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Troubling Sanctuary: Excavating the Moral and Educational Wreckage of the Charter School Movement

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Abstract

The Mountain English Spanish Academy (MESA), a dual language middle school was chartered and housed in one of the elementary schools in the local public school district. Serving predominantly Latino/a and Native American youth, the school was developed to meet the needs of bilingual and bicultural youth. However, with the advent of English-only laws and the erosion of dual language programs, the focus of the school shifted to meet the needs of a different group of students. In 2009, the school was evicted from the elementary school and ties between the school and the district were severed at the mutual request of both parties. What decisions and mechanisms precipitated this decision? What does it mean to be expelled from the larger public domain? What does the future of the charter school movement hold?

Keywords*: Neoliberalism, youth leadership, Agamben, charter gentrification, exclusion.*

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Introduction

The story of The Mountain English Spanish Academy (MESA) surfaces the broader questions of the charter school movement and the "milieu" of public education today (Mills, 1959). Can public schools continue to serve as sites of educational promise? Is exclusion from public education a broken liberal promise or is this the current "state of exception?" (Agamben, 2003) Utilizing stories from one charter school as jumping off points to examine these mechanisms and the parallels to the broader charter school movement as well as my particular journey as a scholar activist, how can these stories help to locate the work of engaged scholars within the context of a "sociological imagination?" (Mills, 1959) How does the promise of public education become situated within a broader historical issue of the exclusion of young people, particularly working-class people of color through school choice discourses, and ruthless neoliberalism?

Drawing on Mills' contribution to engaged social science and Giorgio Agamben's work, as it applies "a spatial theory of power" to the charter school movement, this narrative offers a story of how a particular charter middle school was both a space of sanctuary and a space of exclusion and the much more complicated stories we tell about the work we do. (Ek, 2006, p. 364) This paper frames the notion of sanctuary through the anecdotal and archival study of the creation, alteration, and closure of a dual language charter school serving predominantly Latino/a youth in grades 6-8 and the political economy under which the charter school movement has flourished. Simultaneously, the narrative provides an accounting of the development over the course of my young career of the questions/ felt needs/ personal troubles and the ways in which my thinking developed and deepened. I organize this narrative around three main themes drawing on Giorgio Agamben's work – school as sanctuary, school as state of exception, and school as camp. I have emphasized the details of this organizational work as an example of situated scholarship where praxis cannot be a slogan. Many activist-scholars have their own stories to tell, and those of us who

attempt this complicated work stand on broad shoulders of those we have learned from. I hope this example is one from which new scholar organizers and activists may benefit. That is the reason I have included some background on my personal experience forming a consciousness and skills that could be sufficient to do responsible work. You each, especially new scholars, are on your own trajectory.

As the recent past blends into the current critical crisis and resistance wrought by the George Floyd Movement here, and internationally, I recall something important. When I first arrived in Flagstaff in 2006 to begin my new career as a university professor, a young man, Kyle Garcia, was shot and killed by law enforcement involved in a gang task force. Law enforcement started following Mr. Garcia because they did not recognize his car and the music playing was too loud. After pursuing Mr. Garcia, police shot and killed Mr. Garcia leaving his body on the ground for hours. Mr. Garcia had been struggling with methamphetamines, but this shootout led to important conversations to repair and heal the relationships between the neighborhood residents and the Flagstaff Police Department. Coral Evans, director of the Sunnyside Neighborhood Association and now our current mayor, brokered many of these meetings to try to heal these wounds.

The raw persistence of radical exclusion, police and state violence, now brewing with the social and biological sickness in the Arizona air, these are in the air as I write. Wherever you are as a reader, considering your own dimensions of scholar activism, you too will be emerged in the overlapping responsibilities that come with democracy and education, where it is a lived experience. It is a powerful mix of responsibilities; and promises to guard the highest principles of honesty and ethics, while facing power that is not always honest, nor ethical. I appreciate this opportunity to share the detail here, in the sure knowledge that the generalizability of our social science research ideal is met fully. I have confidence surely that you might share the "melody" of this work, at your sites, and where there is no exact unison, perhaps the "harmony."

School Context

The Killip Dual Language Middle School (KDLMS) was originally chartered through the Flagstaff Unified School District (FUSD) for the 2002-2003 school year. KDLMS was the only school chartered under the Flagstaff Unified School District (FUSD) Charter School Board, Inc. even though the original idea was to charter more schools. KDLMS changed its name to the Mountain English Spanish Academy (MESA) and was capped at 80 students due to space constraints. Over the nine years, MESA served between 24 to 48 students each year in grades 6-8 and operated in one of the local elementary schools – Killip Elementary School. During the first six years, MESA operated with significant financial and staff support from the district. Since the school was originally envisioned to extend the dual language program at Killip to the middle school grades, most of the students were Latino/a.

Over the years, the school shifted its mission and its demographic to include more Native American youth due to the changing context of English-only instruction and the need to provide English Language Learners with four hours of daily instruction in English (e.g. reading, writing, listening, and speaking). In the Fall of 2007, the FUSD Charter School Board Inc. governing board asked the Executive Director to research options regarding the school's future; these options included closing the school, merging into FUSD, creating a new school board and shifting the school's charter to the state, or keep the school open under the current status (Letter from Executive Director/ Authorized Signer, March 5, 2008).

In these early days of the Charter School movement, many progressive educators had hopes that chartering could loosen the tight grip of school district bureaucracy. The offered the promise that new locally controlled community school models could also, through competitive pressure, force the public elementary and comprehensive high schools to seek innovative learning environments; less standardized, more creative, indeed, more democratic. This is not the space to chronicle how the Charter movement deteriorated, becoming a mirror of the restoration of class privilege that it is today.

