

Politics of Charter Schools: Competing National Advocacy Coalitions Meet Local Politics*

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Overview

Charter schools initially were created by the state of Minnesota in 1991. Charters became a powerful new idea that spread across the country through advocacy by policy entrepreneurs who galvanized an interstate policy issue network (Mintrom, 2000; Kirst, Meister, Rowley, 1984). Forty states have passed charter laws enrolling over one million pupils in 3,600 schools. As charters spread across the nation, an opposing coalition and policy issue network formed to restrict further charter expansion and impose more state and local regulations. These pro and con advocacy networks engage in major policy disputes and minor skirmishes across the United States (Sabatier and Smith, 1993). At the national level charters are part of political competition between two competing advocacy networks and coalitions that want to expand or constrain school choice. Mintrom (2000) defines an advocacy coalition as:

People from a variety of positions (e.g., elected and agency officials, interest group leaders, researchers) who share a particular belief system—i.e., a set of basic values, causal assumptions, and problem perceptions—and who show a nontrivial degree of coordinated activity over time”). The “glue” that holds an advocacy coalition together is its members’ shared beliefs over core policy matters. The framework assumes that members of coalitions will often disagree on minor matters, but that disagreement will be limited.

Charter supporters come from both political parties and comprise a new political center that encompasses organizations like the Democratic Leadership Council once headed by former President Clinton. The right wants vouchers, a more radical market reform. Charter school opponents assert that charter expansion will undermine the public school system.

This macro perspective, however, obscures the wide variety of charter school political action that takes place at the state and local level. Charter politics are diverse and complex depending on state and local contexts and particular types of charter (e.g. for-profit versus takeover of non-charter). For example, charter politics in Georgia are very different than charter

politics in Arizona. Consequently, this paper starts at the micro or local level and builds up to the more visible national conflict. Once local and state variations are grasped, then national politics can be placed in appropriate perspective. In sum, charter politics are fluid, varied, and complex. Future outcomes are unclear and predictions very hazardous. It is unlikely that many existing state charter school laws will be repealed completely, but most attempts to allow state laws to expand charters will be hotly contested.

Local Politics and Charter Schools

National and state debates attract much attention about charter policy, but as the former Speaker of the U.S. House of Representatives, Tip O'Neil, emphasized local politics are often crucial. This observation applies to charter schools as well. Each specific type of charter school generates different political activities, resulting in a veritable spice cabinet of complex political interactions. It is difficult to find generalized patterns from the diverse politics in 50 different states and thousands of localities. For example, teacher union politics vary by state and locality, ranging from total opposition to more charters by unions, to union organizing of charter teachers.

Charter school politics are embedded in a broader politics of education that has shifted from procedural accountability to student performance. Procedural accountability focuses on school inputs and procedures for how to spend new money. Federal and state governments have assumed much more control of local education than thirty years ago, making charter flexibility more desirable to some educators. With so many influential actors in education policy and governance, everybody and nobody is in charge (Epstein, 2004). But despite these broad governance trends, charter politics vary enormously from wealthy suburbs that have no interest in charters, to cities like Dayton, Ohio where 25% of the pupils attend charters. A study of local school board charter approval or denial could discern no political patterns, and cited

Pennsylvania and Colorado as states where local boards initially opposed to charters, unexpectedly approved several charters (Teske et al., 2005). A 2006 national study found that districts with a high percentage of blacks and growing income inequality had a substantially larger fraction of students in charter schools than more homogenous districts (Stoddard and Corcoran, 2006). Districts with higher dropout rates had significantly higher participation in charter schools. Surprisingly, districts with a highly unionized teaching force are more likely to have charter schools. Local political support makes it difficult to close ineffective charters, and states must step in to override these local charter disputes (Dillon, 2005).

As Katrina Bulkley (2005) points out, charter politics are galvanized by different motives and policy frames that create strange political coalitions.

Charter schools could easily be called the “all things to all people” reform, as the rhetoric of charter advocates can appeal to people with varied political viewpoints. Free-market conservatives see them as a way to enhance competition in education and a step in the direction of vouchers. Teachers union leaders such as the late Albert Shanker see them as a way to increase the power of teachers. Cultural conservatives hope that they will increase parental control over the values taught in schools their children attend, while those interested in restructuring schools see them as a way to further their goals. Moderate Democrats hope that charter schools will provide parental choice, competition and accountability while avoiding actual privatization through school vouchers. (p. 1)

For example, in both Michigan and Arizona, policymakers were interested in creating more competition in education, and used charter schools as a compromise towards this end when other policies such as vouchers and open enrollment became politically unviable. The understanding of charter schools promoted in these states reflects this focus on competition. For example, Michigan legislators passed laws intended to encourage the creation of large numbers of charter schools, hoping that large numbers would create competition with traditional public schools. In Georgia, on the other hand, policy makers were uninterested in competition, and sought methods to deregulate and decentralize education after a period of increasing

centralization to the state; charter schools were one method to move towards these goals (Vergari, 2002).

