me openings into worlds outside of my own and enrich my meaning-making of myself within the world. In college, I was introduced to Audre Lorde - a Black Queer feminist poet and mother who was critical of the "Second Wave" of Feminism for its lack of intersectionality, a byproduct of the white-middle-class-cisgender-mostly-

heterosexual epistemology that the Second Wave sits within (Lorde, 1984). In particular, Audre Lorde greeted me at a time when internal dissonance prompted me to unlearn tenets of white feminism and expand my definition of Woman, rejecting the Trans Exclusionary “Radical” Feminism (TERF) enculturation that was a barrier to engaging in intersectional social justice work at the university level *and* was a barrier to my self-acceptance as I understood my Queerness. Meeting Audre Lorde, Toni Morrison, Zora Neale Hurston, Roxane Gaye, Jewelle Gomez, and Alice Walker welcomed me into Black feminist epistemologies.

As I do this reflexive self-work with my research crew, I am called by Audre Lorde through her writings in Sister Outsider that complicate insider/outsider-ness and intersectionalities along class, race, gender, and sexuality. Lorde reminds me:

“You do not have to be me in order for us to fight alongside each other. [...] What we must do is commit ourselves to some future that can include each other and to work toward that future with the particular strengths of our individual identities. And in order to do this we must allow each other our differences at the same time as we recognize our sameness,” (Lorde, 1984, p. 142).

This call from Audre Lorde reflects the crux of Black feminisms and the epistemological standpoint that our humanity and liberation are bound together; this is the strength of Black feminist frameworks, which assert that one does not need to be Black to fight alongside Black folks for Black liberation. This is the theory that guides my way of thinking and being; it is what emboldens me as a researcher, practitioner, and educator to do the interpersonal and systems-level work needed to counter the erasure of Black stories and systemic anti-Blackness, which is dehumanizing and harmful to us *all*.

As I reflect upon my role as a researcher and activist, Black feminist praxis reminds me of the prototype Black femmes have offered: “organizing direct actions, researching and meeting with

administration, and generally supporting each other and those around us," (Hollis, 2019, p. 151). There is much work that takes place behind the scenes of the performance, sit-in, or speech; and, without these pivotal roles historically held in activism spaces by Black femme womyn, organized actions would not be possible.

Cynthia Dillard speaks to the "possibilities of reframing research as a healing process, as a process of being of service in political and social change on behalf of the communities that one represents and is responsible to," (Dillard, 2006, p. 65). The power of the reframe offers a shift in perspective, inviting a kaleidoscope storytelling methodology (Sankofa-Waters, 2023, p. 708). Though, reframing research as a healing process is only possible if I first reframe *and* expand my own definition(s) of research. I need to do this for myself for two primary reasons: 1. I must reject the Euro-Western constructs of what is considered knowledge or what process(es) may be defined as research, and 2. I must acknowledge the harm done by Euro-Western researchers and research at the institutional and global levels, while also examining my own experiences and biases on an individual level. With this in mind, I reconceptualize research as an inquiry-based learning process that occurs in relationship (i.e. dialogue, meaning-making) with people working towards a shared goal of understanding the world, each other, and themselves (Patel, 2018; Chilisa, 2019; Smith, 2022).

Especially understanding how interest convergence operates to maintain white, settler colonial interests (Bell, 1997), I approach my research questions with critical reflexivity and an intention to use theory and research as places of reciprocity and healing. This white-well-intention of mine is not immune from the reality that "educational research is crowded with studies that acknowledge dark children's pain but never the source of their pain, the legacy that pain has left, or how that pain can be healed," (Love, 2019, p. 13). Educational research often operates within deficit frameworks that are inherently anti-Black, failing to account for the root causes of systemic inequities. Again, Black feminist theory

enters the conversation to remind me that “intersectionality is not just about listing and naming your identities - it is a necessary analytic tool to explain the complexities and the realities of discrimination and of power or the lack thereof, and how they intersect with identities,” (Crenshaw as cited by Love, 2019, p. 3).

Critical Policy Analysis as Methodology: A Shift from Traditional Ways of Problem Framing

The methodology applied in my dissertation is Critical Policy Analysis (CPA). While this is an emerging method of analysis, CPA policy analysts are consistent in identifying three phases of the CPA process. These phases include (1) problem definition, (2) policy process, and (3) policy implementation (Douglass et al., 2025, p. 34).

Within the first phase of problem definition, Critical Policy analysts address “how the policy issue or problem is defined,” (Douglass et al., 2025, p. 34), including consideration of what information or whose knowledge is valued or “counts” in the problem definition (Bacchi, 1999). The study of policy is especially illuminating if a political systems theory is applied; this theory argues that “problems get organized as demands on the legal system either as a court case or a bill that is introduced into the legislature [...] and exists as a new policy or case law,” (Easton, 1965). In this sense, a policy is a response to a problem framing placed upon a legal system. The work of problem framing in a context of neoliberalism provides a dangerous opportunity for white, capitalist interests to further shape ideology and inform policy development. Milton Friedman wrote in *Capitalism and Freedom*:

There is enormous inertia - a tyranny of the status quo - in private and especially government arrangements. Only a crisis - actual or perceived - produces real change. When that crisis occurs, the actions that are taken depend on the ideas that are lying around. That, I believe, is our basic function: To develop alternatives to existing policies, to keep them alive and available until the politically impossible becomes politically inevitable (Friedman, 1962, p. ix).

CPA departs from traditional policy analysis, which is criticized for its linear, narrow, and limiting approaches. Where traditional policy analysis comes from a Western positivist paradigm focused on concepts of rationality and holds narrow conceptions of what may be considered evidence, CPA “is concerned with the subjectivity and complexity associated with all stages of the policy process,” (Diem et al., 2022). I selected a CPA methodology over traditional policy analysis because traditional policy analysis fails to recognize the ways that formal policies, or “big P” policies, and “little p” policies not only exist, but are both “always infused with racism, patriarchy, and classism often difficult to discern with traditional policy lens,” (Gilborn, 2014, p. 36). The inclusion of “little p” policies acknowledges the influence of institutional practices that are shaped by policies that may never be formally codified (Ball, 2018). When I refer to traditional policy analysis, I am centering critiques held by constructivist theories like Kingdon (1984), who explored a theory of “multiple policy streams” and described how “policy came about when windows of opportunity converged with political agendas and policy entrepreneurs,” (Douglass et al., 2025, p. 35). Here, multiple policy streams theory offers a way to consider the multiple and opportunistic ways that policies are enacted at times when it is most economically, socially, or politically ideal. In contrast to traditional policy analysis, which narrowly explores only the “old triangle of interest groups, executive agencies, and congressional representatives” (Sabatier, 1999), CPA considers how policy is also shaped by actors across a variety of spaces, including “intermediary organizations, both nonprofit and for-profit [...] and include actors such as think tanks, media, advocacy organizations, edu-businesses, charter management organization, and venture philanthropists,” (DeBray, 2006; Henig, 2013, as cited by Douglass et al., 2025, p. 36).

CPA, as a conceptual framework and methodology, is “concerned with subjectivity and complexity at all stages of the policy process, particularly the effect of its outcomes for disenfranchised communities,” (Diem et al. 2022). While CPA is concerned with issues of power in all stages of policy

processes, CPA does not explicitly address racial disparities, specifically anti-Blackness. This is why I also center CRT's interest convergence, to explicitly call attention to the way that interlocking systems of oppression reinforce the permanence of anti-Black racism (Bell, 1992).

The convergence of policy processes with storytelling in spaces like a courtroom, a school district boardroom, or at the bargaining table offers a way to introduce daily lived experiences into policy discourse. For example, "often in Critical Legal Studies and CRT, counternarratives were used in court as formal advocacy and action, bringing together lived experiences of the marginalized into the courtroom," (Douglass et al., 2015, p. 44). In this way, the process of shaping policy across all three stages of (1) problem definition, (2) policy process, and (3) policy implementation has the potential to include non-traditional policy actors.

Each system-level case study was analyzed with the following tools for inquiry:

- **Problem Framing:** How do systems define and frame the racial inequities they seek to address? How is the "Problem" framed within the local, state, and federal policy contexts? Across these policy contexts, who or what is positioned as the problem or beneficiary?
- **Strategy to address the problem:** What strategies are adopted, and how are resources mobilized to support systems change toward racial equity?
- **Who is impacted:** Who is identified as being most impacted by the inequity, and how are their perspectives represented (or excluded) in the change process?
- **Critical analysis:** To what extent do the cases illustrate interest convergence, and what does this reveal about the possibilities and limits of systems change?

To identify each case study's vignette focus, I engaged in consultation with systems-level leaders at the local level of a public school district prior to applying the CPA inquiry framework. These

consultations informed the framing of two focal polity contexts: special education as inclusive education and school choice. The purpose of this dialogue was to validate how problems are constructed and experienced from the perspective of practitioners who are directly involved in systems-level decision-making and implementations. Grounded in these locally situated perspectives, each case study vignette centered the district level as the primary site of inquiry. From the local level up, I applied a Critical Policy Analysis framework to examine how each supposed problem is framed across local, state, and federal contexts. I grounded each case study vignette from the local level rather than through a top-down approach because this reflects the realities that systems-level practitioners face in decision-making and implementation plans at the local district level.

Criteria for Case Study Selection

The criteria for case study selection, as first framed at the local district level, included the following:

- There must be a problem or tension identified at the local level by a district-level leader (i.e. Director, Cabinet member, or Superintendent).
- The problem or tension must be named as a racial inequity challenge, according to the district-level leader and/or artifact(s).
- The problem or tension must involve at least one of the following elements: staffing, budget, curriculum, programming, family partnerships, professional learning, or technology.

Case Study Selections

Below is an outline of (2) case studies that provided grounding for the application of Critical Policy Analysis with a specific lens on CRT's interest convergence tenet.

- **Special Education Programming and Funding:** this case study highlights a shift towards Inclusive Education instructional models and builds upon a literature review that examines Disability

Critical Race Theory, or DisCrit (Annamma et al., 2013). In this case study, systems-leaders in a public school district are charged to operationalize a new model of providing services to students who qualify for Individualized Education Plans (IEPs) where students are increasingly included in general education classroom spaces, as outlined by accountability measures adopted by the school board. In this case study, systems-leaders are positioned to respond to local, state, and federal policy contexts while operationalizing a new model of instruction within general education classrooms that is named as addressing exclusionary classroom environments by providing what they name is an inclusive education.

- Intra-district transfer processes and school of choice: this case study highlights the convergence of a voluntary in-district transfer process with school choice processes in a district that espouses a policy outlining a vision for equitable access to education. This case study draws upon existing research (Dumas, 2009; McGhee & Anderson 2019; Posey-Maddox, 2014) that examine how competition for student enrollment and funding under a marketized context of public schooling may reinforce existing inequities that impact students and families of the Global Majority, namely Black students.

“Big P” and “little p” Policy Artifacts

Within this methodology, my policy analysis included artifacts reflective of both “little p” and “Big P” policies. I conducted artifact collection and artifact analysis that telescopes up through local, state, and federal policy levels. This includes artifacts such as:

- **Statutory or regulatory texts**, i.e. legislation (district-level policies, state bills, federal laws), administrative codes or regulations, board policies, board meeting minutes or transcripts

- **“Big P” Policy documents and frameworks**, i.e. official policy statements (equity policy, discipline policy, DEI frameworks), strategic plans and superintendent entry plans, and reform initiative documents (i.e. “equity plan”, or “school improvement plan”)
- **Implementation Guides**, i.e. toolkits, handbooks, guidelines, implementation rubrics, logic models or theories of action, professional development guides
- **Communication Artifacts**, i.e. press releases, district or agency newsletters, public statements by leaders, parent letters, launch or campaign materials, infographics
- **Discursive Artifacts**, i.e. speeches, town hall transcripts, policy rationale documents, FAQ sheets, website language framing the initiative
- **Decision-making Artifacts**, i.e. stakeholder committee charters, meeting agendas and recordings, advisory committee rosters, memos, emails, or internal communications, RFPs or contracts with vendors
- **Budget Artifacts**, i.e. budget books reflecting resource allocations, budget memos, staffing allocations, grant applications and justifications
- **Administrative Artifacts**, i.e. discipline matrices, placement criteria for programs (Title 1 services, highly capable, Special Education, Advanced Placement), hiring protocols, evaluation frameworks, and curriculum adoption documents
- **Data Artifacts**, i.e. program evaluation reports, equity audits, performance dashboards, disaggregated data reports, compliance reports, state accountability results
- **Community & educator-generated artifacts**, i.e., collective bargaining agreements, union statements, parent advocacy documents, student petitions, walkout materials, social media campaigns, public testimony at board meetings, and feedback survey results

- **Monitoring & enforcement artifacts**, i.e. audit findings, incident reports, grievances or complaints (OCR complaints, Title IX findings)

Narrative Summary of Methodology Phases

The first stage of my methodology included case study selection and vignette construction. In this initial stage, I conducted a literature review focused on the historical and current policy contexts of the following case studies: (1) Special Education as Inclusive education, and (2) school choice policies across secondary schools. At this stage, I gathered and reviewed policy artifacts to identify themes for each vignette that represent current, policy-framed challenges of racial inequity that are represented by both policy artifact. Following my literature review and initial artifact research, I drafted a narrative vignette that reflects observations of the tension the district is grappling with in each of the two case studies, assuming present-day context in 2026. Finally, I validated my narrative vignette with the aforementioned unnamed district-level leader proximal to the problem framing and/or implementation of solution(s).

The second stage of my methodology included the collection and analysis of artifacts across the scope of local district, state, and federal contexts. During this stage of analysis, I applied the CPA inquiry framework to each case study as I examined how **(1)** problem framing occurs, **(2)** how strategies are adopted to address the problem(s), and **(3)** who is impacted.

Finally, I synthesized my analysis across both case studies and responded to the final inquiry question that asked **(4)** *To what extent do the cases illustrate interest convergence, and what does this reveal about the possibilities and limits of policies and practices framed as addressing inequities within school systems?* Through the application of Critical Policy Analysis grounded in a theoretical framework of interest convergence, I complicate my overarching research question: *How do change processes reflect*

dynamics of interest convergence, and what does this reveal about the possibilities and limits of policies and practices framed as addressing inequities within school systems?

Limitations of Methodology

Across this study, there are multiple limitations, and I will start by naming what this research project is not. This is not an attempt to produce generalizable or predictive claims about racial equity initiatives across all school systems. This research does not claim neutrality or objectivity; objectivity is a myth rooted in neoliberal, anti-Black logics, and I intentionally situated myself within the analysis. This project is not meant to evaluate the supposed success of any single district initiative, nor to prescribe a fixed model for implementation of racial equity initiatives. Instead, it examines how selected tensions or problems are framed, enacted, and experienced within their particular contexts, and how these problems might be intentionally misframed across a broader scope.

A limitation is that each case study is written by me and reflects my assumptions and unconscious biases. While I worked to disrupt dominant researcher-researched hierarchies, I acknowledge the interpretive nature of my writing. To mitigate this, I returned my written vignette to systems-leaders to interpret and clarify my representation of the locally framed policy and problem context. In each case, systems-leaders offered recommendations for where to emphasize a critical component or constraint within the scenario. This activity prompted a relational exchange and opportunity to engage with a systems-leader colleague regarding an subject matter that they have a proximity to professionally. Additionally, this study was limited by the specific cases, documents, and policy artifacts selected for analysis, which represent only a partial view of much broader systems. The findings are therefore bound by context, access, and the narrative constraints of policy artifacts and the systems-leaders' perspectives that shape each case study presentation at the local level.

Case Study #1: Inclusive Education as Virtue Signaling: New Technologies of Segregation

Vignette to Illustrate Case #1

“Toward Inclusion” in a Mid-Sized Urban District (2026)

It is 2026 in a mid-sized urban school district in Washington State, where looming budget reductions and rising staffing costs have placed renewed scrutiny on the district’s Special Education program. In response to both fiscal pressures and evolving state guidance on inclusive education, district leaders have initiated a multi-year effort to redesign how services for students with disabilities are delivered.