The libertarian winds, and the storms of unjust exclusion and neoliberal privilege came early to Arizona. As part of what Michael Apple termed the "great restoration" of white and class privilege that occurred the Reagan/Thatcher "revolution." We were the bellwether state for experiments in privatization, English language privilege. In the Summer of 2008, the MESA charter school was evicted from the elementary school and the FUSD Charter School Board governing board voted to close the school in a decision that was later overturned. As a result of the eviction and other tensions that had arisen between the elementary school, the district, the charter school, and the different personalities, MESA moved to a new location and all ties with the district were severed at the request of both parties. Over the course of the final three years, the governing board pursued several different ideas including alternative status, expeditionary learning frameworks, and an application for a School Improvement Grant (SIG). Having not received SIG grant and having faced considerable challenges in enrollment and staffing – high turnover of teachers and not having a principal, the MESA school board voted to close the school during the Summer of 2011.

Let me start with a brief overview of my role in the school and school board for the charter school I will use for the discussion. When I first interviewed at Northern Arizona University (NAU) in March 2006, I had the opportunity to observe a Friday partnership where students from a middle charter school visited the university and participated in educational activities with pre-service teachers. In the Summer of 2006, I was hired by NAU and began volunteering at MESA in various capacities at the school including working with teachers to create a curriculum framework and starting an afterschool program called Sunnyside Neighborhood Artists & Poets (SNAP). As a volunteer, I also shared ideas and concerns with the school board, the principal, the teachers, and the executive director. Some of the members of the board or the executive director did not always welcome concerns about safety and the lack of a lunch program, but this led to my getting more involved with the school.

For this paper I want to include a bit about my personal "trajectory" of growth and transformation; experiences that I believe all activist scholars should consider. For the development of the ability to "feel" and to emotionally as well

as intellectually consolidate one's position and positionality, is central to maintaining the energy to keep going when activist research, legitimate praxis, gets tough. And in my experience, it always does!

When I came to Arizona, experience I got as a Doctoral student and student activist in Alabama had prompted me to consider the relationship between schools and the communities in which they exist. The context of racism and exclusion there and the work to confront it was like another university for me. All the questions, "What are the effects of segregation?""How do the political economies shape the schooling process?""How can we effectively advocate for greater integration of students and particularly how do we envision this within the context of highly racialized and spatialized contexts?" And finally, "can working with communities shape how we make sense of schools?" These sharpened my skills and ability to engage in a very different political economic and social context.

This exercise of memory is one that can be so useful as young scholar activists venture ahead in their own countries, and communities. To return to the story: when the school was evicted from the local elementary school where it was housed in the Summer of 2008, I worked with the existing staff, families, and students to move the school. During these three years (2008-2011), the school did not always have a principal or a full teaching staff, which led to my serving as de facto principal, substitute teacher, and coordinator of afterschool programs. In the Fall of 2008, I joined two NAU colleagues and two community members on the governing board and served as the president from the Fall of 2009 until the dissolution of the school.

School as Sanctuary

Charter schools occupy a powerful space in the social imaginary of the United States. By situating the charter school movement within the broader context of school choice, charter schools are envisioned as sites of freedom from bureaucracy and as sites of innovation. Framed within this leitmotif of opportunity, proponents have profound faith in the promise of charter schools believing these schools will "revolutionize the public school system," "solve the

issues of equity and accountability," "inspire new levels of family and community involvement," "reinvigorate teachers, improve the level of quality of teaching, and boost student academic achievement" (Cookson & Berger, 2004, p. 13). For many families, whose children attend "failing schools," charter schools offer a renewed hope and promise access to meaningful opportunities.

In a similar vein, I came to this experience with the hope and promise of creating a sense of community, a meaningful curriculum, and a place that would allow for robust democratic engagements grounded in social justice. During the course of MESA, I began to see parts of these promises emerge. Could schools serve to create these more egalitarian and democratic contexts? I began to see also how colleagues at aCollege of Education could work in solidarity to include students from a marginalized community into the life of the university.

The narrative of MESA coincided in so many ways with the emergence, development, and expansion of the charter school movement. More importantly, MESA helps to draw attention to how educational possibilities, particularly for working-class, Indigenous and immigrant, Communities of Color are constructed. This pedagogical excursion was an effort to counter the narrative of working class and immigrant aspirations, which always directed these kids to vocational, "hands on" curriculum. I/we worked to keep reinforcing that higher education and leadership in a democracy is the right of every child. A part of this story concerns the way a university community of like-minded educators, might work to realize and educational environment which manifested Dewey's "moral meaning of democracy."John Dewey understood democracy not only as an individual and social task but also as a moral commitment to human growth deeply related to education.(Striano, 2019) I became a part of a larger community that was facilitated by Carolyne White's vision of an organic notion of teaching, research and "service." As the Department chair in Curriculum and Instruction, among other new faculty coming in with social justice activist commitments, she facilitated the hiring of Jim Manley, a nationally recognized primary school teacher with deep social, environmental, and democratic commitments.

Jim, and others who came as new faculty, worked decidedly "against the grain" in Arizona, which was shaping up to be the "poster child" for neoliberal,

libertarian, reactionary state education policy. Jim did his ground-breaking public school work during an era before the calamitous attacks on free, fair public education had taken their full shape with the cruelty, racism, and libertarian plunder of the public school ideal. (Manley, 2017) Along with his classroom teaching, Jim was a part of the group of educators who were working to serve the little Spanish-English bilingual program, when it was housed inside a local public school. He brought the MESA kids to the College of Education, for them to experience campus activities and life, as preparation for their own possible futures. Jim recalled how the College, like others across the country, in a different time, had been home to a Deweyan model lab school.