Politics and Types of Local Charters

State governments must authorize charter laws and establish the rules and framework for local politics. But before exploring state politics, it is useful to examine the more crucial local politics. Different political actors and patterns adhere to the many types of charters. These include:

- New charter start-up vs. conversion of an existing school
- Brick and mortar school site vs. home-based charter (e.g. virtual charter school)
- Charter dependent on school district for many services, or independent of district
- LEA, state, county, or institution of higher education as a chartering authority
- Collective bargaining or no union at charter site
- Profit or non-profit charter
- Niche charter schools (e.g. for dropouts), or provide a general education program

This list has many permutations. Charter schools vary in their instructional focus – traditional, progressive, vocational, and others. The politics surrounding a for-profit virtual charter school like K-12.com will be very different from a local district dependent charter that is unionized, and attracts students that the local district believes it cannot educate well. For example, charter conversion of Sacramento High School over union opposition created a political firestorm, but formation of a new charter elementary in Sacramento engendered much less opposition.

Edison's attempts to form charters in New York and Philadelphia were resisted in part because of Edison's for-profit status. Political opposition is less in Michigan for a university-based charter compared to a for-profit charter conversion. Charters serving drop outs, push outs, and behavior problem students Ages 15-17 may be welcomed by the local district and the union. Mayor Jerry Brown of Oakland, a former Governor of California, had a much easier time selling his National Guard Military charter to the California State Board of Education (SBE) than to Oakland's school board or Alameda County. The latter two bodies turned Brown down, but the SBE appointed by Brown's former Chief of Staff (Governor Gray Davis) overwhelmingly approved it.

Local supporters of charters can be an impressive and influential coalition in some local contexts. Some of these local pro-charter players include:

- Parents dissatisfied with local school
- Community-based organizations
- National advocacy organizations with state affiliates
- State charter technical assistance centers (e.g. CA Charter Schools Association)
- Local business leaders
- Real estate developers who want distinctive schools as part of their development
- Faith-based organizations
- Institutions of higher education
- Foundations and individual philanthropists
- Workforce development agencies

However, this imposing array of supporters can be trumped by a local counter coalition that opposes local charters:

- Local teacher unions
- Local school boards
- Many local administrators
- Non-certified school employees
- Local sports and public school support groups
- PTA

School board administrators and the PTA fear charter expansion because it causes enrollment decline in their districts. This decline leads to less state aid per pupil (almost \$6,000 per pupil in California) that causes painful budget reductions. In addition to financial concerns, teacher unions oppose large-scale charter expansion because most are non-union.

Local strategies to hinder charter schools are quite inventive. For example, some California central districts require charters to have a large amount of money in the bank, and get an occupancy permit ninety days before school opens. Many charters cannot raise this much money before opening. Other LEAs refuse to process retirement payments for teachers, and require signatures of union teachers before a non-union charter can be approved. Moreover, charters dependent on local districts for approval and facilities can face a daunting fight. Facilities are a big obstacle to charters, and prying space away from a local school district can be politically challenging. State laws, however, can enhance the chances of charter facilities through financial support, or laws about when LEAs must provide space.

One way to overcome local opposition to charters is for a state to authorize non-local chartering agencies such as state agencies, universities, and mayors (Vergari, 2002). Charter opponents lobby the states to cap the number of charter schools, provide less money per pupil, under-fund state categorical aid, and restrict the types of authorizers. Multiple types of

authorizers create different political constituencies that may be more likely to approve charters. Universities, mayors, state government and counties all have different political bases than local school districts. This local profusion of charter politics brings us to the domain of state charter politics.

State Politics and Charters: More Variety

The United States is a nation of states each with its distinctive politics. Consequently, the differences among states in charter school policy are vast. Such variety reflects in part the different patterns of state politics. Historical influences on state politics include the Civil War, urban versus rural population growth, and natural resources such as timber in Oregon, coal in West Virginia, and so on. Through this tangle of past and present, the creation of charters has taken various forms. The very basis of democratic life—the political institutions of party, pressure group, and voting—took different forms from region to region as a result of these combinations of events, resources, and population (Elazar, 1984). Not surprisingly then, the evolution of state educational institutions took different forms as well.