This shift towards a new inclusive model in special education began almost ten years ago when a school administrator and teachers at the school began the process of assessing and redesigning their special education program. This elementary school spent over ten years gradually building operational systems and instructional practices, alongside strategic hiring practices to build the teams who lead and implement the special education programming there. Fast forward, and one school has seen success in the inclusion, or integration, of students from special education spaces into the general education classroom. In 2026 the district has now piloted three cohorts for its inclusion program starting at elementary schools. In just a few short years, students will exit their elementary schools and enter middle school settings where the inclusion roll up will continue through secondary (at least, that’s the plan).

For elementary schools, it was only a few years ago that the district’s Special Education system was organized around a continuum of segregated placements. While the district continues to message the importance of inclusive practices, the segregated placements still exist across all secondary schools. In the model, students with individualized education programs (IEPs) were assigned to classrooms based on their identified level of support need, often resulting in placement in specialized programs physically and instructionally separate from general education peers. These programs included a range of settings, from those designed to provide “moderate” academic support resources to those serving students with significant cognitive, behavioral, or medical needs.

This continuum of supports ranged greatly, with significant variations in how much time students with IEPs spent in the general education classroom.

- Deaf and Hard of Hearing (DHH) program
- Learning Resource Center (LRC)
- Intensive Academic Center (IAC)
- Integrated Learning Center (ILC)
- Emotional Behavioral Center (EBC)

Across these different programs existed a range of environments, ranging from pull-out and push-in support from the general education classroom into the LRC, to the IAC where students received individualized instruction in functional and academic skills, with limited opportunities for inclusion in

general education settings through physical education, art, or career-technical courses. The ILC provided skills development for students who were taught in self-contained environments for more significant disabilities or in cases where a student was medically fragile. The EBC provided targeted support for developing social-emotional and behavior regulation skills, typically outside of the general education classroom.

This tiered system, while designed to meet a range of student needs, according to their IEP, resulted in patterns of segregation where students with disabilities, especially those with more intensive support needs, spent the majority of their school day apart from their peers in general education.

More recently, district leaders have reframed this model in the name of inclusion. Bringing in researchers and educators at the Haring Center for Inclusive Education, the district is leveraging state guidance on inclusion and has launched an initiative to move towards inclusion. The strategic plan now states goals focused on increasing the amount of time students with IEPs spend in general education classrooms.

The implementation began at the elementary level with a new cohort of schools beginning an inclusion model in their schools. This model meant the elimination of the language specifying “programs” and a new way to “tier” student placement and support levels in general education. District leaders describe this work as a fundamental rethinking of the role of general education, with the expectation that classrooms will be redesigned to accommodate a wider range of learning needs. At this same time, the district affirmed its strategic plan and launched districtwide messaging emphasizing the strategic plan goal “culture of belonging.”

For the district, this change signified a values-aligned instructional program shift away from separate learning environments for students with IEPs towards an inclusive model where more students with IEPs receive the support they need in order to learn alongside their grade-level peers in the general education classroom. At the same time, this shift towards inclusion is unfolding within the constraints of the district’s existing resources. Budget reductions, staffing shortages (especially for Paraeducators and Special Education Teachers), and rising costs have required leaders to make decisions about program restructuring, staffing allocations, and service delivery model. As a result, the move towards inclusion is occurring alongside efforts to consolidate programs and reconsider the use of specialized classrooms.

Within this context, a systems change process highlights how inclusion emerges as both an educational priority and organizational strategy, shaping how the district reimagines the structure of its Special Education program.

Orientation & Grounding to Case #1

The first context for application of Critical Policy Analysis and theoretical framework of interest convergence is focused on Special Education programming in public schools in the United States. More

specifically, this case study analyzes capital “P” and lowercase “p” P/policy in what is becoming popularized as Inclusive Education, a naming convention that indicates a soft departure from the programming more commonly referred to Special Education in legal documents, such as the federal policy: Individuals with Disabilities Education Act, or IDEA (34 C.F.R. § 300.1, 2017). That said, the concept of inclusive education is certainly *not* new (Tomlinson 2017); rather, there is a notable shift towards use of Inclusive Education when referring specifically to services or programs for students with Individualized Education Plans (IEPs) who qualify for Special Education services (Tomlinson, 2017).

The insidious irony of a nomenclature shift in the field of Special Education towards Inclusive Education is that Special Education programs are predicated on exclusion, segregation and othering. A name change does not disentangle centuries of exclusionary practices that are structured into the institution of schools. While this case study is oriented upon Special Education and Inclusive Education policy, it must also be noted how Language Learning¹⁰ programs also operate similarly to Special Education where a process of identification and segregation for services is applied to students on the basis of English language proficiency. Whether the identification of students occurs in the name of English language proficiency, or in the name of dis/ability, both English Language Learning and Special Education programming impose processes of instructional programming that occurs through a deficit framework and results in the segregation of students in schools on the basis of English language proficiency and dis/ability; both programs have been legalized and operationalized through subjective frameworks rooted in anti-Black, English-centric, ableist foundations (Au et al., 2016). This foundation is built upon epistemology threaded with pseudo-sciences, eugenics, Puritanical beliefs work together to

¹⁰ When in undergrad in the 2010s, I studied “TESOL” or, “Teaching English to Speakers of Other Languages.” I was required to take a TESOL certification exam, was not required to hold language proficiency other than English, and since then, have witnessed the way culture shapes language. Rather than “TESOL” or “English as a Second Language” (ESL) or “English Language Development” (ELD), states and districts have adopted programmatic language such as “Multilingual Learners” or “English Language Learners” to refer to students who are enrolled in “Language Learning” programs. Notably, these “Language Learning” programs are still distinct and distinguished from *World* Language programs. Is Somali not a world language? Spanish? Vietnamese? Tagalog? It seems the distinction for World Language is saved for European dialects of Latin or Germanic languages, or for languages that are deemed more economically advantageous for otherwise monolingual English-speaking students to know. [Steps back from soapbox].

create a legal framework for processes of othering, seemingly on the basis of how ability and disability are legally constructed and shaped by culture (Mac, 2021, p. 52).

The field of Special Education is predicated upon normalizing¹¹ processes (Delgado and Stefancic, 2001; Annamma et al 2013; Erevelles 2000; Ferri & Connor 2006; Franklin 1987) where anti-Black racism situates frameworks to categorize who is human or sub-human through definitions of dis/ability and intelligence. Today, conditions for classroom instruction and school structures relative to Special Education programming are governed by various federal, state, and localized policy contexts that have been shaped by centuries of policies and practices. These policies and practices are connected across institutions, shaping and reinforcing public ideology along binary of dis/abled which shape conceptions of normalcy that are rooted in protecting whiteness through constructing an Other (Annamma et al., 2003).

This analysis does not provide a comprehensive history into the origin and developments of Special Education policy and programming in the United States (for more on such history, see: Davis, 2006; Schweik, 2009; Gilborn, 2012; Winzer, 2014; Tomlinson, 2017; Mac, 2021; Fuchs et al., 2025). Though, recognizing the risk of providing an overly generalized account of Special Education policy and programs, I provide a historical context overview to name key milestones that have constructed and shaped the ways public education currently operates along lines of dis/ability.

Historical Context

Public education in the United States with oversight of the federal government did not emerge until the 1800s (Mac, 2001, p. 49) when there was an economic need to ensure a labor workforce to support the industrial needs and reinforce a stratified class structure that reflected division along lines of race as well (Au et al., 2016). Mission schools were operated by religious institutions as an act of erasure

¹¹ In their text, *Critical Race Theory: An Introduction*, Critical Race Theorists Delgado and Stefancic describe how racism and ableism are 'so enmeshed in the fabric of our social order, [they] appear both normal and natural to people in this culture' (Delgado and Stefancic, 2001, p. 21).

to indoctrinate Native American students into Christian ideology and the English language. At this time, it was illegal for Black people to even be literate; depending on the state or local laws, to be Black and literate was a crime that could result in fines, jail time, whipping or flogging, or digital amputations (Cornelius, 1983; Sandles, 2023). Schools served, and still operate, as places where definitions of civility and citizen were constructed and function as places of assimilation (Ward, 2005, Au et al., 2016).

In *The History of Special Education: From Isolation to Integration* (1993) Margaret Winzer provides an accounting of the ways the American school system has operated its Special Education programs and negotiated language around dis/ability and identity. I choose¹² to include these terms and citations so as not to erase how language was used to dehumanize and Other in order to carry out systemic violence. Language surrounding dis/ability is also connected to identity, and an individual's affiliation with or against particular terms reflects a variety of social and cultural aspects that operate along lines of privilege where affiliation may grant or may bar access, depending on the context. I recognize that I will not fully speak to these nuances, and recognize those who are doing work in this area to further explore social constructions of language of dis/ability in context with identity and power (Blanchett, 2006; Gillborn, 2016).

Looking at the history of education institutions, it was in the early to mid-1800s that “institutions began to open to people with disabilities,” (Mac, 2021, p. 49). As separate institutions began to open for people with disabilities, definitions of normalcy were further codified as definitions of disabled and able-bodied were socially and medically constructed. Regarding dis/ability, the first institutions opened for people who were deaf or blind, and then “feeble-minded” (Winzer, 1993). While institutions opened for “mentally retarded” students, those “who were ‘crippled, emotionally disturbed, multiply handicapped, or suffering from a range of undetected or low incidence conditions were simply excluded

¹² In this next section, particular language is taken from its origin and brought into present-day context; and, such language may feel alarming to see in print and certainly would be criticized for its spoken use.

from special institutions,” (Winzer, 1993, p. 83). At this same time as definitions of normalcy were constructed for ability through creation of segregated learning institutions and different curriculums for those with disabilities, measures for determining intelligence were also codified and used to reinforce and systematize anti-Black racism while also operating to define ability. Interest convergence is playing out here; the establishment and construction of educational programs and institutions for people with dis/abilities seemingly provided access to knowledge, yet, these institutions simultaneously benefitted white interests by developing a framework for measuring ability and intelligence that directly aligned to whiteness (Au, 2009).

Understanding the historical context and relationship between racialized identities and dis/ability is critical for engaging in policy analysis. Legal systems in the United States have not treated race and dis/ability as separate categories, but have actively produced them in relation to one another. As Subini Annamma and colleagues argue, “legal policies also worked to ‘racialize’ dis/ability both historically and currently” shaping how both categories are constructed and governed (Annamma et al., 2013, p. 15). Following Reconstruction, Black Codes functioned as a key mechanism in this process, criminalizing behaviors such as vagrancy or absence from work that framed Black individuals as deviant, idle, or deficient. These policies did not merely regulate labor; they produced racialized notions of dis/ability suggesting that refusal to participate in exploitative labor systems was evidence of mental incapacity or pathology rather than resistance to unjust conditions (Alexander, 2010; Davis, 2003). In this way, legal structures simultaneously constructed Blackness and dis/ability as interlocking markers of deficiency, legitimizing surveillance, punishment, and exclusion (Annamma et al., 2003, p. 15).

Theorizing: Dis/Crit Studies

This entanglement of race and dis/ability provides a critical foundation for DisCrit, or Disability Critical Race Theory, which centers the co-construction of ableism and racism in education systems. By

foregrounding how policy has historically defined, categorized, and controlled bodies along both racial and ability lines, DisCrit offers a necessary lens for examining Special Education policy today - recognizing it not as a neutral system of support, but as one shaped by enduring structures of classification, regulation, and exclusion. Application of Disability Critical Theory and Critical Race Theory together, or DisCrit (Annamma et al 2013; Erevelles 2000; Ferri & Connor 2006; Franklin 1987), highlights the “the interdependent ways that racism and ableism shape notions of normalcy” (Annamma et al., 2003, p. 11). The normalizing processes of both racism and ableism function interdependently to “reinforce unmarked norms of whiteness, and signaling to many that the student is not capable in body and mind,” (Ladson-Billings and Tate, 1995; Collins, 2003; Ferri ,2010).

DisCrit highlights how constructs of dis/ability were also used to justify anti-Black racism and segregation; “drawing on tools of scientific racism, including post-mortem studies of human brains, scientists have attempted to prove the inferiority and lower intelligence of African Americans in order to justify segregation and inequitable treatment within the United States and beyond,” (Annamma et al., 2003, p. 2). With a DisCrit approach to examining Special Education programming, practitioners are called upon to examine the ways that such programming is predicated on the basis of white centric normalcy that has been leveraged as a means to segregate students in educational institutions.

DisCrit theorists explain this further connecting both “racism and ableism often work in ways that are unspoken, yet racism validates and reinforces ableism, and ableism validates and reinforces racism,” (Annamma et al., 2013, p. 6). DisCrit theory explains how intersectionality (Crenshaw 1993; Collins 2003) applies: “for students of color, race does not exist outside of ability and ability does not exist outside of race; each is being built upon the perception of the other,” (Annamma et al., 2013, p. 6). Systems-leaders must thus apply a race-explicit lens to our work of interpreting Policy and determining

how and whether to meet the demands of the shapeshifting neoliberal policy context that seeks to frame problems and solutions that ultimately act in service of preserving white interests.

DisCrit theorists have built upon Disability Critical Theory and Critical Race Theory, introducing DisCrit: a field of study that examines dis/ability theory along intersection of race (Annamma et al 2013; Erevelles 2000; Ferri & Connor 2006; Franklin 1987). DisCrit theory focuses on “the interdependent ways that racism and ableism shape notions of normalcy” (Annamma et al., 2003, p. 11). The normalizing processes of both racism and ableism function interdependently to “reinforce unmarked norms of whiteness, and signaling to many that the student is not capable in body and mind,” (Collins 2003; Ferri 2010; Ladson-Billings and Tate 1995). Tenet six of DisCrit theory speaks to the relationship between whiteness *and ability* as property, building upon Harris’s (1993) writing that codified whiteness as property. In other words, those who can claim whiteness and/or normalcy experience economic benefits, while economic disadvantages are experienced by “those who cannot lay claim to these identity statuses” (Annamma et al, 2003, p. 16).

In addition to disability critical race theorists, sociology theorists, including Sally Tomlinson applied sociology theories to understand “the manufacture of inability” and posit that in special education, “policy, practice, intervention and literature have alternated between cruelty, charitable or punitive benevolence and, more recently, a conditional inclusion into an unequal society at lower levels,” (Tomlinson, 2017, p. 1). The “conditional inclusion” indicates a process of exclusion and othering that results in segregation. This process of conditional inclusion is not neutral and is structured through racialized dynamics that shape how disability labels are applied and experienced by students across intersections of race and dis/ability. For example, Annamma et al. discuss how financial constraints in a local district may result in programmatic shifts:

“As schools face budget crises, fewer students may get dis/ability labels or be placed in segregated special education classes, not because teaching is becoming more responsive to their needs or because segregation is wrong, but because these may be seen as saving money. However, DisCrit does more than identify when just the interests of dominant groups align with those who are of color or those who are labeled disabled; DisCrit also makes visible the ways in which the same labels provide different opportunities to students of different races. For instance, labeling a white student with a learning disability may lead to more support in the general education classroom and extra time on high stakes tests, which can ensure access to college, whereas for a student of color, the same disability label can result in increased segregation, less access to the general education curriculum, and therefore, limited access to secondary education,” (Annamma, 2003, p. 16).

Rather than disrupting inequity across Special Education programming, inclusive into the general education classroom becomes a mechanism where inequity is managed rather than dismantled, highlighting dynamics that are institutionalized through federal policy frameworks that prioritize accountability, efficiency, and appearance of choice.

Federal Policy Context

This historical and theoretical grounding is necessary for understanding how current inclusive education policies must be read not as neutral or even equity driven reforms, but as extensions of a larger neoliberal policy agenda that has interests in preserving power dynamics that benefit whiteness. When looking at the problem framing related to Special Education at the federal level, a primary policy that sets the framework is the Individuals with Disabilities Education Act (IDEA) policy of 1975. The field of special education “was formed on the heels of the Brown decision and applied rhetoric and tactics from the Civil Rights Movement” yet there is strong body of research that documents how special

education has been used a tool to further school segregation practices that are rooted in anti-Blackness (Blanchett, 2006, p. 2).