Guy Senese was a part of this developing community, and as a senior scholar in my new department helped mentor me when I arrived. He was also working with the students from MESA,and we formed a Philosopher's Club, where students could develop their thinking, intellectual confidence, and especially their "voice." Guy taught social and political philosophy of education in our department and used a Socratic method in his teaching. This impetus to involve young people in thinking about, and manifesting, democracy became an important driving force in most of my work, but some of this only become apparent when we stop to reflect on our work. I found this email from shortly after I arrived, Guy wrote:

> What is a Philosophers' Club?Picture a group of children gathered for a regular meeting to talk abouttheir thoughts and concepts of the world. They follow a method ofquestioning inspired by the philosopher Socrates. You've just imagined aPhilosophers' Club. In a nutshell, the Socratic method of discourse is away for children to seek and find insights and truths by their ownlights. Socrates believed that we only discover what we truly thinkabout something by engaging in constructive and empathetic discoursewith others.

This narrative also overlaps with the history of the ancient, complex notion of "sanctuary." Sanctuary becomes central to understanding the complex ways in which the charter school served as a safe haven for students by creating language and cultural bridges, information networks, and "protection" for youth through

afterschool spaces. As the school evolved into an alternative school after the elimination of the dual-language program and the eviction, many of the youth who had problems in the larger schools came looking for more personal connections and a smaller learning environment.

When we consider the idea of sanctuary, this can lead to discussions of sanctuary movements and possible religious connotations. Who is granted sanctuary and what material and ideological conditions and discourses govern the ways in which these individuals are made visible? Within the context of Central American migration in the 1980s, churches became sanctuaries for individuals facing deportation after fleeing their home countries suggesting a relationship between sanctuary and that which is sacred. Can sanctuary be withheld? Or violated? Within Agamben's formulation, however, I turn to the idea of the sacred as something that has been "set apart" or that which has been accursed or abandoned (Downey, 2009, p. 111), which I posit becomes the reality for working-class, Students of Color who inhabit charter schools.

The notion of sanctuary has been applied to educational and learning spaces that create environments for growth and reduce trauma (Antrop-Gonzalez, 2006, 2011; Bloom, 1995; McLaughlin, Irby, and Langman, 1994; Stanwood & Doolittle, 2004). By creating smaller learning environments and creating culturally responsive and historically grounded spaces, Rene Antrop-Gonzalez (2011) discusses how schools can serve as radical sanctuaries for Puerto Rican students in Chicago. In "This School Is My Sanctuary," Antrop-Gonzalez (2003) identifies the following attributes as relevant to sanctuary: 1) "fosters student-teacher caring relationships", 2) "provides a familial type environment to insure students are not marginalized" , 3) the necessity of psychologically and physically safe schools, and 4) "affirm students' racial/ethnic identities" by providing a forum in which students are encouraged to affirm their racial/ethnic pride (p. 243). With MESA, we had a chance to develop these caring student-teacher relationships.

In conversations with both school staff and university colleagues who were involved, the charter school – Mountain English Spanish Academy (MESA) – was framed within the language of possibility and the language of protection. In

1996, Killip, one of the local elementary schools in Flagstaff, had started a dual language program as the school increasingly served Latino/a students. By 2002, Killip staff saw a need to extend the dual language program into the middle school to ensure students could continue. Citing the Arizona Daily Sun article:

> Gutierrez said the district's proposal for adding a charter middle school stuck out as a creative solution for Killip to extend its dual language program, which teaches in English half the day and Spanish the other half. The program started five years ago with just kindergarten students and has added a grade level each school year.
>
> Killip staff have been searching for a way to continue the program for students past sixth grade, Gutierrez said.
>
> "The biggest reason why we're doing it is we saw a void for a dual language program continuing into the middle school and I didn't want to lose the students," he said (Rice, Feb. 25, 2002).

The founding charter formulated the purpose of the school in the following way:

> The mission of the Killip Dual Language Middle Charter School [later known as Mountain English Academy] is to provide all participants The Power of Two. The Power of Two is the ability to: Understand, speak, read, write and think in two languages; and Interact and communicate effectively in multicultural settings (Arizona School Report Card 2002-2003).

In this context, MESA was envisioned as providing students with cultural and linguistic tools to survive and thrive in a multicultural context.

Jim Manley was a colleague, and faculty member who developed a partnership between the College of Education and MESA and a strong advocate for the students, the school would be able to protect youth from many of the social realities impacting communities. Jim had been there during the early days of the Killip experiment and is a nationally recognized teacher. He had been the national Teacher of the Year, and was deeply committed to educational equality, and to

democratic pedagogy during his storied career. He would express concern about the high teenage pregnancy rates and high dropout rates – while suggesting the public schools did not welcome or support Latino/a families; this was manifested in the close relationship between the criminalization of Latino youth and the lack of translation during school activities geared towards families. He was a fearless advocate for children, in our College and in the community. He was not afraid to speak truth to bureaucrats who shifted with neoliberal winds in our schools, and our college.

Jim had been active in trying to persuade the College of Education to house MESA Through these conversations, board minutes, and my own recollections, I recall NAU not wanting to house MESA because of the liability. It is like much more possible that the presence of these children, these "others" was undesirable to administrators more responsive to the growing state and national displeasure with undocumented immigrants and their children, and the new policy movements banning Spanish language bilingual instruction. He would argue…What if we could not as a College of Education show results and demonstrate our ability to succeed with minoritized youth? What if these kids could feel welcome in the hallways of a space that had excluded their parents and families in the last generation?