Understanding a state's politics of education requires a grasp of its historical societal evolution. In the case of the 50 states, such a demonstration quickly overloads even eager students in the field because of the varied and many dimensions for categorizing or evaluating units of government. The 50 states and their 15,000 LEAs vary along all the traditional dimensions of demography: age composition; size of school-aged population; parents' education, occupation, and income; economic resources. Districts run in size from the behemoth, with over a million students in New York City, to a rural hamlet with a dozen in the graduating class. Income ranges from extremely wealthy suburbs to poor farm villages. Local resources can vary

from a multiple-building high school in a California suburb to a one-room schoolhouse on the Nebraska prairie. This variety means that state education systems adjust differently to national events. No such thing as state education policy exists; what does exist are differential state responses to common external and internal events like the spread of charters.

These differing state reactions reflect *political culture*, that is, “the set of acts, beliefs, and sentiments which give order and meaning to a political process and which provide the underlying assumptions and rules that govern behavior in the political system. It encompasses both the political issues and the operating norms (Pye, 1968, p. 218).” These “acts, beliefs...assumptions and rules” are not randomly spread across the 50 states. Elazar (1984) identified three distinctive state political cultures, with consequent differences in state political behavior.

1. Traditionalistic culture (TPC): Government’s main function is maintaining traditional patterns, being responsive to a governing elite, with partisanship subordinated to personal ties. States in the Southeast most often reflect this culture. These states would most likely enact restrictive and limited charter school laws.
2. Individualistic culture (IPC): Government is a marketplace that responds to demands, favors economic development, and relies on the political party as the vehicle for satisfying individual needs. Western states such as Colorado and Arizona embody this culture. These states would probably enact laws that encourage expansion of charters with little state regulation.

3. Moralistic culture (MPC): Government is the means for achieving the good community or commonwealth through positive government action, social and economic regulations are legitimate, parties are downplayed, and bureaucracy is viewed positively as an agent of the people. Minnesota and Massachusetts are good examples of this culture.

In Appendix I, a pro-charter think tank (Center for Education Reform, 2004) rates states on whether their charter laws are “strong” or “weak.” Note how the Southeast generally has weak laws, while individualistic Western states have strong laws that encourage more charters. A 2006 study found that states with growing inequality, poor performance on SAT, higher dropout rates, and low unionized teaching force are more likely to pass charter laws and to pass stronger laws (Stoddard and Corcoran, 2006).

State Political Coalition and Charters

State charter proponents who want a “strong law” confront broad-based and formidable coalitions of opponents. One such coalition opposing charter school expansion is presented in Table I for Texas.

Table 1.**Texas Coalition for Public Schools Organizations**

American Association of University Women	American Association of University Women
American Civil Liberties Union of Texas	American Civil Liberties Union of Texas
Anti-Defamation League	Texas Classroom Teachers Association
Association of Texas Professional Educators	Texas Congress of Parents and Teachers Association
Delta Kappa Gamma - Texas	Texas Counseling Association
League of United Latin American Citizens	Texas Council of Administrators of Special Education
League of Women Voters of Texas	Texas Educational Support Staff Association
Let Freedom Ring	Texas Elementary Principals & Supervisors Association
Parents for Public Schools of Houston	Texas Federation of Teachers
People for the American Way Action Foundation	Texas Freedom Network
Texas Advocacy, Inc.	Texas IMPACT
Texas AFL-CIO	Texas Retired Teachers Association
Texas Association for Bilingual Education	Texas Rural Education Association
Texas Association of Community Schools	Texas School Public Relations Association
Texas Association of Mid-Size Schools	Texas State Teachers Association
Texas Association of School Administrators	
Texas Association of Secondary School Principals	

A smaller coalition is lobbying in Ohio for a state law to stop any new charters, and end the “waste” of \$325 million dollars that are spent on charters these organizations allege are “low performing.” Coalition leaders and supporter include:

Table 2.