Specifically, Blanchett (2006) provides a synthesis of this which illustrates the way that Black students are disproportionately referred to and placed in the high-incidence special education categories of mental retardation, emotional or behavioral disorders, and learning disabilities (Zhang & Katsiyannis, 2002); as well as how Black students are measured as making academic achievement gains and exit special education programs at a much lower rate than those of white students (U.S. Department of Education, 2004). And finally, she highlights research about Black students inclusion in general education settings:

Although the field of special education has moved toward more equitable treatment of students with disabilities by advocating for inclusive general education placement as common practice, many African American students who are placed in the less subjective, low-incidence categories of developmental disabilities are educated in segregated, self-contained settings with little or absolutely no exposure or access to their nondisabled peers or to the general education curriculum (Fierros & Conroy, 2002).

IDEA, Part B serves as a federal Policy document that names its Purpose(s) as follows in Section 300.1:

The purposes of this part are—

- (a) To ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- (b) To ensure that the rights of children with disabilities and their parents are protected;

- (c) To assist States, localities, educational service agencies, and Federal agencies to provide for the education of all children with disabilities; and
- (d) To assess and ensure the effectiveness of efforts to educate children with disabilities (34 C.F.R. § 300.1 (2017)).

IDEA serves as a core Policy framework for the operationalization of Special Educational programming and services to ensure that “all children with disabilities have available to them a free and appropriate public education (FAPE)” (FAPE). IDEA’s passive language suggesting “availability” to FAPE is acceptable fails to consider or acknowledge real, systemic barriers that limit access to a “free and appropriate public education.” In this federal law, inclusive education is framed primarily through the legal obligation to provide a “free appropriate public education (FAPE)” in the “least restrictive environment (LRE)”. Within this federal Policy framework, students are named along lines of dis/ability and students with disabilities are positioned as the rights-bearing individuals whose access to FAPE and LRE education must be safeguarded through procedural protections and individualized services, namely the Individualized Education Plan, or IEP.

The policy framed problem embedded in IDEA is that the general education program has not provided either a free or appropriate public education to students with disabilities in a least restrictive environment. This implicitly frames general education teachers and public schools as being holistically unable to provide FAPE/LRE. The IDEA legislation suggests that in order to address these inequities in access to FAPE and support in a LRE, the policy advances strategies including individualized education plans (IEPS), due process protections, and monitoring of state compliance to the policy. This legal framing centers procedural compliance as the primary mechanism for equity, obscuring deeper structural issues that exist, including racialized patterns of disability identification and significant disparities in school resources. As a result, this popularized and highly cited federal policy, IDEA has

simultaneously expanded educational rights for students with disabilities while also maintaining systems of compliance and accountability that reproduce inequitable educational experiences for students with disabilities, especially so for Black and Native American students.

The use of policy to serve a compliance tool or one of enforcement is a neoliberal policy strategy that creates a stage primed for the market-based data-fication of success metrics. One of the more recent policy arms of the federal Individuals with Disabilities Education Act is the “Results Driven-Accountability” framework. This framework was created by the Department of Education Office of Special Education Programs (OSEP) and enacted in 2014 (U.S. Department of Education, Office of Special Education Programs [OSEP], n.d.). In summary, the Results Driven Accountability framework aims to address the focus on procedural compliance as outlined within IDEA. Under RDA, states are evaluated not only for compliance for legal procedures (such as timelines, evaluations, and IEPs), but now, they are also monitored by performance indicators including student achievement, graduation rates, and postsecondary outcomes. The way RDA measures both the compliance of states and incorporates their definitions of successful student performance is through creation of annual determination ratings given to states based on both compliance data and resultative indicators.

In addition to this federally determined RDA rating, State Education Associations (SEA) are required to develop improvement plans, such as the State Systemic Improvement Plan (SSIP) to address areas where performance outcomes for students with disabilities are not meeting the federally defined performance success measures. The RDA uses data indicators, performance monitoring, and assigns federal determinations as a way to indicate states’ ability to meet the expectations of IDEA as defined by RDA. The shift the RDA provides in problem-framing and resourcing solutions is that now, rather than the framing procedural compliance metrics as goalposts for equitable education, the RDA also suggests a component to this solution is to implement system improvement strategies that measure success on the

basis of performance metrics standardized to whiteness, increasing the significance and reliance upon data indicators provided by graduation rates and standardized test scores.

This policy move at the federal level in 2014 of adopting RDA reflects a continued neoliberal agenda; here, we continue to see the focus on data and now see an emphasis explicitly upon standardized test scores. Here, the federal government mandated an accountability framework applied to states where success outcomes for meeting provisions of IDEA for students with IEPs is measured through high-stakes testing with an emphasis on standardization. These assessments are used to measure *and* define the academic quality of schools, and students are dependent on performing well on tests in order to graduate from high school.

As illustrated above in regards to the Results Driven Accountability framework, the federal Department of Education has sought to address the problem of inequities within public school instructional programs through accountability frameworks. In the era of neoliberalism and market-based school systems, the use of supposedly standardized instruction and standardized assessments are applied to create a system of measurement for student knowledge. A primary beneficiary of this are the private interests and companies who produce both the standardized assessment, the supplementary instructional tools that are designed to provide intervention to students not yet meeting the assessment standards, and essentially the entire curricular edifice (Au et al., 2009; Au, 2016). When it comes to Special Education programming, there is no exemption to these accountability tools.

State Policy Context

Telescoping down from the federal to state policy landscape, as an accompaniment to the Results Driven Accountability framework, the DOE adopted a requirement for individual states to develop State Performance Plans (SPP) which also include an Annual Performance Report (APR). The SPP/APR determination process constructs the problem of inequity in special education as a failure of

states to meet measurable performance targets, rather than as a manifestation of structural racism or ableism. Here, students are reduced to summative assessment measures that are primary indicators of the success of a state's special education programs. With the Results Driven Accountability framework, states are evaluated and categorized based on compliance and student assessment outcome data, with escalating enforcement actions imposed on those states deemed to "need assistance" or "need intervention" (U.S. Department of Education, 2025). These enforcement mechanisms, including technical assistance, high-risk designation, and directed use of funds, reflect a neoliberal logic of governance rooted in surveillance, standardization, and performance management rather than structural transformation.

The below figure is taken from a policy artifact from the Results-Driven Accountability framework (U.S. Department of Education, Office of Special Education Programs, n.d.) and summarizes State's "IDEA Part B Determination". The determination for each state is accompanied by a letter that explains the rationale for the state's determination status, ranging from "Meets Requirements", "Needs Assistance (one year)", "Needs Assistance (two or more consecutive years)", to "Needs Intervention."

2025 DETERMINATION LETTERS ON STATE IMPLEMENTATION OF IDEA 3

IDEA PART B DETERMINATIONS

Following is a list of each State's performance in meeting the requirements of IDEA Part B, which serves students with disabilities, ages 3 through 21:

MEETS REQUIREMENTS

Connecticut	Missouri	Republic of the Marshall Islands
Illinois	North Dakota	Texas
Indiana	Nebraska	Virginia
Kansas	New Hampshire	Wisconsin
Kentucky	New Jersey	Wyoming
Massachusetts	Ohio	
Maryland	Pennsylvania	
Minnesota		

NEEDS ASSISTANCE (one year)

Alabama
Florida
Georgia
Washington

NEEDS ASSISTANCE (two or more consecutive years)

Alaska	Hawaii	Oklahoma
Arkansas	Iowa	Oregon
American Samoa	Idaho	Republic of Palau
Arizona	Louisiana	Rhode Island
California	Maine	Puerto Rico
Commonwealth of the Northern Mariana Islands	Michigan	South Carolina
Colorado	Mississippi	South Dakota
Delaware	Montana	Tennessee
Federated States of Micronesia	North Carolina	Utah
Guam	New Mexico	Virgin Islands
	New York	Vermont
	Nevada	West Virginia

NEEDS INTERVENTION

Bureau of Indian Education
District of Columbia

Figure 01: 2025 DOE determinations on state-level implementation of IDEA (U.S. Department of Education, OSEP, n.d.).

Within the SPP/APR policy artifacts, the absence of explicit racial analysis is notable, particularly given longstanding disproportionality in special education (Gillborn, 2012). Race is buried within data tables and named as a technical indicator rather than addressed as a systemic condition. Applying interest convergence, the SPP/APR framework can be understood as advancing equity for students with

disabilities only to the extent that it aligns with federal interests in accountability, data standardization, and economic productivity. While positioned as an equity oriented reform, the framework simultaneously reinforces state compliance and federal oversight, illustrating how racialized inequities are managed, viewed as technical indicators, rather than dismantled.

The federal government has recently positioned failure of individual states to meet compliance goals and documentation of procedural measures in special education programs as the problem, prompting states to respond to the conclusions drawn by the RDA framework. In the state of Washington, the Office of the Superintendent of Public Instruction (OSPI) shifts the problem from compliance failures of special education programs, as reflected by federally determined outcome data, to a lack of inclusion in the general education setting. Specifically, a movement towards “inclusion” in special education programming points to the following as key problems of the current special education programming: segregation of students with disabilities, suggests an over-reliance on sheltered or separate instructional settings, and suggests that the lack of access to general education environments are problems to be solved through implementation of an “inclusive” special education program. This reframe is a significant shift from federal accountability discourse and highlights the state’s rejection of the accountability framework as a measure of special education programs.

In 2024, The Washington State Office of Superintendent of Public Instruction Special Education division published state level guidance on inclusive education, reframing the problem of inequity in special education as one of access to general education environments, positioning inclusion as the primary solution. The policy artifact is named “Comprehensive Inclusive Education In Washington: Connecting General Education and Individualized Education Programs (IEPs)” (May et al., 2024). Within this state level policy document providing guidance to Local Education Associations (LEAs), or districts, across the state, OSPI problematizes the current model of special education instruction which includes

separate instructional spaces for students with IEPs apart from the general education space. Washington state does get race-explicit in its problematizing of programmatic segregation on the basis of ability:

While many students with disabilities are benefiting from greater inclusion across Washington, state data show that two groups of students eligible for special education services are still disproportionately placed by school teams in restrictive settings compared to their peers:

- Students with intellectual and/or developmental disabilities
- Black students eligible for special education services in any disability category

OSPI is committed to disrupting inequities in the system that limit choice and learning opportunities to ensure that all students can participate in general education settings. Because of this, OSPI has prioritized the inclusion of students with extensive support needs and Black students with disabilities in general education settings for 80% or more of their school day (May et al., 2024, p. 4).

Here, Washington state seemingly takes a race-explicit stance acknowledging that “Black students eligible for special education services in any disability category” are disproportionately placed in restrictive settings compared to their peers. From a CRT lens, this acknowledgement incorrectly assumes that placement in a general education setting would not result in further exclusions of Black students from the classroom environment for reasons such as “disciplinary issues” or “behavior”. OSPI charges districts to “prioritize the inclusion of [...] Black students with disabilities in general education settings for 80% or more of their day,” (p. 4). This forced integration of Black students with disabilities into the general education setting fails to account for the many ways that this solution only reinforces anti-Black racism. For one, this problem framing fails to acknowledge the already disproportionate over-representation of Black students in special education programs, specifically in the categorical of “emotional disturbance” or “intellectual disability”. Notably, special education programs for students

with physical disabilities overwhelmingly do not reflect overrepresentation of Black students (Annamma et al., 2003, p. 17). This distinction highlights bias in the identification process for an IEP; this suggests that Black students are already being othered from the general education setting at the point of referral for an IEP. What is left uninterrogated here are the ways that a general education setting is leading to anti-Black, exclusionary practices reflected in disproportionate referral for special education services and discipline referrals (Annamma et al., 2019).

Further within the OSPI Inclusionary Practices Technical Network program guidance is an introduction to what is broadly referred to as an inclusive special education model that marks a shift towards integrating students with IEPs into the general education classroom. This reflects what Fuchs, Gilmour, and Wanzek (2025) categorize as an “abolitionist vision” for special education. According to Fuchs et al., special education abolitionists critique the “continuum of placements and services” historically used in special education and argue that “by requiring students to become sufficiently capable - academically, socially, and behaviorally - before joining their peers in general classrooms [...] (because) it places the burden of ‘becoming ready’ squarely on their shoulders rather than on the shoulders of their prospective teachers to make their settings capable of accommodating them,” (Fuchs et al., 2025, p. 258).

A DisCrit lens would highlight how this abolitionist ideology is rooted in both anti-Blackness and ableism; in one sense, the abolitionist critique of the continuum of placements and services fails to account for the fact that such placements and services were required to be provided separately from general education because of recognition that general education failed to provide for the specialized instruction or needs of students with disabilities, as framed by IDEA B. Additionally, a DisCrit lens would recognize the ways that a shift towards “inclusionary” models of Special Education actually undermine Civil Rights protections for students with disabilities, suggesting that a general education environment

once implementing “inclusive practices” can meet the needs of all students, including those with disabilities.

In contrast to abolitionist perspectives on inclusive education, those Douglas Fuchs and colleagues describe as “conservationists” argue that the general education classroom is fundamentally incapable of serving all students with disabilities. As they bluntly state, “conservationists view the general classroom as fundamentally and inescapably incapable of educating all SWDs,” a conclusion they frame as the result of “decades of earnest, sustained, and ultimately unsuccessful effort to strengthen inclusivity” at both the school and classroom levels (Fuchs et al., 2025, p. 259). From this perspective, recent efforts to educate nearly all students with disabilities in general education settings have led to what they characterize as the “tragic miseducation” of many students (Fuchs et al., 2025, p. 259).

However, this framing rests on an assumption that the limitations of general education classrooms are fixed rather than systematically produced. To move this theorizing closer to practice, the conditions of the general education classroom must be interrogated, specifically the instructional models, disciplinary practices, staffing structures, and resource distributions that contribute to the exclusion of students with disabilities in the *first* place. This analysis must also account for the well-documented patterns of over-referral to special education, particularly for Black and Native American students, where racialized perceptions of behavior and ability shape who is identified as needing services, as well as how those services are resourced and delivered. In this way, the argument for inclusive education becomes circular: the general education classrooms push out students, and that exclusion is then taken as evidence that those students do not belong there.

This debate about how to operate Special Education programs reveals that both abolitionist and conservationist perspectives are constrained by the same underlying assumption: that the general education system itself does not require structural transformation. As a result, neither approach,

whether oriented toward inclusion or specialization, is positioned to produce lasting racial equity, particularly for Black students who are disproportionately identified for Emotional-Behavioral Disorder programs. Without a race-explicit interrogation of the mechanizations that sort and segregate students on the basis of perceived dis/ability, reform enables the very patterns of exclusion they espouse to disrupt.

Looking back at Washington OSPI guidance on inclusive education, it is clearly in alignment with the abolitionist approach that prioritizes more inclusion of SWD in the general education setting. However, while the guidance adopted the language of transformation, citing bold race-explicit goals for inclusion, this guidance's strategies remain situated within a neoliberal logic that emphasizes instructional adaptation over structural change. In this inclusive model where SWD spend at least 80% of their day in the general education setting, the responsibility for inclusion is primarily placed on educators to redesign classroom practices, with limited attention to the material conditions - such as funding, staffing, and class size - necessary to sustain inclusive environments. At this same time, districts are experiencing financial constraints from reduced funding and lowering enrollment¹³, which reinforces conditions of scarcity mindset, competition, and a focus on efficiency.

During the two years following OSPI's publishing of this inclusive program guidance, the state of Washington has chronically underfunded general education and special education, decreasing their annual spending on K-12 education by 8.37%, decreasing from 51.6% budgeted for K-12 Education in the 2019-21 biennium to 43.23% for the current 2025-27 biennium. Even alongside this evident decrease in state investment in K-12 Education as reflected in the state budget across the past six years, OSPI has also most recently passed a new budget in the state's most recent biennium with claims to be "Fully Funding Equitable, High-Quality Services for All Students with Disabilities" (Washington Office of

¹³ In a funding model that is enrollment based; students are counted at the Full Time Enrollment (FTE) rate and their district receives funding based on a per pupil allocation (PPA).