For me (even though I did not get involved until 2006), the school could also provide youth with more relevant curricular and extracurricular experiences and an education grounded in critical consciousness (Freire, 1970). Over this first summer, I organized an independent study with two of the teachers at the school to design a curricular framework. We envisioned a curriculum that would allow us to connect more directly to knowledge within the communities we were serving. Below I include some of the formulation of this framework to highlight how we envisioned responding to the context in which the school existed in the community:

> As a community school, MESA aims to develop and/or restore balance but also to focus on the development of our community. Community is defined here as "a collection of people engaged in the common purpose of the betterment of the individual and society" (Romano and Glascock 2002,

> p. 128). Balance requires the nurturing of individual talents and leadership abilities as well as making positive institutional changes (e.g. high quality education for our students, the creation of safe spaces in the community, and the promotion of services that respond to the needs of community members)…..Education is the practice of social justice. Social justice requires raising significant social and personal issues as well as developing solutions to create positive social change. The curriculum should be rigorous and relevant to our students' lives and should contribute to the nurturing of caring and connectedness in our students and communities. Our work seeks to address real problems, provide real possibilities, and engage real audiences in meaningful dialogue. Young people can and should be provided the means to take responsibility for their learning and for contributing to the discussion about the good life – a life of dignity, of meaningful choice, and of civic engagement.
>
> Education is the naming of imbalances and the imagining of possibilities. We must be able to both "read the word and the world." Literacy moves beyond the critical analysis of texts to allow students to create new ideas through a "language of possibility" and to imagine new ways of being in the world. Our students must be able to understand the conditions that limit their opportunities and those that allow them to flourish. The arts, as a powerful form of literacy, provide a language to name these conditions, to envision other possibilities, and to create shared experiences and new forms of knowledge.

Arizona has the largest Native American population in the nation. And Northern Arizona has our largest Native Nation, the Dine' (Navajo) Nation. At MESA, the indigenous youth asked to form a Native American Club having felt somewhat isolated at the school and wanted to seek out ways to make their experiences more visible and to create spaces for solidarity. With my now life partner, we often tried to connect this work to supporting teacher candidates with students at the charter school. For an internal grant, we wrote:

> As an extension of an existing research project on youth leadership, this study focuses on Native pre-service teachers mentoring the development

> of Native youth leaders. The purpose of the study is twofold: 1) document ways in which Native pre-service teachers in a Bilingual-Multicultural Education course (BME 437) course draw upon their own cultural frameworks and Indigenous epistemologies or "ways of knowing," (Deloria & Wildcat, 2001; Lomawaima & McCarty, 2006; Manuelito, 2005; Smith, 2005) to pass on knowledge to Native students in the Mountain English Spanish Academy (MESA) in the Friday NAU MESA partnership; and 2) how the MESA Friday partnership informs the creation of a Native American Club at MESA open to all students and families in the Sunnyside community. The integration of Indigenous epistemologies, mentoring relationships to promote Native youth leadership, and the Friday partnership raise the following research questions:
>
> How do Native pre-service teachers use Indigenous epistemologies to inform their teaching practices?
>
> How does the Friday partnership inform the creation of the NativeAmerican Club at MESA?
>
> How do mentoring relationships based on Indigenous cultural frameworks promote?
>
> Native youth leadership for MESA students? (Dean's Research Grant, Spring 2008).

With the creation of this club and a partnership with a Hopi college student, we were able to seek opportunities for students to showcase pow wow dances as well as attend the Gathering of Nations in Albuquerque, New Mexico.

After we were evicted and moved to a new location, we were able to envision a broader range of programs as we were less constrained by the bureaucratic obstacles often present in the local school district. Beginning with the creation of the Sunnyside Neighborhood Artists & Poets (SNAP) in 2007, I envisioned youth addressing social justice through a variety of literary, digital, and artistic representations. In an e-mail exchange with Jim, we wrote the following:

> I am concerned with Ma [a female student]. I heard [teacher] yelling at her in the hallwaythat she will not graduate and go to high school. It was ugly.... I cried.
>
> Please do support this young lady in whatever way you can. Inside she is
>
> hurt and sees no future in getting an education.
>
> >===== Original Message From Gerald Wood
>
> Jim,
>
> I would like to get more MESA students involved in working with SNAP. Mi (a male student) is going to be involved with technology. I would also like to involve Ma (a female student), who seems interested in photography -- get her to think about other possibilities beyond motherhood.
>
> And there might be other students.

In this iteration, we were able to partner with an art teacher from a charter high school focusing on the arts, who brought her students to MESA Faced with realities of very distinct demographics and challenging expectations, we eventually moved away from this model that emphasized service without meaningful attention to issues of power and privilege. By 2007, the impact of immigration enforcement had provoked discussion among youth and families; youth, university students, community members, and I created Student Involvement Day (SID), Today and Tomorrow's Youth Leaders (TTYL), and finally Building Leadership And Staying Together (BLAST) for a broader focus on political education and youth organizing that has continued even after the closure of the school. In looking back through years of notes, e-mails, and plans, it became clear I was reading and thinking about the Mississippi Freedom Schools from 1964 and the ways could open spaces for explicit forms of political discourse and actions.