Donna Boylan, Buckeye Association of School Administrators
 Joan Platz, League of Women Voters of Ohio
 Barbara Sprague, Ohio PTA
 Patrick Schmitz, Ohio School Boards Association
 Bill Phillis, Coalition for Equity and Adequacy of School Funding
 Barbara Shaner, Ohio Association of School Business Officials

Senator Teresa Fedor
Senator C.J. Prentiss
Mike Rusnak, Akron Education Association
Mark Hatch, Ohio Association of Public School Employees
Gary Allen and Bill Leibensperger, Ohio Education Association
Bruce Green, Columbus Education Association
Meryl Johnosn, Cleveland Teachers Union
Tom Mooney, Ohio Federation of Teachers

State Interest Groups that Mostly Oppose Charters

Teachers' organizations are the largest and most influential interest group in almost all states. The National Education Association's resources are very large. In 2002, it had over 2.7 million members, representing about 60 percent of our public school teachers. It has an extensive bureaucracy and hierarchy, although the executive staff usually makes policy with the concurrence of a board of ninety-two directors and an executive committee of eleven. Every state has its own teachers' association, which spends considerable time and money on state-level lobbying. Over fourteen thousand dues-paying local school affiliates filter their money through the state affiliates, and even more money is raised for high-priority elections. At the national level, the NEA functions as an umbrella for major segments of the teaching profession. Within the national organization are over seventy-five departments, divisions, commissions, and committees. Separate professional organizations within the National Education Association exist even for audio-visual specialists, as well as for home economics and speech teachers. In one Washington building, the NEA houses groups with specialized orientation and values that reinforce each other in the political system. On the other hand, principals and counselors feel that they are not well represented by either teachers or administrators, and so they get lost in an intermediary position outside of NEA or the American Association of School Administrators.

These divisions over priorities for money and values have spawned professional competitors who argue their cases before school boards and state legislatures.

The American Federation of Teachers (AFT) has been less vocal than NEA in its charter opposition, but opposes expansion. AFT restricts membership to teachers and administrators who have no direct authority over teachers. It has affiliates in one-half of the states and a membership of 1.2 million concentrated in or near large cities or nearby. However, AFT has not been able to take significant numbers of members away from the NEA in the last two decades. While the two teacher groups take common positions on some policy issues, for example, increased state aid for teacher salaries, they still differ on others. NEA is much more opposed than is AFT to the federal No Child Left Behind, contending it is massively under-funded, and is turning the schools into testing factories.

If the AFT has succeeded more in big cities, the NEA has been more effective at the state level, where its affiliates one of the largest organized interest groups in the states —spend much time dealing with state politicians. The AFT, on the other hand, has few effective state federations, concentrating its efforts at the local urban level. The differences between the two unions are clear in the location of their locals, but they are the only education groups to give big money to political candidates (Moe, 2005). About 78 percent of teachers belong to the NEA or the AFT. The two teacher unions gave over two million dollars to federal candidates in 2001-2002, and 90 percent went to Democrats. Only 40 percent of teachers, however, say they are Democrats. Both have Washington offices, but under Republican administrations neither has been very successful in getting political demands approved by the president and Congress.

Local School Policymakers

Local public school policymakers often fear that charters will cause declining enrollment and subsequent loss of state payments for average daily attendance. Major administrative groups of superintendents and principals frequently make their own distinctive demands concerning charters, and maintain their own offices at the state and federal levels. The National School Boards Association has traditionally joined forces on charter policy with the administrator-teacher groups at the state and federal levels. Divisions among professional educators (teachers and administrators) should not be overestimated, because powerful forces work toward their unity. The tradition of a unified profession and the common training and experience of professional educators have led them to agree on many fundamental values, a factor that tends to restrict the range of interest group activity. For example, most administrators move up through the teaching ranks, and accrediting associations are usually staffed by professional educators. Indeed, the faith that the public has in accreditation makes regional accrediting agencies a professional interest group of considerable importance, often bringing irresistible pressure to achieve their standards of faculty, budget, facilities, and curriculum. Charters may find it is difficult to get accreditation if they have less conventional school designs.

Professionally Oriented Interest Groups

Other nonprofessional groups are also interested in educational policy as an end in itself, and this includes an active position on charters. Like educators, these groups provide schools with diffuse support, but they also differ as educators do on some aspects of school governance. The National Congress of Parents and Teachers not only is the largest group in this category, but also is the largest volunteer organization in the nation, with 6.5 million members. The PTA is a

loose confederation of about twenty-six thousand local units concerned primarily with specific problems facing *specific* schools. Similar to the decline in membership in many traditional civic organizations, PTA participation declined by 5.7 million members between 1968 and 2004. It is most influential and active at the local or district level, because its heterogeneous state membership precludes agreement on many controversial issues. The organization is still dominated by women, and analysts of PTA history stress the generally dependent and close relationship it has to school administrators. PTA has mostly opposed charter expansion as part of a coalition with public school district employees. Moreover, in the last two decades, the PTA has become more aggressive, asserting that it is a consumer advocate (Haar, 2002). Major PTA issues include reading improvement and opposition to vouchers and TV violence. The PTA is broadening its membership to include more minorities, and becoming more active in state coalitions restricting charter school growth.