Superintendent of Public Instruction, 2024). To accompany the release of the 2025-27 biennium budget, the state also prepared a budget decision package that also provides synthesis to the funding strategies and shares the state's 2025-27 Performance Outcomes for students with disabilities.

Special Education Funding and Accounting Methodologies:

The current funding and accounting methodologies are confusing and work against the same systemic improvements that OSPI and the Legislature are trying to advance. Because the state funds school districts at a higher level for students who are included less in general education settings, and because districts are already underfunded and therefore unlikely to take steps that would further reduce their special education budgets, this funding methodology creates an inverse incentive for districts to push for more inclusive practices (Washington Office of Superintendent of Public Instruction, 2024, p. 5).

Even as state policy frames special education as an issue of equity, the reliance on local supplementation (i.e. levy collected on local property taxes) reveals how underfunding functions as a structural mechanism that sustains racialized and ableist patterns of exclusion within public education systems. For example, in a mid-sized Local Education Association (LEA), the projected funding gap between Special Education expenditures and revenue for the current 2025-26 school year is approximately \$18,153,278.00¹⁴ according to the Special Education Analysis dashboard published by the Association of Educational Service Districts (Washington Association of Educational Service Districts, n.d., retrieved April 26, 2026). This is an increase from the funding gap of almost \$14 million¹⁵ during the 2024-25 school year which amounted to underfunding of \$819.70 per student with disabilities. This illustrates the reality that districts face with a funding gap for special education programming; districts are expected to

¹⁴ For context, during this year, the budgeted expenditures of the district was close to \$428 million, so this funding *gap* alone reflects 4.2% of the budgeted expenditures for the entire district.

¹⁵ During 2024-25 SY, this same mid-sized district was underfunded by \$13,861,563.36 as reflected in the districts financial reports (F-195 and F-196), (Washington Association of Educational Service Districts, n.d.).

account for underfunding using local funds which creates new inequities for districts that cannot pass levies¹⁶ with constituents, or whose levy is capped by state regulations further restricting the revenue a district can collect on a levy (Washington Association of School Administrators, 2025).

While the state asserts through its title on this policy document the intent to “Fully Funding Equitable, High-Quality Services for All Students with Disabilities”, information revealed within the policy and budget reflect deepening inequities structured into the state funding for K-12 education and Special Education programs. At the same time as the state is producing a proportionally smaller budget for K-12 education, the state is also asserting that there is a feasible plan to fully fund and provide equitable, high-quality services for all students with disabilities. Here, the shift towards inclusive education is embedded into policy strategy and it is revealed that a state-level performance outcome set by the Governor’s Results Washington goals includes “increasing the number of students with disabilities who are primarily served in classrooms with their peers, and increasing the percentage of students with IEPs who graduate from high school within five years,” (Office of the Governor of Washington State, n.d.).

What this goal fails to explicitly state is that a student qualifies for state Special Education funding based on the multiplier of their support Tier; this strategy shift suggests a reframe of how LEAs identify a student’s support needs in the Least Restrictive Environment (LRE) and operationalize services without clearly defining implementation. To strengthen this significant shift in redefining LRE and suggesting SWD must spend more time with the classroom with their peers, OSPI also invokes a Performance Outcome to reduce exclusionary practices naming a “Focus on Black Children with Disabilities and Students with Intellectual and Developmental Disabilities (IDD)” which will be measured by monitoring decreased rates of suspension and expulsion, increased inclusion in general education

¹⁶ A levy is “a local property tax passed by the voters of a school district that generates revenue to fund programs and services that the state does not pay for as part of ‘basic education,’” (Washington Association of School Administrators, 2025).

settings, and improved academic and social outcomes for marginalized groups,” Washington Office of Superintendent of Public Instruction, 2024, p. 8). In order to accomplish these strategic goals and support districts in operationalizing changes to their special education program model, OSPI names a solution in the Inclusionary Practices Technical Assistance Network, funded through a set-aside of state Special Education funds.

The IPTN is a state sponsored collaboration between state government (OSPI), tax-exempt federally funded research organization (WestEd¹⁷), and philanthropic and private education partners across Washington State. In order for individual public school districts to access services provided by IPTN, they are required to apply for a state grant and submit a funding request that includes a scope of work aligned to the goals of IPTN. The grant is competitive, not formula, which means districts must submit an application and proposed funding request through to the Educational Grant Management System. If awarded funds, the district is expected to expend IPTN grant funds directly to services, goods, or contracts with the state’s preapproved list of providers, including WestEd and the identified philanthropic and private contractors. While the stated purpose and goals of IPTN may align with initiatives to promote “educational justice and equal opportunity” for student groups facing the highest rates of exclusion, the IPTN creates a system where state funds are redirected into federally funded, philanthropic, and privatized organizations and where authority on special education instruction in public schools is outsourced to agencies and organizations with capital interests.

Like many government agencies, OSPI publishes their process for procurement of contracts and states “it is the intent of Washington State to promote open competition and transparency for all contracts for goods and services,” (Office of Superintendent of Public Instruction, n.d.). That said, a sole

¹⁷ WestEd was founded in 1966 when Congress funded regional educational laboratories (RELs) across the country. WestEd is a Joint Powers Agency governed by multiple states, and identifies as a nonpartisan, nonprofit research, development, and service agency that is tax exempt under Section 115(1) of the Internal Revenue Code. WestEd cites that to maintain tax exemption, “our work meets the giving guidelines of philanthropic organizations,” (WestEd, n.d.).

source contract is only mandated to be made publicly available for a minimum of fifteen days prior to the start of a contract and allows the procuring entity to bypass any bidding processes by arguing that no comparable provider exists. In a Sole Source Contract notice published by OSPI in regards to their contract proposal with WestEd, OSPI states that “as a federally funded national technical assistance center, WestEd is uniquely positioned to support with systemic-level SEA improvement efforts including implementation and sustainability there’s just no small business that exists to do that, in the same way,” (2025, p. 4). Here, OSPI is utilizing market-based regulatory processes, such as sole source contracting, to bypass bidding processes. The use of sole source contracting for the Inclusive Practices Technical Network reflects how special education and inclusion policy are increasingly shaped through non-competitive procurement of external expertise, concentrating interpretive authority in intermediary organization rather than in democratic or community based decision making processes. From a DisCrit perspective, this example illustrates how state governance outsources expertise and governance over special education, and aligns state definitions of “inclusion” with the externally produced frameworks provided by organizations like WestEd.

In summary, state funding constraints and the state’s strategic performance outcomes set conditions for LEAs to increase the number of students with disabilities who are primarily served in the general education classroom; implying that the general education classroom can and should serve as the Least Restrictive Environment for more students with disabilities that present. These state-level fiscal and accountability pressures do not remain abstract or living only in the fine print of a procurement contract or state accountability plans; rather, they create conditions for district-level practices that shape how inclusion is defined, resourced, and implemented in schools and classrooms.

Local Policy Context

An intersection of state and local policy is revealed through examining the state accountability dashboards in context with the data that a district chooses to report in its strategic plan goals. In one example, an urban Washington state district of about 17,000 students cites a strategic plan goal focused on Inclusionary Practices, specifically citing the goal for “Increasing access to culturally relevant, universally designed, standards-based instruction in all classrooms” which will be measured by “the percentage of students with Individual Education Plans spending 40% or more of their time in the general education setting will increase by 1% annually.” The narrative description for this goal elaborates upon this goal, sharing the districts’ public-facing plan for implementing inclusionary practices for students with IEPs:

“To provide appropriate educational opportunities designed to meet each student's unique learning needs, Highline has a continuum of special program options accessed through Individual Education Plans (IEP). School districts have an obligation to serve students with IEPs in the Least Restrictive Environment (LRE), meaning they receive an appropriate education alongside peers who do not receive specialized instruction and/or services. To ensure we meet this obligation, we aim to increase the amount of time that students who require specialized instruction spend in our general education classes as opposed to a separate setting. All decisions about a student’s LRE are IEP Team decisions that are individualized to the student’s needs,” (District #17401, n.d.).

As mentioned above, this strategic plan names a goal to increase students’ access to culturally responsive, universally designed instruction and then proposes that an indicator by which to measure progress towards this goal is through the number of minutes students with IEPs will have access to learn in the setting of a general education environment. The metrics the district shares for percentage of instructional day a student with disabilities is in the general education classroom for the district is not

disaggregated by race within this strategic plan goal. That is not to say that the district is not internally tracking or monitoring this data, or that such data is not publicly accessible; OSPI publishes annual special education data in the form of district profiles and includes measurements from the State Performance Plan (SPP) Annual Performance Report (APR) indicators. These include some of the following, as outlined in the Part B Performance Indicators resource (OSPI, 2024):

“(1) Percent of youth with IEPs exiting special education due to graduating with a regular high school diploma

(4) Rates of suspension and expulsion for children with IEPs.

(5) Percent of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day; less than 40% of the day; and in separate schools, residential facilities, or homebound/hospital placements.

(9) Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(10) Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification” (OSPI, 2024, p. 1-2).

The district profile published by OSPI based on district level compliance reporting highlights areas where there are increased “risk ratios” for areas of disproportionality by racial demographic across the different special education programs. In this district profile, students who are American Indian/Alaska Native have an increased risk ratio indicating overrepresentation within the Emotional Behavioral Disability and Intellectual Disabilities category for more than three consecutive years. On the district profile summary page, a table measures whether the district was identified by the State as having a significant discrepancy, by race or ethnicity, in the rate of out-of-school suspensions/expulsions of students with IEPs, as well as looks at different reported disciplinary actions that resulted in some form of exclusion for

SWD, disaggregated by race. While the only student sub-group OSPI identified as having a “high” risk ratio is that of American Indian/Alaska Native, there are trends within this data that indicate also Black SWD are disproportionately impacted by disciplinary practices across multiple years within the district. The figures below are created using data published by OSPI reporting Washington State Annual Performance Report (APR) LEA District Profiles for District 17401 (OSPI, 2026).

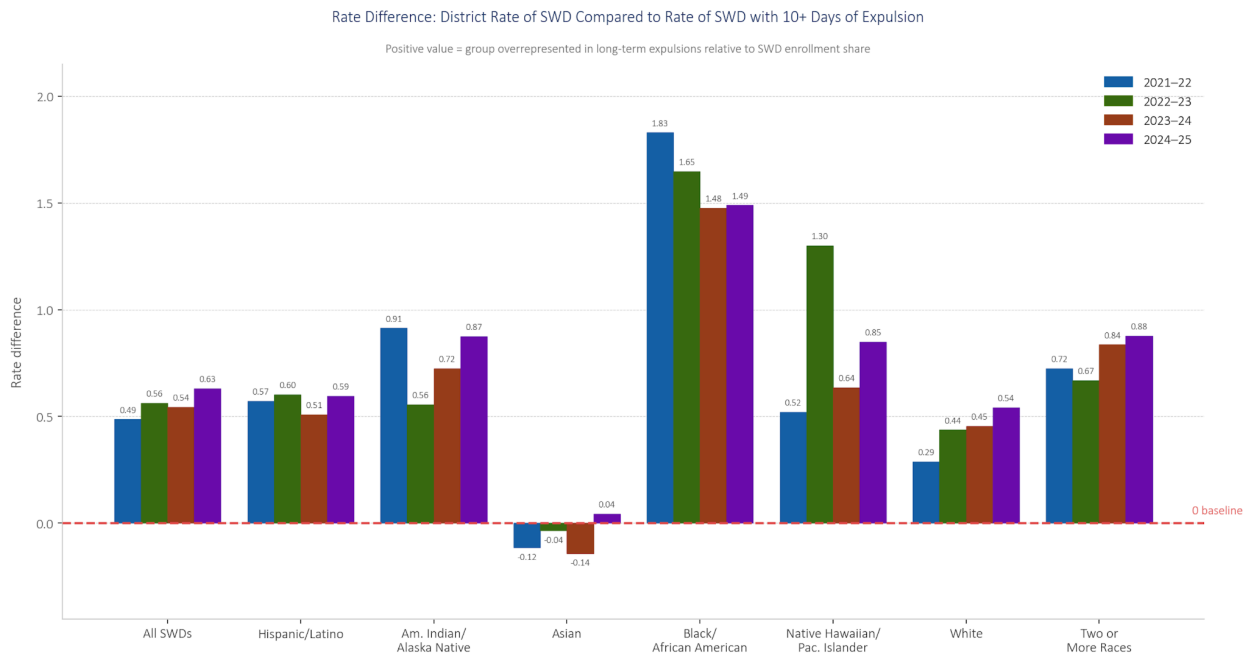


Figure 01. Rate Difference: District Rate of SWD Compared to Rate of SWD 10+ Days of Expulsion

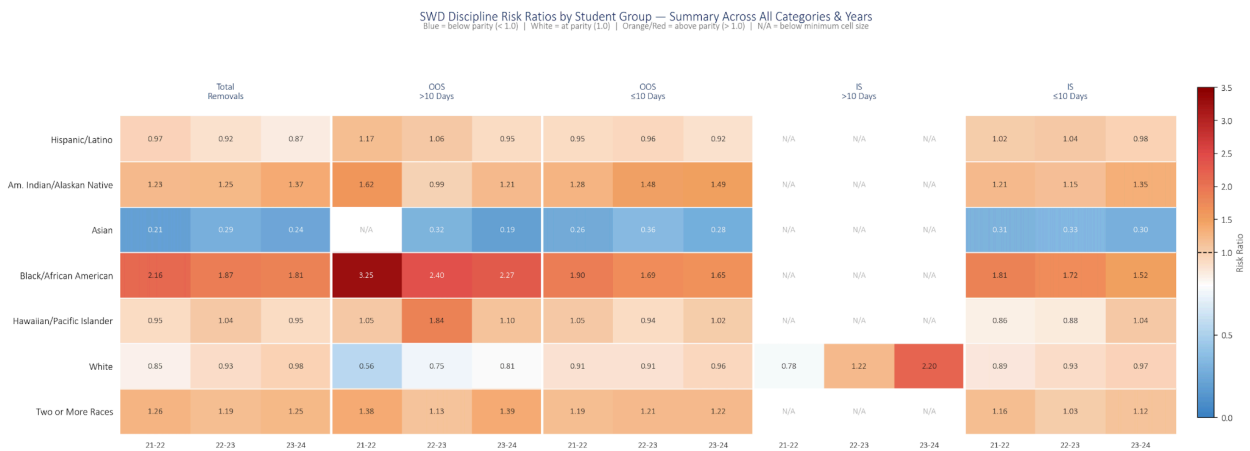


Figure 02. SWD Discipline Risk Ratios by Student Group - Summary Across All Categories & Years (Heatmap)

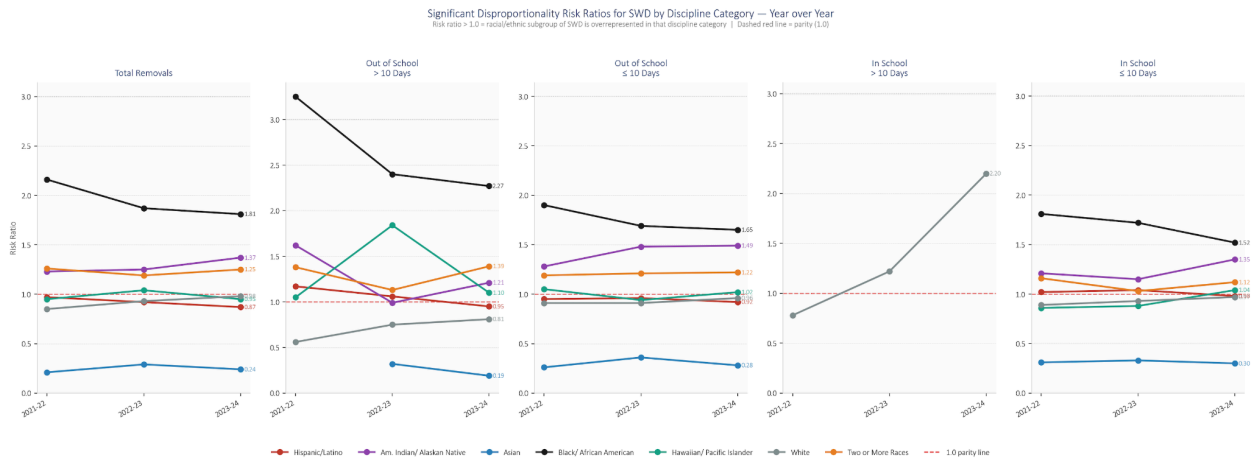


Figure 03. Significant Disproportionality Risk Ratios by SWD by Discipline Category - Year over Year