For Student Involvement Day (SID), I was hoping to imagine how teacher candidates could be part of building spaces outside of the regular constraints of schools. In describing Student Involvement Day, I wrote:

> SID is a monthly project where NAU students create the opportunity for children and youth to get involved in non-traditional forms of education. NAU students could test out ideas and bring in their expertise/ passion in ways that are often not acknowledged by schools. Through the day, children from different schools, backgrounds, and ages come together to experience a shared sense of community for a day. This is a community-based, multi-aged setting where we can model that reflect the way families and communities are organized.

With a powerful team of university students who brought in a range of experiences, passions, and interests, we created a space where MESA students and their families could be a part of the educational process. Youth (middle and elementary school students) would arrive to the school on Saturday morning for a line-up of different events around a range of themes and activities (e.g. poetry, welding, laying down beats and telling stories through hip hop). In the afternoon, parents and guardians were invited to participate in a closing ceremony where young people shared their work – often skits, poetry, or other types of work. After this, only the middle school students and the university students and faculty would participate in evening conversations, movies, and spending the night at the school; these conversations and activities were at invigorating and exhausting, profound and vulnerable as teacher candidates etched out the very margins of what the limits could be – whether talking about friendship or sexual abuse, relationships or loss, identity and culture. These conversations stretched to me to my core as I saw these young teacher candidates expanding the boundaries of what was possible but also wondering how they might fit in to the constraints of public school.

Explaining SID to undergraduate teacher candidates who could consider this option as part of their work in EDF 301W: School and Society, a course required for elementary, early childhood and special education majors, I formulated the following idea:

> In most schools, students have few opportunities to raise questions, tointerrogate the realities of their lives and communities, and to find ways to challenge the often-sanitized curriculum of schools. While schools may focus on genocide in Darfur or hunger in other parts of the world, seldom do schools work to help students understand about hunger and homelessness in our own communities. For example, the only history elective in FHS [one of the high schools] is Military History. Where do children learn about peace, about the history of struggle by everyday people, and about the social construction of childhood….Additionally, SIDs seeks to raise awareness about human rights, civil liberties, and constitutional rights to promote discussion and make connections between "the world as it is and the world as it should be."

This last quote came from Ed Chambers' (2005) *Roots for Radicals*. Amid this work with MESA, I had started to learn about community organizing through the Northern Arizona Interfaith Council (NAIC) and had attended an Industrial Areas Foundations (IAF) five-day training based on Saul Alinsky's work. One of the primary foci of NAIC was on immigration reform and developing leadership in the Sunnyside neighborhood. As our neighborhood experienced a wave of Immigration and Customs Enforcement (ICE) raids, we sought to respond to these conditions through SID. I remember the Saturday morning from one of the SID weekends where I brought in a copy of the local newspaper talking about these raids. One of our students broke into uncontrollable sobs as she narrated that her stepfather had been deported. How could we respond to this issue? While not sufficient but grounded in the work with NAIC, SID offered opportunities to develop "Know Your Rights" skits while students also had the opportunity to observe a protest organized in their community.

With the elimination of the dual language program because of Proposition 300 (English-only) and the state and federal push to increase test scores, MESA began to shift its focus. In 2007, the board began to focus on alternative education, specific academic challenges faced by students, and the need for a safe environment that moved beyond academics.

MESA offers an alternative education grounded in research-based best

> practices to serve a culturally diverse population confronting academic challenges. The school respects the individual needs of children, fosters a caring and safe environment; and emphasizes the social, emotional, physical, and intellectual development of each child (Program of Instruction Amendment, May 2007).

At the same time, the executive director was charged in this same year to begin identifying options for the future of the school. These options included closing the school, merging MESA into the local school district, having a new board take responsibility for the direction of the school, or keeping the school open as is.

In this process of indeterminacy, Agamben (2005) points to the possibility for the state of exception to materialize. Declaring a state of emergency makes possible the erosion or elimination of any claims to citizenship or meaningful participation. Central to Agamben's discussion of this state of exception is the role of the sovereign. In this process of declaring a state of exception, the sovereign does not act within the law but rather blurs the line between law and fact (Downey, 2009, p. 111). What are the ways in which young people in this school exist and are given opportunities to lay claim to their futures? Reduced to the whims of those in charge, the state of exception "produces the figure of homo sacer and the condition of 'bare life' to which we are all ultimately susceptible" (Downey, 2009, p. 112). I will return to this discussion further down.

With relationships at an all-time low between FUSD/ Killip and MESA (from my perspective) and these constraints of deciding how to move forward, the future for MESA seemed grim. The Flagstaff Unified School District (FUSD) had just undergone an audit raising concerns about the relationship between FUSD and MESA; FUSD had provided funding for some of the administrative positions and low rental fees ($4000/ year) for the wing we occupied (3 classrooms and an office). In addition, the elementary school highlighted the need for additional classroom space to eliminate some trailers. All this was leading to showdown.

The Eviction

Citing an Arizona Daily Sun article:

> The charter board was created several years ago with the input of a

> previous FUSD Governing Board. The school district has board members that serve on both the FUSD and charter boards, and has the authority to appoint charter board members, but does not have a hand in the charter board's operations.
>
> As such, the Flagstaff Unified School District Charter School Board, Inc., is autonomous. The charter board is governed by the Arizona State Board for Charter Schools and FUSD cannot change the charter board's bylaws; the school district stresses that the two bodies are separate and distinct organizations (Davis, 2008).