State Charter School Supporters

Both organizations and individuals matter in the creation and amendment of charter school laws. State Senator Gary Hart was the leader in California, while governors in Massachusetts and Michigan have been leaders in their states (Vergari, 2002). The “pro-market regulatory regime” in Arizona provided several leaders (Hess and Maranto, 2002). State leaders draw on national support organizations including the Center for Education Reform in Washington, D.C., Charter Friends National Network, Public Impact, Charter School Leadership Council, Education Evolving, Fordham Foundation, and the U.S. Department of Education. There are also numerous state think tanks that support charters and choice such as the Pioneer Institute (Massachusetts) and the Independence Institute (Colorado).

Pro-charter politics plays out differently in each state. Republicans tend to support charters more than Democrats, but the Democratic Leadership Council in Washington, D.C. and many centrist Democrats in states are strong charter supporters. Five major players shaped the 1003 Massachusetts act: Governor William F. Weld (R); the co-chairs of the Joint Education Committee—Senator Thomas Birmingham (D) and Representative Mark Roosevelt (D); Paul Reville, President of the Massachusetts Business Alliance; and William Edgerly, President of CEOs for Fundamental Change (Herdman, 2002). In December 2000, Texas Republican comptroller, Keeton Ryland, proposed removal of the charter cap and added local authorizers. His proposal was in accord with the views of Governor Rick Perry and Senate Republicans (Fusarelli, 2002).

No groundswell was calling for charter schools in the States. In Massachusetts, Democratic Representative Roosevelt, the legislator credited with championing the charter legislation, said he got the idea from Ted Kolderie, the charter school pioneer in Minnesota. Kolderie traveled the nation promoting charter concepts and is part of the national charter policy issue network (Kirst, Meister, Rowley, 1984). Each of the Massachusetts players involved in crafting the law supported one or more of the following three purposes: 1) innovation; 2) choice and competition; and 3) accountability. Michigan's charter law was led initially by voucher supporters who formed a coalition called TEACH (Mintrom, 2000). But Governor Engler in 1993 strongly supported charter as part of a school finance package that lowered local property taxes and increased state sales taxes. As an offshoot of a voucher movement, Michigan created a very strong and permissive charter law. But 25 states now have some type of limit on the number of charters (*Education Week*, 2006).

National Politics and Charters

Since the premise of this paper is the importance of local and state politics, I have left the national level has been left until last. National charter politics have several dimensions: federal policy, national charter promoters, national advocacy organizations, national think tanks and scholars, and national technical assistance agencies. This array faces powerful opposition from a counter coalition of long-established nationwide education organizations. But President Clinton initiated a significant federal program to start up charters, and President Bush increased funding for charters.

Mintrom's book, Policy Entrepreneurs and School Choice, compares school choice entrepreneurs to business entrepreneurs, and finds that individuals can design new products and sell them successfully in the political arena. In the 1980's Ted Kolderie from the University of Minnesota refined charter school concepts and began talking about them to many policymakers and opinion shapers. Joe Nathan, as Director of the Center for School Change at the University of Minnesota's Hubert Humphrey Institute of Public Affairs, worked with a Minnesota university professor and state legislator, John Brandel, to create the first charter law in 1991. Then Nathan, Kolderie, and others began to spread the charter idea to other state entrepreneurs, such as State Representative Polly Williams in Wisconsin and Paul DeWeese of TEACH, a pro-voucher group in Michigan. The passage of laws in these states helped to galvanize a national charter issue network (Kirst, Meister, Rowley, 1984) that grew into a larger national advocacy coalition (Sabatier and Smith, 1993). It now includes the national organizations listed earlier, plus many statewide groups on the Center for Education Reform web site. This national network crafts legislation and helps local charters, but it focuses many resources on the spread of ideas about charters and disputes about charter studies.

For example, a 2005 study by four university professors published by a D.C. think tank, Economic Policy Institute, asserts that charter schools produce lower test scores than other public schools, and these lower scores cannot be explained by their students' backgrounds (Carnoy et al., 2005). Charter network member Nelson Smith, President of the Charter School Leadership Council, said "a lot of the book reads like an elaborate defense of the AFT's position on charter schools, which is not surprising given that the AFT sits on their board" (Education Week, April 6, 2005, p. 3). An earlier AFT study alleging regular public schools had greater test score gains than charter schools ignited a firestorm of criticism by charter supporters (American Federation of Teachers, 2004). Andrew Rotherham of the Progressive Policy Institute called the AFT report a "hatchet job." Caroline Hoxby told the Harvard Education Letter, that the AFT report was "the worst study" ever seen on charter schools." This criticism culminated in advertisement in the New York Times signed by 31 university scholars. The authors reacted by labeling charter supporters "barricade-rushers" and "zealots" (Carnoy et al., 2005).