What these data points reflect are the placements, inclusions or exclusions, for SWD across federally determined racial categories. Noting that these categories flatten racial identity into a single box and fail to reflect multi-racial identities and that the use of quantitative data is compressed when sample size does not meet the scientific recommendations for a study, there are still patterns that systems leaders must engage with. I recognize that there are significant limitations of the use of qualitative data to draw generalizations about disciplinary practices or student behaviors, and yet, there is opportunity for systems leaders in District 17401 to examine institutional and adult practices that contribute to patterns of overrepresentation of exclusions for SWD who are Black/African American, American Indian/Alaska Native, or Hispanic/Latino. What is deeply problematic is that while clear patterns emerge across these charts indicating a clear bias for excluding Black/African American SWD at higher rates, is that the state’s scale for risk ratios would not call upon the district to examine practices outside of the American Indian/Alaska Native SWD sub-group, as the risk ratio for Black/African American SWD was not high enough. In other words, the state created a framework to support district accountability around exclusionary practices for SWD disaggregated by race, but the current risk ratio

scale reinforces anti-Blackness through a tolerance of disproportionate exclusion unless the student sub-group meets the state's determined threshold for intervention. By analyzing disciplinary and exclusion data with a race-explicit lens on student sub-group, systems leaders can identify patterns that indicate systemic biases. Looking across this district data snapshot, the inclusion implications are clear: disproportionate discipline also means disproportionate exclusion from the general education environment. Addressing the clear patterns of exclusionary practices requires examining not only adult disciplinary practices, but also examining the upstream institutional conditions that lead to removal, including the extent to which IEP designations and placement decisions reflect students' needs or systemic bias enacted through adult practices.

In district contexts, state and federal requirements around Least Restrictive Environment (LRE) and various performance accountability frameworks intersect with outdated per-pupil funding models, creating incentives to increase the proportion of students with disabilities served in general education settings. While framed as equity oriented inclusion, this configuration overlooks the material conditions required for meaningful access, and fails to acknowledge the underlying mindsets shifts necessary for adults to shift their practices in the general education classroom space.

Synthesis Across Policy Contexts: "Inclusive" Education

Inclusive education, as currently operationalized in this localized and state context, functions as a neoliberal policy shift that appears equity-driven, but ultimately reinforces racialized and ableist inequities rather than dismantles them, while aligning with efficiency and systems preserving interests. Patterns of neoliberal values such as efficiency, standardization, accountability, and redirection of public funds emerge across policy contexts and are materialized in district offices and school classrooms. From IDEA policy and a federal oversight on special education programming in public schools then comes the push for "Results Driven Accountability" framework which emphasizes student performance on

standardized assessments and metrics like minutes spent in “Least Restrictive Environment”.

Determinations for each state’s special education programs are assigned and from there, comes the requirement for state and district level accountability plans (SPP/APR). The state provides programmatic guidance to districts statewide that are in response to a revised policy context that emphasizes LRE and coopts language of inclusion and belonging to suggest the sharp turn away from providing tiered specialized learning spaces for students with disabilities, while simultaneously maintaining exclusionary disciplinary practices for Black and American Indian/Alaskan Native SWD. A shift towards inclusive education that does not apply a race-explicit lens to interrogate referral and identification practices by adults to make determinations about a student's ability will continually fail to disrupt systemic inequities at all stages of special education programming regardless of the instructional model.

Case Study #2: School Choice: white (Mis)appropriations and the Reproduction of Racial Segregation

Vignette to Illustrate Case #2

“School Choice” in a Mid-Sized Urban District (2026)

Within a mid-sized public school district, secondary education is organized across three school types: comprehensive (prototypical) high schools, choice programs, and alternative schools.

- Comprehensive high schools serve the majority of students and operate within assigned attendance boundaries and are staffed using the state’s prototypical funding model.
- Choice programs offer specialized learning models, including mastery-based portfolios, project-based learning, and internship or career-connected experiences. Choice schools are more likely to have a smaller class size ratio and lower enrollment caps. Families must request enrollment of their child into a choice program and may be placed on a waiting list if the program is already at its enrollment cap.
- Alternative schools or alternative programs serve students referred through a centralized connections center. Referrals often originate from the students’ prior school, most likely to be their neighborhood school, i.e. comprehensive high school. Alternative programs are designed as re-engagement sites supporting credit recovery, provide flexible scheduling, and individualized pathways towards graduation.

Enrollment across these school types is structured through re-assignment, application, lottery, and referral processes. Students are first assigned to a comprehensive high school based on residence. Access to choice programs requires an application, with placement determined by lottery in certain cases when demands exceed capacity. Alternative school placements occur through referral and are based on program fit and available space.

In this state and district, funding is allocated on a per-pupil basis using staffing ratios included in the collective bargaining agreement. However, certain choice school models operate with smaller class size ratios. As students move between schools, funding adjusts accordingly creating conditions where intradistrict student mobility creates funding variability year to year. Comprehensive high schools align to the collective bargaining agreement and state prototypical assumptions, while choice and alternative programs often operate with smaller enrollments and model-specific staffing and resource needs.

The district administers multiple transfer pathways, including intradistrict requests and program applications, each governed by state policy and district procedures. Access to these options is shaped by application timelines, program capacity, and transportation availability.

Within this structure, the expansion of choice and alternative secondary school programs is positioned as a response to the perceived limitations of the comprehensive high school model in meeting student needs across socio-cultural backgrounds, future readiness goals, and assumed learning style. New program models, often designed around specialized fields of study or instructional approaches, emerge as targeted solutions. However, these developments take place alongside fiscal constraints and staffing limitations that require the district to prioritize efficiency, manage enrollment, and sustain programs with a per-pupil funding system. In this way, the problem of student access to appropriate learning environments is addressed through program differentiation, while remaining closely tied to the district's need to stabilize enrollment and allocate resources across schools.

Orientation & Grounding to Case #2

Building from the analysis of seemingly inclusive education as a policy shift that reframes segregation through the language of access, equity, and belonging, this next case study examines a hot topic reform strategy in public education: school choice. While inclusive education repositions the general education classroom as the primary site of access to knowledge and as the site for learning, school choice policies redistribute access to supposedly specialized learning experiences across school sites through processes of selection, specialization, and mobility. It may appear that these approaches are distinct; first, we have inclusive education operating to eliminate the segregation of learning

environment on the basis of ability through redistributing enrollment of students with disabilities into the general education classroom; and second, we have the school choice policies which focus on offering pathways to different educational environments. However, when examined through a critical policy analysis and the lens of interest convergence, both policy reform attempts reveal a shared neoliberal logic that reframes systemic inequities as problems of access, to be solved through technical or market-based solutions rather than through structural transformation. In this way, school choice, like inclusive education, may present itself as an equity-oriented reform yet is aligned with and protects white interests and power structures.

School choice is a highly politicized and researched topic in education, philanthropic, and legislative spaces. School choice as a term “describes an array of elementary and secondary educational options available to students and their families,” (National Center for Education Statistics, 2019). Much of the language of school choice since the 1950s focuses on presumed access and ability for families to make a choice other than the default choice of sending their child to the local public school based on their current geographic location and district boundaries (Suits, 2020). Presently, “schools in the United States are more diverse than at any point in U.S. history in their overall populations, with minoritized students comprising the majority of public school students in many school districts and some states” and yet, “schools are also segregated and stratified by race, poverty, and language,” (Douglass et al., 2025, p. 127). Researchers have found that “the average Black or Latinx student attends a school where more than 75% of students are minoritized, and in nearly half of these racially homogenous schools, the poverty rates are over 80%,” (Orfield et al., 2014; Reardon & Owens, 2014). With this reality of racial segregation across schools in the U.S., critical policy researchers caution that “expanded school choice without enforced equity and integration provisions can exacerbate such inequities and increase segregation along other dimensions,” (Douglass et al., 2025, p. 127). To understand how school choice

operates today in context with patterns of racial segregation, it is necessary to examine the origins of policy ethos that have laid foundations for school choice policy today.

Historical Context

An understanding of current policy contexts in public education regarding school choice cannot be understood without a race explicit lens on the history of school choice in the United States. A conventional history of school choice in the United States tends to focus on discussion of private and charter schools, or explore the use of vouchers and tax credits. James Foreman Jr., legal scholar, offers a counter-narrative to the common assertion that “school choice began as a way for the South to avoid complying with *Brown*,” (Forman, 2005, p. 1287). The fallacy in this thinking is that school choice movements began at the behest of white segregationists in the 1950s. Certainly, there is well researched and documented truth that school choice initiatives *do* have ties to “conservative intellectual and political heritage” (Forman, 2005, p. 1287). Alan Wolfe, political scientist and author of *School Choice: The Moral Debate* (Wolfe, 2003) asserts that “school choice emerged from the right end of the political spectrum,” (Wolfe, 2003, p. 6). Wolfe’s view reflects that school choice is associated with “free-market economist Milton Friedman, attempts by segregationists to defy *Brown*, wealthy conservative philanthropists, and attacks on the public school bureaucracy by federal administrations of Ronald Reagan and George W. Bush,” (Forman, 2005, p. 1288).

Wolfe’s accounting of school choice history is incomplete in that it fails to recognize the importance and role of community schools created and sustained by Black communities where the only alternative to white only schooling for Black children was to create their own schools. Prior to the formation of school choice as we see it today in the form of vouchers, tax credits, or establishment of private or charter schools aimed at legalizing a way for white families to create segregated learning environments under the guise of “parental choice” or stronger academics, it was the creation of Black

community built schools after the Civil War that charted a course for schools to operate outside of government control. Though, for Black communities, the construction of Black led schools came from the absence of an existing government support for schools and as a result of centuries of racism that constructed laws that banning Black people from obtaining a formal education or obtaining basic literacy (Goodell, 1853; Sandels, 2023), and prevented them from attending the existing schools alongside white children. Illustrating an example policy artifact is an excerpt from William Goodell's 1853 book *The American Slave Code in Theory and Practice: Its Distinctive Features Shown by Its Statutes, Judicial Decisions, and Illustrative Facts* published in New York by the American and Foreign Anti-Slavery Society. This excerpt depicts the section for Chapter VI. EDUCATION PROHIBITED which begins by making a dehumanizing assertion that "Chattels are not educated! And if human beings are to be held in chattelhood, education must be withheld from them."

CHAPTER VI.

EDUCATION PROHIBITED.

The Slave not being regarded as a member of Society, nor as a human being, the Government, instead of providing for his education, takes care to forbid it, as being inconsistent with the condition of chattelhood.

CHATTELS are not educated! And if human beings are to be held in chattelhood, education must be withheld from them.

South Carolina.—Act of 1740: “Whereas, the having slaves taught to write, or suffering them to be employed in writing, may be attended with *great inconveniences*; Be it enacted, that all and every person and persons whatsoever, who shall hereafter teach or cause any slave or slaves to be taught to write, or shall use or employ any slave as a scribe, in any manner of writing whatsoever, hereafter taught to write, every such person or persons shall, for every such offense, forfeit the sum of one hundred pounds, current money.” (2 Brevard’s Digest, 243)

Georgia, similar; penalty, twenty pounds. (Prince’s Dig., 445.)

South Carolina.—Another Act in 1800: “That assemblies of slaves, free negroes, mulattoes and

Figure 01. Chapter VI. Education Prohibited (Goodell, 1853, p. 319)

Here, the education of enslaved Black people was made illegal through state policy, and was reinforced by a series of severe punishments to those who did obtain an education, and to those who taught “any manner of writing whatsoever,” (Goodell, 1853, p. 319). Quite literally, the ability to read and write was regulated as white property to be kept from enslaved Black people.

Forman builds upon existing research (Morris, 1976; Butchart, 1980; Gutman, 1987; Jones, 1980) and provides a detailed depiction of the processes and organizing efforts by Black communities to build schools that occurred following the end of the Civil War beginning in Reconstruction; he emphasizes:

In order to fully understand the scope of the black community's commitment to school choice, it is necessary to begin by discussing a time before the term "school choice" even existed. After the Civil War, there were no schools for blacks in the South. In response, the Freedmans' Bureau, along with a variety of benevolent associations, organized schools for recently freed slaves in the states of the former Confederacy. [...] Black [people] responded to the absence of sustained government support by assuming responsibility for building schools themselves (Forman, 2005, p. 1291).

This isn't to say that these schools were identifiable as schools of choice as we would see today; rather, as a result of there being "no functioning government-run school system for Blacks [immediately after the Civil War]" Black communities built schools to serve local neighborhoods. Eventually, the "government began to assume the responsibility of building and supporting schools, [and] some blacks continued to prefer the independent black schools outside of the government system," (Forman, 2005, p. 1291). Here, "this effort to construct schools [outside of government] was a precursor to the school choice movement" as this marked a predictive pattern for what would become a recurrent practice: "when the state did not provide schools, or if it provided inadequate ones, some blacks and their white allies would try to build their own," (Forman, 2005, p. 1291). Here, the concept of school choice is introduced *conceptually* as an alternative to the government operated and funded schools - in this case, "in state after state, in the absence of a formal education system, blacks began to build schools and hire teachers," (Forman, 2005, p. 1292).

As Black communities built and sustained their own schools, grounded in values of self-determination and community support, the interests of Northern white missionaries and organizations such as the Freedmen's Bureau were piqued. The missionaries and organizations provided material support that was often necessary for the survival of these schools while the federal and state governments withheld funding¹⁸. The involvement of these missionaries and organizations also introduced tensions over authority and control for Black led schools as paternalism and overtly racist assumptions shared how Black educational efforts were viewed and governed (Watkins, 2001; Williams, 2005). In one instance, a white missionary leader dismissed Black educators as lacking the intellectual capacity to manage schools, asserting that such work required "more head than these colored people yet have," (Gutman, 1987, p. 290). This sentiment illustrates the racist ideologies held by those supposedly providing support to the Black led schools.

There are many documented instances where Black communities maintained their vision for educational autonomy and resisted these encroachments by those who criticized the operations of Black schools. Historian Herbert Gutman documented a statement by a white missionary teacher from the South who reported that "there is jealousy of the superintendence of the white man in this matter. What they [Black community school organizers] desire is assistance without control," (Gutman, 1987, p. 270). Despite the albeit slow expansion of federally and philanthropically supported schooling, many Black families continued to establish and choose independent, Black-run schools, demonstrating an early form of educational choice rooted not in market competition, but in collective self-governance and resistance to white oversight.

This moment in American education history during the post-Civil War Reconstruction era reveals an instance of what would later be understood as interest convergence; white institutional support for

¹⁸Meanwhile, the government did fund colonially, mission driven schools and schools that were created by local white communities, (Suits, 2020).

Black education was extended only to the extent that it aligned with maintaining control over the structure and governance of schooling. For example, “In 1867, the *Freedman's Record* complained about blacks who continued to send their children to black-run independent schools rather than the Northern-dominated, white-run schools,” (Forman, 2005, p. 1295). When Black communities asserted autonomy in maintaining their own schools rather than those eventually established by the Freedmen's Bureau's publicly supported schools, any form of white institutional support became conditional, contested, or redirected (Forman, 2005, p. 1295).