With some potential conflicts of interest, the FUSD board voted to close MESA This decision had to be rescinded because it was not quite clear if the FUSD Board could make this decision. Agamben (2005) would suggest we had entered the "state of exception". He states, "Thus, in the forms of both the state of exception and revolution, the *status necessitates* appears as an ambiguous and uncertain zone in which de facto proceedings, which are themselves extra- or anti-juridical, pass over into law, and juridical norms blur with mere fact – that is, a threshold of where fact and law seem to become undecidable" (p. 19). Stating that the school district could no longer commit to the rental agreement for the space, the district offered to lease the existing space for $50,000 a year; this amounted to about a third of the charter school's operating budget. Based on the recommendations of the audit and a declining enrollment in FUSD (FUSD had lost over 800 students to other charter schools mostly catering to more affluent, White families), the FUSD board met again and voted to evict MESA The board gave us a week to move out.

When we arrived at the school the next morning, all our classroom materials had been thrown out into the hallways. Guy, one of our board members, called the police, but this event highlighted the tension that had been building. It is hard to explain how teachers would throw out materials from classrooms. Following Agamben (1995), were we now the "homo sacer?" Had our school and our students been ostracized from the realm of the public school and public education more broadly? While the school had arguably been established as a sanctuary, Agamben traces the idea of the sacred man back to Roman times. In describing

this, Downey (2009) explains:

> There is, similarly, a degree of elision and apparent paradox to be had in the figure of homo sacer: in Roman antiquity, the revocation of a citizen's rights by sovereign decree produced the threshold figure of homo sacer, the sacred man who can be killed by anyone (he has no rights) but not sacrificed because the act of sacrifice is only representable within the legal context of the city – the very city from which homo sacer has been banished. He is an outlawed citizen, the exception to the law, and yet he is still subject to the penalty of death and therefore still included in the very act of exclusion, within the law. With the interstitial exception, he effectively blurs the lines between outlaw and citizen (p. 111).

As Agamben describes "homo sacer", this is "Life that cannot be sacrificed and yet may be killed is sacred life" (p. 83). These are the working-class, Students of Color who exist in the educational limbo. In describing the eviction and move, the local newspaper offered this information:

> Everything looked to me and to many of us like FUSD was really working to create a situation where MESA couldn't have a transition of any kind," said Guy Senese, a Northern Arizona University education professor and member of the charter board. "And it was only through the last-ditch, heroic efforts of some staff and some parents that allow us to think that we might have a chance at this new (site) -- it's basically a little storefront. But FUSD sure did not make that any easier. In fact, almost made it impossible" (Davis, July 27, 2008).

The Move

With all our belongings in the hallways, Bertha, our administrative assistant, contracted a Bleeker box, which sat outside the elementary school. We had looked at several possible spaces having seen this eviction as an almost foregone conclusion but with a limited budget and only an administrative assistant, the future seemed impossible.

Our new location was a storefront in a strip mall, site of a former dance

studio and church. Recalling this site. I wondered is this what the sacred looks like? The entryway had a couch and a table in a small reception area that would lead into the large assembly room or would turn down a small hallway, which had the front office and a small classroom, which we used for meetings with an Individualized Education Plan (IEP) coordinator or the part-time counselor. Eventually, our school lunch would be provided by a vending machine, which sat in the entry way right outside the main classroom space. The space had a large room with a stage, and two additional small rooms, which became an administrative office and a small resource classroom. When we entered the classroom, one half of the large room contained two rows of computers; the other half had a couple white boards and a reading corner with some comfy couches by the emergency exit. With the help of several students and their families, we painted the walls and moved all our materials from the Bleeker box into the new location. Two brothers brought in their wealth of knowledge working with their dad to make the space inhabitable and race to get us set up to start school on time. With some requirements missing, we could not get the approval from the inspector and had to delay the opening of school by several days.

Within this one room schoolhouse, staff and families worked tirelessly to create a meaningful education. Setting up computers acquired through a technology grant, we set up PLATO, an online modular software program, to provide individualized instruction for students. With the hiring of a new principal in a not very contested selection process, our existing administrative assistant, and a committed teacher, we set out to return to the idyllic if somewhat romanticized notions of a one room schoolhouse. Our principal, with a wealth of business experience but limited understanding of education, described the process of developing "widgets."

With PLATO as an online platform for individualized learning, the dream of a democratic engagement ironically became the exact opposite of our Philosopher's Club. Using language of surveillance, monitoring, and individualism, reason became replaced by completion and metrics, but this became an attempt to make the space possible for a limited staff.

Community Policing

As we moved into our new location, we experienced the growing pains. Our new school was located right next to Domino's Pizza and every morning at 10 a.m., the smell of pizza would waft into our one room schoolhouse. Due to the changes in administration and the eviction, the school had not applied for a grant to have a school lunch program. With the smell of pizza and no lunch, the school grappled to how to feed young people. Students would often leave campus to go to one of the three gas stations nearby coming back with a bag of chips and a soda. To avoid having students leave campus (a couple students never made it back after lunch or came back way after the start of class), we started purchasing a range of snacks from Sam's Club – Ramen Noodle cups, frozen burritos, and a range of other not so nutritious meals to make available to students either for free or at cost. As the cost became difficult to handle, our administrative assistant pursued other avenues eventually leading to having catered lunches by one of the Mexican restaurants in the neighborhood.

Along with the absence of lunch, we also lacked physical education or spaces for recess. Our emergency door looked out in a back alley filled with dumpsters, dirt, and gravel. This reminded me of watching children play soccer in the dirt in Latin America. Through a mixture of creativity and partnering, we tried to develop a P.E. program bringing in P.E. teacher candidates and improvising with teacher-led soccer, kickball, and exercise. Through the generosity of one of the student organizations on the NAU campus, we received a stand-alone basketball hoop. I cringe as I remember the students dragging out the basketball hoop to set up outside in the alley behind the school and then dragging it back in to the class; this hoop occupied 1/16 of the classroom laying besides the computers as students navigated climbing on top of the hoop to squeeze into the chairs to work on computers. As students played outside, the soccer ball or whatever else they were playing would eventually end up on the roof. And occasionally, a police car would drive by saying they had seen a suspicious person running on the roof.