The politics surrounding charters is so supercharged that it is doubtful any study will go unchallenged by either side. For the foreseeable future, charters will engender dueling policy studies and evaluations that will be part of the political debate, but produce scant consensus. Supporters of choice are vocal and publicized, and they are organized locally and nationally. A 2003 analysis by the American Association of School Administrators listed the individuals, corporations, and foundations that support, either fully or in part, some aspect of choice schools, as shown in Table 3. Their assets are considerable, and they fund research, lobbying, and legal fees. National publicity groups, such as the National Charter School Alliance founded in 2003, are organized to project favorable news of choice reforms.

Table 3
Financial Supporters of Choice Reforms, 2003

Contributors

John Walton (Wal-Mart), individual, corporate, foundation
 American Education Reform Foundation
 Black Alliance for Educational Options
 Institute for Transformational Learning
 Greater Educational Opportunities Foundation (foundation consortium)
 Henry Hazlitt Foundation
 Heartland Institute
 SchoolReformers.com
 Children First
 Parents in Charge
 Heritage Foundation
 Institute for Justice
 Helen Bader
 Bradley Milton and Rose Friedman
 Grover Hermann
 Koch Family Foundations
 John Olin
 Scaife Family
 Walton Family
 Pisces
 Annie E. Casey
 Bill and Melinda Gates

Source: Nicholas Penning, *Vouchers: Who's Behind It All?* (Arlington, Va.: American Association of School Administrators, 2003).

Charter schools in many states have formed a statewide lobby and technical assistance organization. The California organization (California Charter Schools Association) is partially subsidized by wealthy business donors.

National charter opponents are well organized and rely on dues from large memberships. Based on their prior opposition to federal education vouchers, some of the groups who likely oppose a large scale charter expansion in federal laws are in Table 4.

Table 4

American Alliance for Health, Physical Education, Recreation, and Dance	Horace Mann League
American Association of School Administrators	Labor Council for Latin American Advancement
American Ethical Union	National Association for the Advancement of Colored People
American Federation of State, County, and Municipal Employees	National Association of Elementary School Principals
American Federation of Teachers	National Association of Secondary School Principals
AFL-CIO	National Association of State Boards of Education
American Humanist Association	National Congress of Parents and Teachers
American Jewish Congress	National Education Association
Americans for Democratic Action	National School Boards Association
Americans United for Separation of Church and State	National Student Association
A. Philip Randolph Institute	Union of American Hebrew Congregations
Coalition of Labor Union Women	Unitarian Universalist Association
Council for Exceptional Children	United Auto Workers
Council of Chief State School Officers	United States Student Association
Lawyers Committee for Civil Rights under the Law	

Sabatier and Smith (1993, p. 53) describe a policy subsystem as a network of individuals from a variety of public and private organizations who are actively concerned with the maintenance and evolution of policy in a particular area. Policy subsystems are broad in scope, and at any given time may contain a number of advocacy coalitions—perhaps one dominant coalition, and one or two subordinate ones. Policy subsystems consist of more than interest groups, administrative agencies, and legislative committees at a single level of government. They also contain journalists, researchers, and others who generate and disseminate policy ideas.

National advocacy coalitions share a set of normative and causal beliefs concerning the core concepts of policies like charter school creation and support, and growth (Sabatier and Smith, 1993). The first generation of these dueling advocacy coalitions focused on growth of

charter schools. The current phase expands the debate to include increasing quality. Charter policy is now a mature subsystem. Charters may change state employment or collective bargaining, laws, but such changes will stimulate an intense political battle. Both Presidents Clinton and Bush support federal grants to open new charters, but most federal funding emphasizes accountability for the non-charter sector (e.g. NCLB). But charter proponents hope that schools persistently not meeting NCLB annual progress achievement targets will be converted to charters by state laws or local politics.

Concluding Comments

Charter schools have spread to 40 states between 1991 and 2005, but as Appendix I indicates, only 21 states have “strong” charter laws that permit and encourage significant charter expansion (Center for Education Reform, 2005).¹ It is hard to generalize about charter politics because of the extreme variations among 50 states and thousands of local school districts. There is not a cohesive state or local charter political pattern given the variations in charter schools and their contexts. Two competing national advocacy coalitions focus on charters within a broader debate on school choice. It is not clear whether the pro-charter coalition can garner enough influence to expand the number of charters significantly. If this coalition does not prevail, charter schools can end up as a marginal reform that impacts a relatively small number of districts such as the Phoenix, AZ metropolitan area. However, growth of charters in the last decade is impressive, so it is too soon to make any future projections.