One critical artifact from this time that shaped public perception and shaped conditions for school for Black students is the published two-volume report by the U.S. Bureau of Education from 1917 *Negro education: A study of the private and higher schools for colored people in the United States*. This report documented that education for Black communities in the South remained largely dependent on churches, philanthropic foundations, and other private organizations and that the majority of schools serving Black students were still privately maintained. The report also highlighted stark inequities shaping schools for Black students including a funding disparity where the per pupil spending for white schools in majority-Black counties exceeded that of Black schools by anywhere from six to ten times. While the report brought national attention to inequities between the segregated school systems, it also reinforced racial hierarchies in its recommendations. The report criticized educational efforts that prepared Black students for higher education and instead prompted a model of vocational schooling oriented toward “manual laborers, farmers, and craftsman,” reflecting a broader effort to constrain Black educational aspirations with predetermined economic roles in an industrializing, capitalist society (Ravitch, 2002). Although Reconstruction-era reforms established the legal possibility of education for Black students, the purpose and scope of that education remained tightly controlled by white interests,

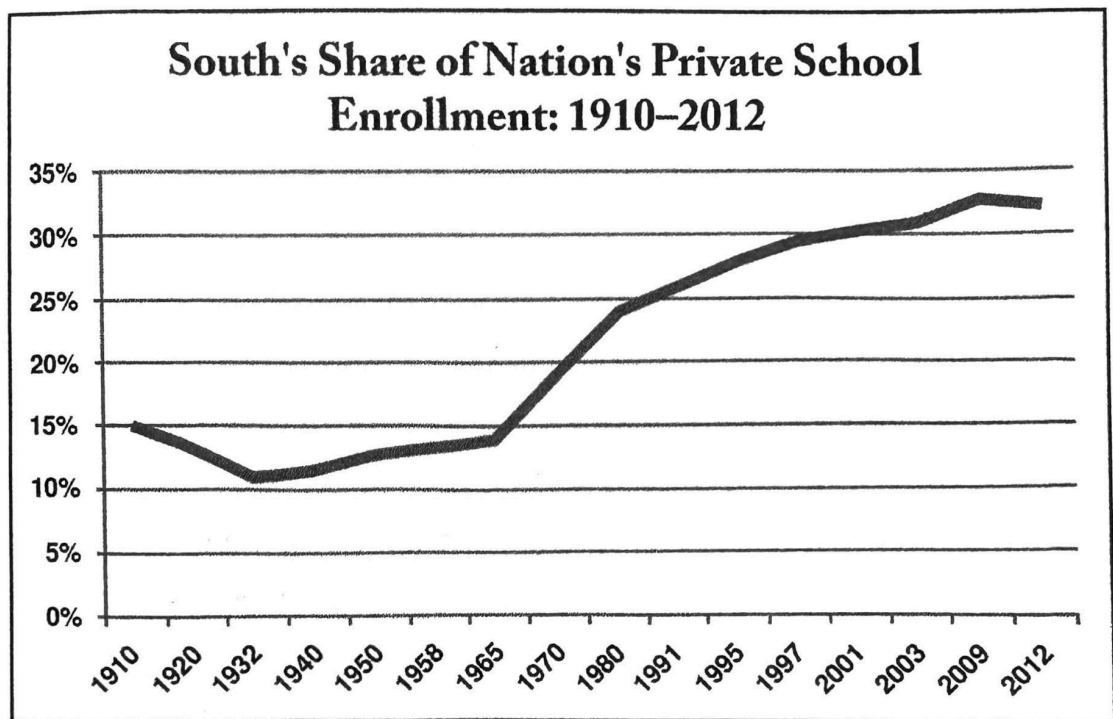
setting the stage for later policy regimes that similarly frame school choice as expansion of opportunity while maintaining racial and economic inequities.

In the 20th century, schools continued to operate under “separate but equal” (*Plessy v. Ferguson*, 1896) conditions. Black schools continued to be under-resourced by public funds, and white schools continued to exclude Black students. Though, heading towards the mid-century, federal courts began to issue decisions challenging racial segregation in graduate and professional education, including *Missouri ex rel. Gaines v. Canada*¹⁹ (1938), *Sweatt v. Painter*²⁰ (1950), and *McLaurin v. Oklahoma State Regents*²¹ (1950). As this occurred, the geography shifted creating new suburbs outside of the more densely populated and racially diverse cities, shaped by racist housing covenants and home loan practices that established racial redlining, creating more homogenous white communities in favorable locations (cite). As white flight into the suburbs contributed to increased racial segregation geographically, the terrain of K-12 schooling increasingly became a site where private schooling and enrollment patterns for white students were reorganized along racial lines in anticipation of desegregation mandates (Suits, 2020). For example, from 1950 to 1965 the U.S. private school enrollment rate rapidly grew and “whites in record numbers fled to traditional and newly formed private schools,” (Suits, 2020, p. 12). The increased enrollment in private schools during the 1900s is depicted below (Suits, 2020, p. 65).

¹⁹ *Missouri ex rel. Gaines v. Canada* ruled that states are required to provide equal in-state legal education for Black students and cannot send them out of state (*Missouri ex rel. Gaines v. Canada*, 305 U.S. 337 (1938)).

²⁰ *Sweatt v. Painter* established that separate law schools are inherently unequal and introduces differences in access to networking and impacts to reputation (*Sweatt v. Painter*, 339 U.S. 629 (1950)).

²¹ *McLaurin v. Oklahoma State Regents* ruled that segregation within a graduate institution (i.e. separate seating) violates Equal Protection (*McLaurin v. Oklahoma State Regents*, 339 U.S. 637 (1950)).



South's Share of Nation's Private School Enrollment, 1910–2012. Graph by the author based on computations of available U.S. Census data, 1910–2012.

Figure 02. South's Share of Nation's Private School Enrollment: 1910-2012 (Suitts, 2020, p. 65).

School choice has continued to be appropriated by whiteness, morphing from what was an educational survival tactic for formerly enslaved Black people post Civil War where their only option for school was to create their own system *outside* of the public school system. In the mid-century, when national interests were activating to repeal segregationist policy, segregationists had already been lobbying and forming coalitions, and passing legislation to “authorize vouchers and other means of transferring public assets and monies to private schools,” (Suitts, 2020, p. 12).

Returning to *Brown v. Board of Education* (1954) where the Supreme Court determined “separate by equal” schooling to be unconstitutional, which resulted in the closure of Black schools and placement of Black students into what had been exclusionary white public schools. The aftermath of *Brown v. Board* included the shutting down of Black led schools, the elimination of Black teacher and administrator positions at Black community schools (Bell, 2004; Tillman, 2004). This anti-Black violence operated to eliminate the Black initiated schools that were their only option, only then to force Black students to attend local public schools as their only option, meanwhile, private school options for white students were continuously expanding through school choice policy. As a reaction to the integration of Black students into white public schools spaces, white families resisted racial integration and lobbied for “establishment of state-sponsored voucher programs to enable white families to avoid desegregation mandates, and in Virginia, closure of public schools for several years (Lassiter & Davis, 1998),” (Douglass et al., 2025, p. 64). Following the Supreme Court’s ruling in 1954 into 1965 “Southern legislatures enacted as many as 450 laws and resolutions attempting to discredit, block, postpone, limit, or evade school desegregation,” (Suits, 2020, p. 13). One significant policy strategy was the inclusion of terms that permitted the “re-distribution of public resources, including school resources, to benefit private schools,” (Suits, 2020, p. 13). This strategy of diversion of public funds towards privatization centered on white-centric enrollment options continues today.

Southern states, in particular, continued enacting laws that authorized vouchers for private education and even allowed whites to close public schools through a local referendum (Suits, 2020, p. 15). Legislatures passed laws to “publicly fund vouchers for private schools and to transfer public school property to private educational organizations,” in many cases under the assertion that this was to promote “freedom of choice” for citizens regarding where their children will be educated (Suits, 2020, p. 15). Language with the policies often emphasized civil liberties such as freedom of choice and

maintained race-neutral language in discussion of private school vouchers or tax credits. The decade after *Brown v. Board* uniquely highlighted the strategic and insidious white interests in resisting racial segregation of public schools; this time resulted in plans from states that while not uniform, “incorporated strategies and language that have evolved and endured as the ways and means by which vouchers, school choice, and private schooling have escaped the stigma of their segregationist origins without losing much of the same purpose or effect,” (Suits, 2020, p. 17). The historical underpinnings of school choice legislation created a framework for present-day manifestations of school choice policy across federal, state, and local contexts.

Glossary: School Choice Language

Key terminology to note includes the distinction between intradistrict transfer and interdistrict transfer, as well as with different school types: magnet school, private school, charter school, and public school. It is critical to note the evolution of school choice language as well; where the historical context school choice relative to white families reflected their overt resistance to racial integration. Today, school choice policies are articulated through race-neutral language and an emphasis on parent choice, market competition and supposed educational excellence. Here I offer the working definitions that reflect my current understanding of each term as reflected in this dissertation, provided for transparency and clarity. These working definitions are adapted from the National Center for Education Statistics (2019).

- Public school: refers to a student’s enrollment in a free, public funded (i.e. federal, state, and local taxes provide funding) and publicly operated (i.e. district oversight by elected or appointed school board) school. Traditional public schools include all publicly funded schools other than public charter schools. Student eligibility for enrollment is typically determined by the student’s residence and the respective assignment boundary within the district.

- Private school: refers to a student’s enrollment in a school that is controlled by an individual or organization other than public agency, and are usually²² not supported primarily by public funds. Private schools operate through a combination of tuition, donations, endowments, and/or grants. Private schools²³ may be religiously affiliated, or may be nonsectarian.
- Charter school: Public charter schools are publicly funded schools that are typically governed by a group or organization under a legislative contract (or charter) with the state, district, or other authorized entity as determined by state charter law.
- Magnet school: a public elementary school, public secondary school, public elementary education center, public charters, or public secondary education center that offers a special curriculum capable of attracting substantial numbers of students of different racial backgrounds (Department of Education, 2018).
- Intradistrict transfer: refers to the transfer of enrollment within a public school district, usually from the neighborhood school a student is zoned to attend to another school through transfer process; intra refers to mobility of students within a district’s boundaries.
- Interdistrict transfer: refers to the transfer of enrollment from one public school district into another public school district; refers to mobility of students across district boundaries. Policies and practices vary by state and district.
- School voucher: refers to a type of tuition grant, sometimes referred to as a scholarship, where public funding is allocated on a per pupil basis and where the funds follow the student.

²² Federal law (ESSA) mandates that students eligible for particular federally funded services who opt to attend private schools are required to be provided with Equitable Services by the local education association, or district. This means that public school districts are required to include private school “set asides” within their formula grants for Title I, Title II, Title III, Title IV, and IDEA (Part B) and the public school must provide services to eligible students, even if they are not enrolled in public schools.

²³ There are many sub-types of private schools, generalized into five indicator groups determined by the Private School Universe Survey (PSS) which defines private school groups based upon religious orientation: (1) Catholic, (2) conservative Christian, (3) affiliated religious (i.e. schools affiliated with denominations other than Catholic or conservative Christian), (4) unaffiliated religion (i.e. schools that have a religious orientation or purpose but are not affiliated with any specific denomination), and (5) nonsectarian (i.e. school not religiously affiliated). The indicator groups for private schools are aligned with National Center for Education Statistics (NCES) use of the Private School Universe Survey (PSS) in the report on School Choice in the United States published in 2019.

With these terms established, I now examine how school choice policies manifest differently across federal, state, and local contexts morphing into shape according to the respective scale and scope of the policy context. These next sections will highlight federal policy landscape focused on national discourse reflected in executive orders, Supreme Court hearings, nationwide research publications, and regulatory guidance for federal funding; state policy landscape focused on how states interpret and operationalize free and public education through state agencies and mechanisms for compliance and granting authority; and finally, the local context where implementation of federal and state school choice policy converge and are operationalized in a unique local context.

Federal Policy Context

While the case study focuses on secondary choice school programs in the district context where intradistrict transfer is the primary lever for choice, the federal context looks outside of traditional public school systems introducing magnet schools, charter schools, and both secular and non-secular private schools. The federal policy landscape sets an agenda for federal funding, including formula and competitive grants, determining eligibility and compliance aspects, often through mandates connected to criteria for receiving federal funds.

Under the United States' current 2026 federal administration, school choice has been emphasized with parents rights coalitions and has been presented as an alternative to for the “many children do not thrive in their assigned, government-run K-12 school,” (The White House, 2025). On January 29, 2025, the current administration published *Executive Order 14191: Expanding Educational Freedom and Opportunity for Families* presenting a case arguing that “When our public education system fails such a large segment of society, it hinders our national competitiveness and devastates families and communities,” (The White House, 2025). Executive Order 14191 uses an appeal to neoliberal values like

individual choice, freedom, and competition in its presentation of education reform, framing “government run K-12 schools” where “children do not thrive” as a problem to be solved by school choice policy. Specifically, this executive order states that:

“For this reason, more than a dozen States have enacted universal K-12 scholarship programs, allowing families — rather than the government — to choose the best educational setting for their children. These States have highlighted the most promising avenue for education reform: educational choice for families and competition for residentially assigned, government-run public schools,” (The White House, 2025).

Like past iterations of school choice policy seeking to justify the disinvestment of public education through invocation of free market competition and privatization of education, this Executive Order attempts to persuade families that “Encouraging Educational Freedom” will also bring about the “Expanding Opportunities for Low-Income, Working Families” (Sec. 5), “Helping Military Families” (Sec. 6), and “Helping Children Eligible for Bureau of Indian Education (BIE) Schools” (Sec. 7). These provisions suggest that increased school choice will benefit historically othered and under-resourced communities. Yet, each provision specifically authorizes the diversion of public grant funds that would otherwise support the identified group towards voucher programs or competitive grants for school choice.

The tactic employed in Executive Order 14191 to promote an appearance of improving conditions or increasing investment of public funds towards the identified community is not new. On appearances, this policy may appeal to the larger public who agree with the notion of encouraging educational freedom and support the expansion of opportunities for low-income working families. Though, the Executive Order places conditions on how and to what degree support or help will be provided, stipulating these conditions through mandates embedded into competitive grants. One year after the Executive Order 14191 was released, the Department of Education (DOE) and Department of

Labor (DOL) have published federal grant opportunities, citing eligibility requirements and mandates for scopes of work for any grant funds that may not align with the interests or needs of the communities the grant or Executive Order claim to support. For example, DOE-DOL has published a competitive grant for States: Charter School Program Grants to State Entities 84.282A - DOL-OESE-33903 that would provide federal funding for expansion of charter schools. The funding criteria states:

Through CSP State Entity grants, the Department awards grants on a competitive basis to State entities that, in turn, award subgrants to eligible applicants for the purpose of opening new charter schools and replicating and expanding high-quality charter schools. This program provides financial assistance to State entities to support charter schools that serve elementary and secondary school students in States with a State statute specifically authorizing the establishment of charter schools. Charter schools receiving funds under this program may also serve students in early childhood education programs or post secondary students (U.S.

Department of Education, Office of Elementary and Secondary Education, 2026, Charter Schools Program).

Here, the federal government is funneling public tax dollars into the development of charter schools, using State Education Associations (SEAs) as the pass-through agency for monitoring federal funds. This increase in funding earmarked for the expansion of charter schools comes alongside another year of Congress flat funding federal K-12 Title I and IDEA grants (2026). Flat funding is often experienced as a decrease in revenue given inflationary factors; yet, the President's budget proposal would have cut this funding by more than two-thirds, in addition to eliminating Title II: Supporting Effective Instruction and Title III: English Language Acquisition funds (Center on Budget and Policy Priorities, 2026; U.S Congress, 2026). Thus, while substantial public funding for specific student populations are being threatened or eliminated, general funding for schooling options that replicate traditionalized schools is

being expanded. Here, a neoliberal normalizing strategy of consolidation²⁴ is applied to flatten and reduce public school funding.