Several years later, the Flagstaff Police Department (FPD) developed a police substation in the Sunnyside neighborhood. These efforts had mixed results.

The substation was in the strip mall on the main street around the corner from where MESA had been relocated. The business community expressed a great deal of support for the move since the presence of police led to less vandalism, graffiti, and disturbances related to intoxication. As one recent immigrant mother shared with me, "The community has never been safer, and I have never felt less safe."

The Public-Private Partnership

Under the No Child Left Behind model, the school was faced with having to pick one of the four intervention models -turnaround, restart, closure, or transformation models (Kutash et al. 2010 pp. 4-5). Interestingly, we started to realize the "cosy" connections between the Arizona Department of Education, the Charter School Board, and the different consultants. In hindsight is not hard to see how our directions were flawed at best, and at worst perhaps planned to undermine our effort.

With the work of two NAU colleagues – one who served on the board and one who was acting principal as well as our administrative assistant and accounting firm, we planned the grant. We were told that we could ask for whatever we needed, particularly personnel for the first year. Through an arduous process, Guy and Laura Sujo-Montes tirelessly wrote and rewrote this grant to make sure it would conform to what was required often going back and forth with our assigned educational consultant. Requesting money for a competitive principal salary, teachers, a reading specialist, and counselors, we felt excited to envision what the school might look like with staff who were committed to the success of these young people. We submitted the grant and were told we needed to include $50,000 for some software. Flabbergasted, we asked about the investment in personnel and were told that this was required.

With all this in mind, we developed a new vision statement.

> Heritage Explorations Academy (HEA) will hold itself accountable to provide: "An academically well rounded educational experience with a focus on three supports for growth:-- Academic explorations of the fund of skills and human experience available in the Arts, Sciences, Language, History and Culture--Social supports for positive social and behavioral growth conducive to preparation for success in 21st century community

> life and commerce—Ethical and character development through careful apprenticeships--Mentoring with teachers, community leaders, and educators in our local and regional communities (School Improvement Grant, May 2011).

While board members continued using this language of possibility, the realities on theground were much different. Bertha, our administrative assistant, a Mexican American woman, was the only continuous presence on a day-to-day basis. Even with a principal, Mrs. Bertha effectively ran the school. Students went to her for every situation, and she became the determining force in the school. When asking students who oversaw the school, they would laugh and say Mrs. Bertha. In her very direct language, she would tell the young women, "Keep your legs closed" so they wouldn't get pregnant. Mrs. Bertha was also the major presence with the families who felt a level of comfort with her. Eventually, her husband would become teacher in the school and serve on the board.

School as Camp

> If this is true, if the essence of the camp consists in the materialization of the state of exception and in the subsequent creation of a space in which bare life and the juridical rule enter into a threshold of indistinction, then we must admit that we find ourselves virtually in the presence of a camp every time such a structure is created, independent of the kinds of crime that are committed there and whatever its denomination and specific topography (Agamben, 1995, p. 174).

Following Agamben (1997), we use the motif of "the camp as the nomos of the modern." For Agamben, the camp framed the status of the refugee or the detainee in a post-9/11 context represent the ability of the sovereign to exist outside the law while still claiming the existence of the law. For MESA, the external realities facing our communities– played an important role in how we were able to conceptualize (or not) the possibilities for sustaining these efforts.

Immigration

With the greatest number of our students becoming undocumented, immigration policy played a significant role in the lived experiences of our youth and their families. As Cacho (2012) has pointed out, the criminalization of groups of people made it impossible for people to be law-abiding. With regular raids in the neighborhood and the passage of SB 1070 (commonly known as Show Me Your Papers Law), undocumented folks broke the law just by driving to work or going to the doctor. The fear in the schools in the neighborhood were palpable, and countless conversations revolved around making sure young folks got home safely. We gave rides to students and made sure we understood what it meant for schools to be sanctuaries.

> A total of 16 people were rounded up in Flagstaff, according to jail logs. The state-wide sting netted 80 people, of whom 14 were immigration fugitives. Agents returned to Flagstaff in late December to arrest three more fugitives missed in the original operation (Hendricks, Feb. 3, 2009).

ICE billed the exercise as targeted at criminal fugitives facing deportation.

> Instead, the majority of those arrested were neither criminals nor under deportation orders. They happened to answer the door when ICE agents knocked and could not show proof of legal residency.
>
> The December ICE raids were prime examples. State-wide, they resulted in 80 arrests, including 14 in Flagstaff. (It's important to note that Flagstaff police did not participate under a city policy that immigration is a federal matter.) But even though ICE initially assured residents they were only going after those in violation of deportation orders, just 16 of the 80 met that criteria (Feb. 26, 2009).

School Dissolution

With the rejection of the School Improvement Grant (SIG) by the state, no principal, and few avenues forward, we found ourselves contemplating the dissolution of the school. On a more personal level, I had seen one of our students lose her interest in school. She had come in with such fire and a clear set of meaningful educational experiences in elementary school, but I had started to see

her fizzle out. Even though she had family members in the school, these dynamics seemed to force her to conform to a sense of mediocrity.