It is not clear that the public understands what a charter school is or why charters should be expanded. A 2005 poll of the general public indicates that charter schools are largely

¹ Center for Education Reform is a pro-charter advocacy group, but its view of a “strong” state charter law is indicative of what charter school supporters desire.

unknown and there is a lot of misinformation circulating about them (Vanourek, 2005). Only 45% of registered voters were familiar with charter schools and understood that they are public schools (Vanourek, 2005). Perhaps the words “charter school” are not particularly good symbols for encouraging public support and understanding of charter expansion. If so, charter proponents may need to consider a new “brand name” for their organizations. This poll however, indicates that the more people learn about charter schools, the more they like them, so future charter politics will feature a battle for public support or opposition to them.

NCLB may provide opportunities for charter operators to take over schools that persistently fail to meet adequate yearly progress. But such takeover will be resisted fiercely by public school advocates. Many charter operators prefer to start new schools, rather than assume responsibility for a disgruntled school-site staff that has failed to meet federal or state accountability targets. Charters could end up in a political vise if they take over many NCLB failing schools and then are unable to turn them around. Yet if charters do not take over failing schools, they will be accused of not meeting an urgent public need. Moreover, more school districts face declining enrollment in the next decade than in the prior one. Consequently, local school boards will resist charters which cause them to lose even more pupils and the state aid paid for each pupil who attends. The future politics of charters is murky and uncertain, but clearly it will attract a lot of visibility. The winner between the two major competing advocacy coalitions will vary according to many diverse state and local contexts.

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Appendix I

What Makes a Strong Charter School Law?

Center for Education Reform

There are 10 criteria for a strong charter school law:

- 1) **Number of schools:** States that permit an unlimited or substantial number of autonomous charter schools encourage more activity than states that limit the number of autonomous schools.
- 2) **Multiple chartering authorities/binding appeals process:** States that permit a number of entities in addition to, or instead of, local school boards to authorize charter schools, or that provide applicants with a binding appeals process, encourage more activity.
- 3) **Variety of applicants:** States that permit a variety of individuals and groups both inside and outside the existing public school system to start charter schools, encourage more activity than states that limit eligible applicants to public schools or public school personnel.
- 4) **New starts:** States that permit new schools to start up encourage more activity than those that permit only public school conversions.
- 5) **Formal evidence of local support:** States that permit charter schools to form without proving specified levels of local support encourage more activity.
- 6) **Automatic waiver from laws and regulations:** States that provide automatic blanket waivers from most or all state and district education laws, regulations, and policies, encourage more activity than states that provide no waivers or require charter schools to negotiate waivers on an issue-by-issue basis.
- 7) **Legal/operational autonomy:** States that allow charter schools to be independent legal entities that can own property, sue and be sued, incur debt, control budget and personnel, and contract for services, encourage more activity than states in which charter schools remain under district jurisdiction. In addition, legal autonomy refers to the ability of charter schools to control their own enrollment numbers.
- 8) **Guaranteed full funding:** States where 100 percent of per-pupil funding automatically follows students enrolled in charter schools, encourage more activity than states where the amount is automatically lower or negotiated with the district.

- 9) **Fiscal Autonomy:** States that give charter schools full control over their own budgets, without the district holding the funds, encourage more activity than states that do not.

- 10) **Exemption from collective bargaining agreements/ district work rules:** States that give charter schools complete control over personnel decisions, encourage more activity than states where charter school teachers must remain subject to the terms of district collective bargaining agreements or work rules.

NOTE: Additional evidence is available in earlier edited versions of *Charter School Laws Across the States* found at <http://www.edreform.com>

Source: The *Center for Education Reform*, 2005.