Donald Trump is not the first U.S. President to leverage authority in favor of privatizing interests across public sectors; he follows a legacy of presidents who overtly or implicitly have contributed to the seemingly slow dismantling of public services through diversion of resources and imposition of accountability conditions. During his presidency, Donald Trump appointed two private sector business women to serve as the Department of Education Secretary. The first, Betsy DeVos, was “a wealthy donor to Republican causes and a leading advocate of public funding of religious private schools,” (Suitts, 2020, p. 4). As someone who is vaguely familiar with the World Wrestling Entertainment (WWE) , it came as a jump scare when I learned that Linda McMahon was selected as the Secretary of the Department of Education during Trump' s second term. Having obtained a Bachelor’s degree and a teaching certificate that was not reported as put to use inside of a classroom, she is charged with oversight for education in the United States. Notably, her biography states, “Thanks to her leadership, WWE created thousands of American jobs and sparked McMahon’s passion for Career and Technical Education (CTE). Throughout her career in business and advocacy, she has firmly held that skills-based career preparation is the backbone of the American economy and the path to the American Dream for every citizen,” (U.S. Department of Education, 2026). This pseudo-policy artifact, the public facing biography of the former WWE executive turned Department of Education Secretary, highlights a federal interest in viewing public schools as places for developing employable citizens, placing an emphasis only on “skills-based career preparation”, such as vocational education programs.

²⁴ Across states, all federal Title grants are compiled into one single formula grant application literally named the ESEA Consolidated Grant Application. This includes funding for the following programs, based on federally determined and state operationalized eligibility criteria: Title I, Part A: Closing Educational Achievement Gaps, Title I, Part C: Migrant Education Program, Title I, Part D: Institutional Education, Title II, Part A: Improving Teacher and Principal Quality, Title III, Part A: Multilingual Education Program, Title IV, Part A: Student Support and Academic Enrichment, Title V, Part B: Rural Education Initiative.

At the federal level, school choice policies have historically been advanced through legislation and initiatives that expand *alternatives* to traditional public schooling, including charter schools, magnet programs, and publicly funded private school options, positioning parent choice as a mechanism for improving education opportunity (Sikkink & Emerson, 2008; Rowe & Perry, 2021). Within this framing, inequity is framed as a lack of options available to families rather than a consequence of inequitable funding of schools, racially driven segregation patterns geographically and programmatically, or uneven distribution of resources across communities. Though, preceding the identification of school choice as a solution for inequitable schooling first comes a reframe of school choice; for example, “the popularity of school choice among urban policy makers has coincided with larger national education policy context that has shifted from a focus on equity and providing additional support and resources to underserved schools and districts to a focus on excellence and raising standards and test scores (Mc Guinn, 2006; Wells, 2010)” highlighting an insinuation that the problem in schools is not inequity or a lack of support, rather the problem is an absence of academic excellence and low test scores. This problem-reframe shifts efforts away from addressing inequity and redirects efforts towards a focus on standardized assessment defined excellence; this concentrated “discourse regarding concerns about student learning across the educational spectrum after the COVID-19 peak has inadvertently amplified and expanded,” (Douglass et al., 2025, p. 64).

Policy makers and systems-leaders alike will see this shift in school choice framing reflected in the language embedded in policies such as the reauthorization of the Elementary and Secondary Education Act (ESEA) through the *No Child Left Behind Act* (No Child Left Behind Act, 2001) passed by George W. Bush’s administration. The U.S. Department of Education published a guide for State and Local Implementation of the *No Child Left Behind Act: Volume VII - Title I School Choice and Supplemental Educational Services* that highlights how NCLB created an avenue for “parents of students in

low-performing Title I ²⁵schools transfer their child to a higher performing school or enroll their child in supplemental educational services,” (U.S. Department of Education, n.d., p. 1). In this federal policy context, Title I identified low performing schools as the problem; specifically, the problem is that these schools are “in need of improvement because they did not meet the state’s target for adequate yearly progress (AYP) for two consecutive years,” (p. 1). In response, NCLB mandates the districts provide parents the option to transfer their child to a higher performing school. This rests on an assumption that within a district there are other high performance school options available, and this fails to take into account the impact of declining enrollment at the Title I low performing school.

Within the evaluation, DOE reported on the implementation of NCLB across states and districts and found that only “a small proportion of eligible students actually participated in the choice option,” (p. 1). The report cited factors contributing to low participation in intra-district school choice transfers as being due to the “absence of school choice and supplemental educational services available, late notification of parents about the school choice option, communication problems with parents, and parents choosing not to participate,” (p. 1). Here, the report falsely implies that deficits of the district to properly notify or provide supplemental services are to blame for low engagement in the choice provision outlined in NCLB. Additionally, this report reflects deficit framing of parent engagement in their child’s education. This report also fails to acknowledge the resource gap that exists when it comes to districtwide financial support for intra-district transportation to other schools, the privilege of access to reliable transportation a requirement for school choice to be an actual option.

The report cites evidence from parents that a reason for not engaging in the school choice option was due to current satisfaction with their child’s school or convenient location. For an unreported demographic of parents in the study who did take advantage of the Title I choice transfer option, this

²⁵ Title I, Part A program was established in 1965 with the passage of ESEA and presently is a federal formula grant program titled “Closing Educational Achievement Gaps” (formerly referred to as “Improving the Academic Achievement of the Disadvantaged.”

report cites that “over 80% of such parents were satisfied with their decisions” and within that group, the most commonly cited reasons were related to perception of improved teacher quality and belief that the previous school was not meeting their child’s needs (p. 3). Beyond providing the transfer option, NCLB also required districts to offer and provide supplementary education services to students.

According to the NCLB evaluation report, this policy change had a significant impact on the rate of participation in supplemental education services by students and the rate of private supplemental services drastically increased (from 58% in 2003-04 to 76% in 2005-06) while the rate of supplemental services provided by public schools declined (from 34% in 2003-04 down to 13% in 2005-06), (U.S. Department of Education, n.d., p. 3). During a five year period from 2003 to 2008 the number of state-approved supplemental educational service providers nationwide more than tripled (from 1,024 to 3,050) and the largest increase was for private providers (U.S. Department of Education, n.d., p. 3). The NCLB evaluation report found that in May 2008, 88% of all state-approved providers were private providers, reflecting a 28% increase in five years. During this time, privatized educational services providers grew in their state-approved backing and benefitted from contracts with districts through NCLB requirements that forced districts to quickly implement new models of supplemental education services, most of which this study reports were contracted out. In this same five year span following the passage of NCLB, the percentage of supplemental educational services provided by school districts or schools declined 22% from 32% in 2003 to only 10% in 2008.

In a two year period from 2003-04 to 2005-06 federal Title I supplemental educational services doubled in expenditures with approximately \$375 million spent in 2005-06; DOE reports that this percentage of expenditure is proportionate to the increased number of student participates eligible for Title I services (U.S. Department of Education, n.d., p. 4). Put plainly, a stark increase in qualifications for students qualifying for Title I services directly resulted in increased investment in privatized

supplemental education services. In this sense, NCLB positioned Title I, “low performing” schools as the problem to solve via (1) provisions for intra-district transfer and (2) mandated supplementary education services to eligible students. The NCLB evaluation report does not directly provide information regarding the impact on student academic performance; rather, the report indicates that following NCLB there was an increase in the number of eligible students for Title I services. There is existing research that also correlates NCLB policy era to significant increases in investment in standardized assessments (Au, 2016; Love, 2023), as well as a shift towards standardizing processes (i.e. development of Common Core State Standards, implementation of Standards Based Instruction and Grading policies, expansion of curriculum frameworks such as Universal Design for Learning).

Federal school choice policy operates by establishing particular neoliberal ideological framing and creating fiscal conditions that position school choice as a solution for addressing low educational achievement at under performing schools. At this same time, federal policy simultaneously expands pathways for privatization of services supported by formula grants, accountability mandates, and requirements for supplemental services²⁶. However, while priorities are set at the federal level, the enactment of these policies lives with states; these school choice federal policy mandates are mediated through state policy contexts, where federal funding streams and regulatory requirements are translated into state legislation, allocation formulas, and compliance monitoring structures that govern how school choice and all of its provisions operate in practice statewide across districts. It is at the state level that the neoliberal ideals of choice, competition, accountability, and increased surveillance are operationalized into systems of school authorization, enrollment and transfer policies, and resource distribution.

²⁶ Though, a supplementary service is no longer supplementary once it's been mandated, no? Ask me about “Supplement versus Supplant” and my new knowledge from going through an entire federal Title programs audit with the State Auditor’s Office (SAO) will be put to use.

State Policy Context

At the state level where there is increased oversight on the general education program than at the federal level, and as *states* are charged with providing a free and public education (*San Antonio Independent School District v. Rodriguez*²⁷, 411 U.S. 1, 1973; *Plyer v. Doe*, 457 U.S. 202, 1982²⁸), the policy context operationalizes federal mandates through reporting like a state accountability plan or through serving as a pass-through agency for federal grant funds. States also have more impact on local controls and processes for authorizing accreditation of non-public schools, including private schools, as well as determining authorizations for charter school operations.

State policy on school choice varies greatly, yet there are key correlations that have been drawn to highlight impacts of state legislation on private and charter school enrollment for students, notably that school choice policy has resulted in increased racial segregation of students within public schools, and also across the private, charter, and public school systems (Sinkkink & Emerson, 2008; Houston & Henig, 2023; Carlson et al., 2025).

The Office of the Superintendent of Instruction (OSPI) in Washington state is the primary agency overseeing K-12 education and is charged with providing oversight to districts, managing funding for both federal and state allocations, developing learning standards, developing and implementing education policy with the state legislature, which includes providing annual reports. OSPI is the primary organization providing state guidance for how districts operate in accordance, including in regards to school choice procedures. Districts in Washington are required to operate in alignment to the Learning by Choice: Student Enrollment Options in Washington (Washington OSPI, 2014) guidance, which comes

²⁷ In 1973, the Supreme Court case *San Antonio Independent School District v. Rodriguez* ruled that the responsibility to provide a system of free public education comes from state constitutions, not the federal law. This case outlined the role of state governments in providing citizens a free public education.

²⁸ In 1982, the Supreme Court case *Plyer v. Doe* ruled that states cannot deny free public education based on immigration status. This case builds upon the Equal Protection Clause within the 14th Amendment.

as a response to the 1990 *Learning by Choice* law passed in Washington state (Washington State Legislature, 2024). According to OSPI, there are three major components to this law:

1. Family Choice allows parents to select which public school(s) their children will attend, within certain limitations;
2. Running Start permits students in 11th and 12th grade to enroll in courses or programs in a community or technical college, as well as selected public universities and tribal colleges, without paying tuition; and
3. Seventh and eighth grade choice gives students in those grades credits for completing high school courses (WA OSPI, 2014, p.1).

Beyond these components, OSPI provides guidance for how Washington school districts are required to implement practices outlined in the 2001 No Child Left Behind Act (NCLB) that “created additional enrollment options for students who are in low-performing schools or whose schools are considered ‘persistently dangerous,’” (WA OSPI, 2014, p. 1). While the state established provisions to govern and provide oversight to district enrollment practices in alignment to federal policy, Washington also passed a Washington Administrative Code (WAC) titled “Local Option Exceptions to Uniform Entry Qualification” (WAC 392-335-025).

This WAC allows districts to “adopt regulations that provide for individual exceptions to the uniform entry qualifications established by this chapter. Such regulations shall provide for a screening process and/or instrument(s) which measure the ability or the need, or both, of an individual student to succeed in earlier entry,” (Washington Administrative Code [WAC] 392-335-025, 2006). Here, the state defers specific enrollment processes and oversight to local districts, providing districts with local control to determine the screening and placement process used for assigning a student into a school via intradistrict transfer.

In 2023, Washington state Governor Inslee joined with the Navigate School Choice Network and issued a proclamation that January 22-28 would be recognized as “School Choice Week in Washington,” (National School Choice Week, 2023). While a proclamation in this sense is largely symbolic, this indicated an alignment with state government and the private entity now named Navigate School Choice which is a 501(c)(3) nonprofit organization and states its mission:

“improve K-12 education in the United States, and to support the success of America’s children, by raising broad and equal awareness of the traditional public, public charter, public magnet, private, online, microschool, and home education options available for children and families,” (National School Choice Awareness Foundation, n.d.).

At the state level, a neoliberal logic that suggests school choice is a viable solution for addressing inequity in schools is operationalized through policies for open enrollment, provisions for inter-district transfer, policies enacting multiple graduation pathway options, and funding structures that allow dollars to follow student enrollment (i.e. “Equitable Student Weighted” funding). Such state level policies institutionalize student mobility as a primary strategy for addressing inequities and low performing academic achievement, positioning movement between schools rather than the transformation of school conditions as the central solution. Across each of these Policy and policy contexts, the framing of the problem shifts away from interrogating how and why schools are inequitable in the first place and instead centers the expansion of choice as the primary solution, ultimately normalizing anti-Blackness within public schools and classrooms through uninterrogated maintenance of the general education classrooms and expansion of choice schools that reinforce racially segregated learning environments.

Local Policy Context

This case study vignette examines a public school district’s implementation of school choice practices; and, “although charter schools and vouchers attract much of the academic, media, and

political attention, many districts use intradistrict transfer policies to incorporate principles of choice into their practices,” (Phillips et al., 2012, p. 264). At the local district level, these school choice policy logics are translated into *intra*-district choice processes where families select among specialized programs, often under conditions where information, transportation, and access to enrollment processes are unevenly distributed, even when initiatives are aimed at addressing inequity and speak to values of community partnership and parent engagement.

At the local level, school districts are charged with implementing practices and crafting district specific policies in alignment to state and federal laws. In regards to school choice processes, state level guidance exists to provide oversight for student mobility across district boundaries, and often granting additional authority to districts, governed by locally elected school boards, to craft school choice policies and enact their own enrollment and transfer processes. In regards to intra-district transfer in a local district represented by the vignette, students have entry points for accessing choice school programs in lieu of attending their designated neighborhood school.

In the case of a new, smaller, alternative school in a mid-sized district that is experiencing slow enrollment decline, secondary school leaders are positioned to recruit students to enroll in their school. With greater enrollment comes increased funding and a semblance of stability. Even within a public school district, declining enrollment at a particular choice school invokes the “micropolitics of market regimes [where] education intersects with race and class as urban principals negotiate the gentrification of their neighborhoods and schools,” (Douglass et al., 2025, p. 37). For example, a choice school in a district with a per pupil funding model is competing with other schools in the district for student enrollment into their program, and the school is granted with latitude to determine transfer acceptance rates. This intra-district competition for student enrollment is not always between a comprehensive school and a choice or alternative school, it is often choice schools competing with other choice schools,

continually renegotiating their "student profile" and recruitment plan, family communication strategies, and instructional model to curate their student enrollment.

The level of discretion provided to local districts for oversight into intradistrict transfer processes creates structural opportunities for bias to be built into the application and enrollment process. In districts with a per pupil funding model, conditions are set to institute competition across school sites; "In a market regime that commodifies parents and students, principals often encounter pressure to recruit these middle-class parents and the resources they bring," (Douglass et al., 2025, p. 37) often resulting in enrollment practices that favor more historically resourced, white students while limiting equitable access for low income students and students of color through selective recruitment, counseling practices, program access, or informal gatekeeping (McGhee & Anderson, 2019; Posey-Maddox, 2014)" (Douglass et al., 2025, p. 37). The trends in student enrollment across choice or alternative school sites via intradistrict transfer highlight how neighborhood comprehensive high schools or re-engagement alternative schools have higher rates of students who qualify for language learning services or who are Black, American Indian/Alaskan Native, or Latino according to OSPI report card enrollment trend data.