> June 18th Board meeting
>
> We met with [the educational consultant] this morning. After tremendous work to get the grant done, it appears we were on State Charter Board targeting among with several other underperforming schools. We did not get the grant and have contemplated what we would do in this case.
> I would like to call a board meeting for next Thursday to determine if we have any options available and to begin exploring school closure.
> Some items I would suggest for the agenda since we cannot discuss these via e-mail include:
> Options for keeping school open (if any)
> Vote on future of the school
> Procedures for school closure including:
>
> - Timeline for school closure
> - Meeting with students and families to provide closure
> - Transition plan for current students
> - Liquidation of all school property
> - Severance pay for employees
>
> While we cannot discuss this all together over e-mail, I would welcome individual thoughts or specific items to add to the agenda.
> I thank you all for your tremendous dedication over the years. I welcome any ideas to move forward, and I hope that whatever we decide we do this in the best interest of our students and families.

For this meeting, I suggested asking families in the school to determine the direction of the school. We invited all the families to come to the school to hear from the families. Our will to fight to keep the school open was waning, and we needed this energy from the families. With that in mind, we called the meeting. With ICE raids happening in the community, no families came.

We decided to wait another month before making the decision and explored other possibilities. We received an e-mail from someone outside of the state who

was interested in applying to be the principal and figure out how to keep the school open. With these ideas on the table and the few employees' jobs on the line, we called another board meeting once again inviting families to come. With two students, one of the older sisters of one of our students, and one of the mothers, we started the conversation. For the older sister, she expressed how her sister had learned English and had found a safe haven to grow. For the mother, she expressed that the school was close to her house and very convenient. The two young women talked about the importance of the school and how they felt like family (which they actually were). With those few comments and not seeing a way forward with the person who had called to express interest to serve as principal, we took the final vote to close the school. In retrospect, while we had done organizing with students and their families around immigration and other issues, we had not organized students and their families to engage meaningfully with the educational project we had spent countless hours envisioning.

With that, we began the formal process of surrendering. With no energy left, we spent the next several months selling off/ donating the assets. After making copies of all the student records to give to families, I drove the student records down to the Charter School Board. The remaining boxes of records were split among board members – some housed under some tarps, some in Sedona, and some in the garage in my house.

Board meeting, July 21, 2010

Surrender Agreement – Sept. 13, 2010

6. The Charter Operator voluntarily tenders and surrenders its Charter Contract to its sponsor, the Board, with the intent to voluntarily terminate its Charter Contract effective June 30, 2010 for the purpose of further performance.

7. The Charter Operator shall notify the Board of the location of the student records of the School no later than September 10, 2010.

Finding schools for students

Over the course of that summer, we remained committed to finding a school for each of the students. Several of the students went back into their local public schools (where possible). One student convinced his mom to sign him up for an online school; this just required signing a waiver. I wonder if he ever continued his education. Others sought out charter schools. A brother and sister ended up at a Back to Basics charter school close to their house. Soon after starting there, I received a call from the mother that her son was being bullied and asked me if I could go observe. In the case of another student, she expressed interest in a charter school focusing on arts and leadership in the community. The school required parents to attend one of two parent nights where they could pick up the application. With me being out of town and the student's father not available, I called one of my undergraduate students to see if she could take her to pick up the application. We sat with the student's father at small table in their kitchen and filled out the information while addressing questions of how the students would get to school and how to get access to breakfast and lunch since this was something the school did not provide. After we dropped off the application, the father received a call asking him to come in for an interview. The student never attended the school.

Conclusion

After ten years, I returned to these experiences because I could not grapple with the reality of the school closing. In some ways, the closing of the school and the inability to provide students with a meaningful education was a profound sense of loss, of disappointment, of failure. But as I lived through this and looked back, it is probably more complicated. Some students have left being disillusioned by the politics of immigration and the hatred they experienced in the United States. Some students have been deported and, in some cases, come back. However, we had a chance to see some students who were undocumented go on to high school and persist against all odds. We had students who participated in protests opposing SB 1070 and then show their wealth of knowledge in their high school classes. One student who seemed disengaged in school was able to put

together a presentation in a day breaking down immigration issues in Arizona after her teacher challenged her to get engaged.

As I run into different students, now much older, a few have gone on to college. Most have started families or have children even as they have encountered possibilities and challenges. The Deferred Action for Childhood Arrivals (DACA), an executive order signed by President Obama in 2012 granting "DACAmented" students the opportunity to pursue school or work by deferring prosecution and issuing work permits provided some our students a glimmer of hope, but the outcome of this remains uncertain with the Trump administration. They participate in the economy sometimes finding their vocation and sometimes just trying to make ends meet. And in most cases, our former students are surviving and continuing their lives reproduced into similar socioeconomic conditions as their parents.

As Downey (2009) argues, "In Agamben's eyes, in fine, we are not only all potentially *homo sacer (homines sacri)* and the de facto bearers of 'bare life' but the exceptional figure augurs a 'coming community' that is based not on rights as such but the suspension of rights" (p. 110). What does school look like for working-class Students of Color? Do charter schools serving working-class kids of color become the markers of the "homo sacer" (Agamaben, 1998)? Are these the young people that are set apart? Are these so-called sanctuary sites where young people are banished and contained? What happens when public schools expel or indefinitely suspend students?

I hope this piece gives some of the flavor of the intertwined activities that are a part of engaged scholarship, and that the story, the case documented here is helpful as a way to think about "research," about what we do as educators, whose interests we serve, and how a story like this one can be applied as a case, generalized to other situations, and other efforts to engage with both ideas and the real communities we serve, toward a deeper demand for democracy in education, worthy of the name.

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