The following figures reflect enrollment trends disaggregated by demographics as reported by local districts to OSPI through the monthly P223 enrollment report. The logic behind the school cluster groupings is as such: (1) comprehensive high schools reflect the neighborhood school a student attends, (2) choice schools represent the smaller schools that students can request intra-district transfer in for enrollment, and (3) alternative or re-engagement schools represent the schools that students may request transfer to, but more often it is a result of a referral by their home (comprehensive) school. The data used to construct these figures is published by OSPI's Data Portal and includes student enrollment

information based on federally reported racial demographics, IEP status, ELL status, and FRPL status. This explores a trend from the 2015-16 school year through 2024-25 school year.

Below, Figure 03. Racial/Ethnic Enrollment Trends by Student Group show the percentage of student enrollment by federally-recognized race category across a span of eight years at each of the different school groups. The groups reflect trends in student enrollment as organized by comprehensive high school, choice schools, and alternative/re-engagement schools. The comprehensive, or neighborhood school, is the default school of enrollment for students; across eight years the proportion of Latino students has increased, meanwhile the proportion of white students has decreased. At choice schools where families must request intra-district transfer and navigate the bureaucracy of an enrollment process or lottery, white students represented over 50% of the enrollment; this is over 20% *higher* than that of the percentage of white students enrolled at their comprehensive high school in the same 2015-16 school year. Over six years this proportion decreased, yet, there is still an overrepresentation of white students enrolled at choice schools than comprehensive high schools. Alternative/re-engagement schools typically enroll students who are considered 'off track' for graduation or who were referred to the re-engagement school by their originating neighborhood school. There is an overrepresentation of Latino and Black students enrolled in the alternative/re-engagement schools as compared to the comprehensive neighborhood schools. Figure 04. Student Indicator Enrollment Trends by School Group shows the proportion of enrollment for students based upon their English Language Development status²⁹, qualification for special education services, or Title 1 low-income status. Overall, choice schools serve a smaller portion of students designated as low-income or as English Language Learners. Figure 05. Racial Enrollment Trends by School Group shows another look at the same

²⁹ ELD status as reflected by WIDA or ACCESS for ELL standardized English assessment test.

information as Figure 03. but is reorganized to show enrollment trends across each school grouping for each student racial demographic.

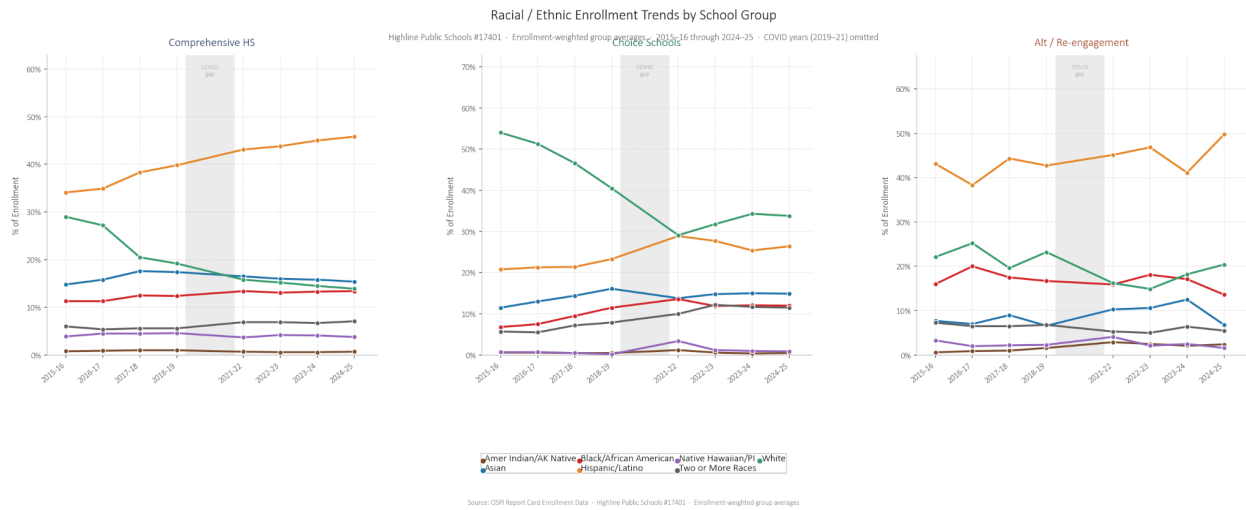


Figure 03. Racial Enrollment Trends by School Group

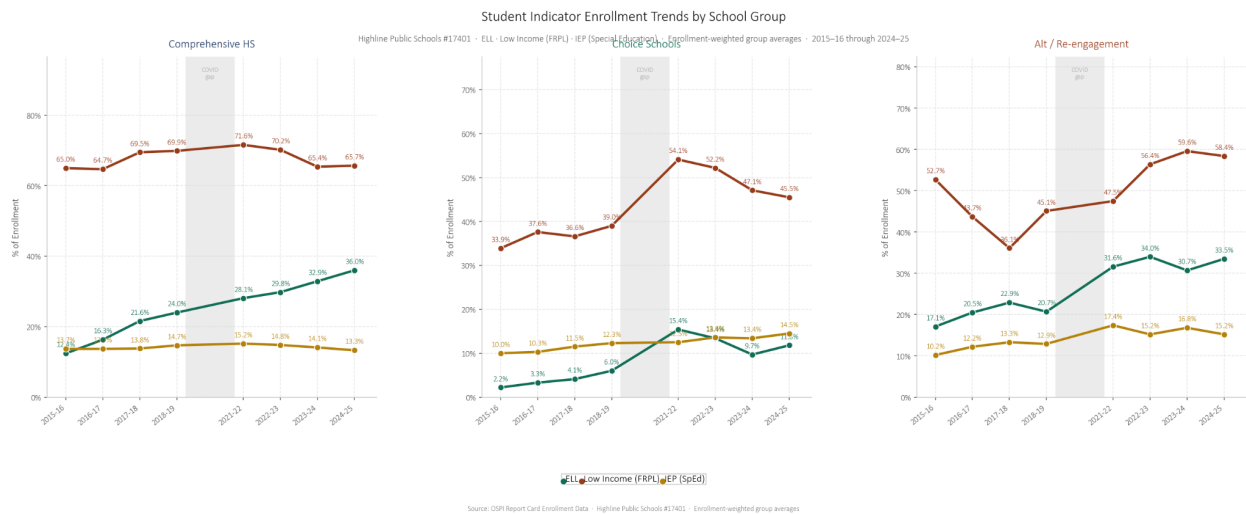


Figure 04. Student Indicator Enrollment Trends by School Group



Figure 05. Racial Enrollment Trends by School Group

While these figures reflect the limitations of federally reported demographic categories that fail to authentically represent the intersections of a student across lines of race, dis/ability, language, or socio-economic status, these figures *do* certainly tell a story. These lines trace the edges of public transit routes, carpools, bike rides, and McKinney-Vento³⁰ funded school buses that students travel to attend school. For those students *not* attending a comprehensive high school, we can infer that some sort of action occurred to complete an intra-district transfer - either on the request of the student and their family, or by recommendation of school personnel. A limitation of current state and local data systems is understanding student mobility within a school district; these figures are not telling the full story, but they do prompt systems-leaders to reconsider the paperwork, protocols, justifications, and enrollment caps that create the environment of presumed access to school of choice.

³⁰ “The McKinney-Vento Homeless Assistance Act authorizes the federal Education for Homeless Children and Youth (EHCY) Program and is the primary piece of federal legislation related to the education of children and youth experiencing homelessness. It was reauthorized in December 2015 by Title IX, Part A, of the Every Student Succeeds Act (ESSA),” (National Center for Homeless Education). I’ll add that while providing services outlined by Title IX, Part A is required, states and districts are insufficiently resourced to actually provide these services.

Synthesis Across Policy Contexts: School "Choice"

There are many competing interests across public and private institutions to seemingly solve the inequities of the school system in the U.S. today. School choice has been presented by lobbyists and policy actors, often operating a fair distance from actual public schools, as a response to inequitable access and a response to "failing schools", where providing parents with a choice for which school their student will attend is painted as an equity strategy that ensures each student is receiving the specialized support they need in order to access learning and receive an education. This framing of school choice is deeply embedded in a broader neoliberal policy context that positions competition, efficiency, and market-based mechanisms (i.e. per pupil allocations in funding) as the primary means of addressing educational inequity. Within this representation of school choice, schools are conceptualized not only as public institutions that are democratically accessible and governed, but also presented as individual sites that must attract and retain students in order to secure funding and remain viable. Threats to close certain public schools due to "low performance" or "low enrollment" are often first preceded by structural underresourcing and imposition of accountability metrics that continually revise the target(s) a school needs to meet. This is a dehumanizing process that commodifies students, equating them to a per pupil allocation that is weighted at the ratio of full time enrollment (FTE). In this funding model context, enrollment becomes an economic and also reputational measure of school success, and families are positioned as consumers navigating a landscape of seemingly differentiated "school options." Though, what is ignored are the ways that "choices for low-income parents of color are constrained," (Douglass et al., 2025, p. 65).

David Theo Goldberg writes about manifestations of racial neoliberalism, and specifically writes about preference and choice as related to school choice. Goldberg argues that "private (school) preference expression is leading to the resegregation of public schools in the U.S. today" and is

supported in argument by a number of studies, including a “Civil Rights Project study under the direction of Gary Orfield [which] shows that as white families are aging, the number of black and Latino children are spiraling. Tied to municipal residential segregation, black and brown children are increasingly isolated in impoverished public schools,” (Goldberg, 2009, p. 78). Clearly stated, school choice policies are enacted as technologies of racial violence where the primary function is to maintain the racial segregation of schools at the behest of white interests; school choice policies accomplish this through many avenues, including the diversion of public school funds towards private interests. Specifically, school choice policies and practices continue to operate within an anti-Black residential segregated schooling model, as illustrated by district disaggregated enrollment patterns. School choice remains a fallacy and a false option; a real choice for white and resourced families, and nothing more than hollow virtue-signaling for most families of color and low income communities.

Findings Across Both Case Studies

As a systems-level leader myself, I find myself interpreting Policy and enacting policy *daily* whether doing so very consciously, or through the complicitness that I find myself engulfed in within a school system. Within this section, I offer my synthesis of findings across these two case studies to examine how change processes reflect dynamics of interest convergence and to highlight what these patterns reveal about the possibilities and limitations of P/policies framed as addressing inequities within school systems.

Across both political contexts of Special Education as inclusive education and school choice, reforms framed as equity-driven efforts *seem* to advance because they align with the white dominant institutional interests, illustrating interest convergence. For example, both inclusive education and school choice policies are framed as solutions to a perceived lack of access for individual learning needs in the current environment. This is rather ironic, as these two cases play out in opposite manners: inclusive

education is framed as a solution for students with disabilities (SWD) who need access to the general education classroom to learn alongside grade-level peers, where instructional minutes in general education are success measures. In the case of school choice, there is a deviation away from the comprehensive school environment and access to choice schools disproportionately favors students who are not language learners or who are white, whereas alternative and comprehensive school contexts are composed of larger proportions of students designated as language learners and students who are Latino, as shown in the district case example. The effect here is that choice schools are, as a whole, more often composed of students who are white, are not identified as FRPL-qualifying, or designated as language learners.

The connective tissue across both cases that differently frame access to a learning environment are the neoliberal, market-based interests that drive pressures of efficiency and promote race-neutral practices that are inherently anti-Black. Inclusive education reduces the financial cost of specialized services and aligns with seemingly objective LRE metrics; and, school choice processes introduce competition and redistribute resources across a system where smaller choice programs are both more richly staffed and more likely to serve a student group that is more homogenous and less comparable than the overall racial diversity of the larger district. Inclusive education operates under the assumption that traditional schools work and that students with a special education designation should and can be educated in the general education classroom where certain conditions of support are somehow met and sustained. In contrast, school choice operates under the assumption that traditional schools do not work to serve all students; choice schools then function to create spaces outside of the traditional comprehensive general education program. Thus, in theory, these arguments combine to state that traditionalized public school classrooms should educate all students without options, while choice schools should educate only those students who have access. Inclusive education and school choice

together in practice combine to maintain racially segregated schools, especially with overrepresentation of Black and Native students into special education.

In addition, these cases highlight just how race-neutral framing is not neutral, rather, it operates to mask how inequities are produced, which creates conditions for a system to operate through normalizing or consolidation processes. The use of language to make assumptions about student access or placement are predisposed to false objectivity, presuming that a Least Restrictive Environment can be codified, much less even provided. In addition, vague language espousing values of belongingness or inclusion fail to acknowledge who already is being othered or excluded. The assumption that a wholly inclusive environment can exist is an equivalent to race neutral anti-Blackness; there is an erasure of race, culture, language, dis/ability, and lived experiences across all compounding identity intersections. School choice policies and practices emphasize neoliberal values of presumed “choice”, “freedom”, “fit”, or “access”. A central pattern across both cases here is the reliance on race-neutral policy language, which reframes inequity as an issue of access, placement, or individual choice rather than a product of institutional racism and ableism. In both cases, inequity is not eliminated, but is reorganized; race-neutral frameworks obscure the mechanisms through which Black students continue to experience exclusions systemically.

Examining both case studies and vignettes from the perspective of a systems-leader prompts a stark reality check; while it may appear that districts and school staff are most proximal to students and would therefore appear to have the highest degree of control over the way policies are enacted, districts are deeply entrenched in institutional policy that structurally constrain the agency of an individual district. As illustrated across the telescoping from federal to state to local policy-practices, districts appear to be situated with what the state refers to as “local control” for implementation or operationalization of programs, districts are deeply limited by compliance factors and administrative

burdens due to accountability monitoring (i.e. SPP/APR), as well as by funding constraints and the chronic privatization of public services. While districts may seem to be positioned as key agents of implementation, their agency and scope of decision-making is shaped by these overlapping constraints that limit the scope of transformative change. In the case of inclusive education, districts are faced with increasing the percentage of time SWD spend in the general education setting despite chronic underfunding by federal and state agencies. With school choice, in order for a program to sustain itself and remain operative, the school must manage and maintain enrollment to continue sustaining its funding, or put plainly, schools commodify students by equating them with the percentage of Full Time Enrollment per-pupil funding that each student generates. In summary, local districts are not neutral implementers - they are mediators of policy and practice contradictions.

These findings indicate that change processes within both inclusive education and school choice policy context reflect dynamics of interest convergence where equity-oriented reforms are advanced in ways that align with and preserve anti-Black, dominant institutional and racial interests. These *supposed* reforms gain legitimacy for a number of reasons, not because they actually disrupt inequity, but because they can be implemented within existing systems of accountability, funding, and governance. Interest convergence as a predictable, structural, pattern-based condition of anti-Black racism offers a tangible lens for understanding the constraints and tendencies of supposed reform efforts across institutions. These findings highlight that meaningful progress towards systems change or educational equity of any kind requires a shift beyond race-neutral, market-oriented reforms towards approaches that explicitly confront the structural reproduction of racial inequity. Without a shift towards race-explicit analysis, policies seemingly aimed at producing more equitable outcomes through system change efforts will only continue to reproduce the anti-Black conditions and outcomes they claim to address.

So, what comes next?

As stated earlier, this CPA study was *not* an attempt to produce generalizable or predictive claims about racial equity initiatives across all school systems. Additionally, this project is not meant to evaluate the supposed success of any single district initiative, nor to prescribe a fixed model for implementation of racial equity initiatives.

Rather, this study examines how specific problems are framed, enacted, and experienced within their particular contexts at the federal, state, and local levels, ultimately highlighting how these problems might be intentionally misframed across a broader scope. Critical race theory acknowledges the permanence of anti-Black racism across institutions; and, interest convergence illustrates how interlocking systems of oppression work together to undermine efforts that appear to improve conditions for Black folks, by redirecting power towards the maintenance of whiteness. Understanding this reality is crucial for systems-leaders who espouse anti-racist values and seek to disrupt institutional racism through seemingly well-intended strategies or initiatives. And yet, we must understand that our efforts to center Black students and families in schools would require approaches *beyond* schooling at the local, state, and federal level. That said, systems-leaders should be directing their attention towards the disruption of race evasiveness and denial of anti-Black racism in our institutions, schools, and classrooms.

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