Appendix I
Ranking Scorecard

Strong	Weak	NA
A=40-50; B=30-39	C=20-29; D=10-19	F=0-9

	STRONG																		
CRITERIA	***A***						***B***												
State	AZ	MN	DC	DE	MI	MA	IN	FL	CO	NY	OH	NC	PA	MO	CA	OR	NJ	WI	TX
<i>Year Law Passed</i>	'94	'91	'96	'95	'93	'93	'01	'96	'93	'98	'97	'96	'97	'98	'92	'99	'96	'93	'95
<i>Number of schools allowed</i>	4.5	5	4.5	5	4.5	3.3	4	4	4.5	2.3	3	3	5	2	5	5	5	5	3
<i>Multiple chartering authorities</i>	4	4.5	4	4	4.5	3.5	4.5	1.75	3	4	4.5	3	1.75	3.5	4	1.5	3	3.5	3.25
<i>Eligible charter applicants</i>	5	5	5	5	5	4.3	4	5	5	4	5	5	5	4	5	5	4	5	4.25
<i>New starts allowed</i>	4.75	4.75	4.75	4.5	4.75	4.5	4.75	4.5	4.5	4.5	4.5	4.75	4.5	3	4.75	3.5	4.5	4.75	4.75
<i>School may be started without evidence of local support</i>	5	3.5	3	3.5	5	4	3	3	3	4	5	3	3.5	4	3	5	3	2.5	3.5
<i>Automatic waiver from state and district laws</i>	4.5	5	5	3.5	2.7	3	5	3	3.5	5	3	4	3	4	2	2.5	1	2.5	0
<i>Legal/operational autonomy</i>	5	4.5	4.5	4	5	4.7	3	3.5	2.75	5	3	3	3	3.5	2	3	2	2.5	2
<i>Guaranteed full per-pupil funding</i>	3.5	3.5	4.5	5	5	5	3	5	4	2.5	3.5	4.5	3	4	3	2.5	2	2	3
<i>Fiscal Autonomy</i>	5	5	4.5	5	5	5	5	5	4.5	4	3	4	3.5	4	3	2.5	5	1.8	3
<i>Exempt from collective bargaining agreement/district work rules</i>	4.75	4.5	5	5	3	3	3	4.5	4.5	3	3	3	4.5	4	4	4.25	3	2.5	4
Total	46	45.25	44.75	44.5	44.45	40.3	39.25	39.25	39	38.3	37.5	37.25	36.75	36	35.75	34.75	32.5	32.05	30.75
<i>RANK 2004</i>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<i>Rank 2003</i>	1	2	3	4	5	7	6	8	9	10	11	12	13	14	15	16	17	18	19
<i>Number of charters Winter 2004</i>	491	95	43	13	210	50	17	258	93	51	142	94	103	27	500	43	52	147	241

Note: The scores on this table are based on the current status of each law (through December 2003). Amendments to the original law, state board regulations, legal rulings, department of education interpretation and actual implementation have all been factored into the ranking. Each state is ranked for each criterion on a scale of 0 to 5, based on how the state's provisions under that criterion support or restrict the development of a significant number of autonomous charter schools. States are listed from left to right from the strongest to the weakest. This chart is part of the book entitled *Charter School Laws Across the States; Ranking Scorecard and Profiles*, which includes detailed profiles of each state's law. Also available at www.edreform.com

Each law was scored by a panel of charter school experts over time. States with tie scores were ranked according to secondary factors influencing the effectiveness of their law. Produced and published by The Center for Education Reform February 2004.

Ranking Scorecard

Strong	Weak	NA
A=40-50; B=30-39	C=20-29; D=10-19	F=0-9

WEAK																						
CRITERIA	*B*	***C***												***D***						***F***		
State	NM	OK	SC	NH	IL	LA	GA	ID	UT	CT	NV	WY	TN	HI	AK	AR	RI	MD	VA	KS	IA	MS
<i>Year Law Passed</i>	'93	'99	'96	'95	'96	'95	'93	'98	'98	'96	'97	'95	'02	'94	'95	95	95	'03	'98	'94	'02	'97
<i>Number of schools allowed</i>	3.5	2	5	5	1.75	2	5	2.6	1.5	1.5	2	5	2	2	2.3	2	1	1	1.6	1	1	0
<i>Multiple chartering authorities</i>	1.75	1	1.75	4	1.75	1.75	1.5	1.3	3	2.5	1	1.75	1.75	1	1	2.5	1	1.5	1	1	1	1
<i>Eligible charter applicants</i>	5	4	4	3	4	3.5	5	5	4	1.5	2	5	4	3	5	2	2.5	4	2	4.5	0	0
<i>New starts allowed</i>	4.5	4.5	4.5	2	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4	4.5	5	4.5	4.5	4	4.5	4.5	0	0
<i>School may be started without evidence of local support</i>	3	5	2	3	1	2	2.5	1	2.5	1	5	2.5	2	2	1	2.5	0	1	2.5	1	1.5	0
<i>Automatic waiver from state and district laws</i>	2	2.5	2.5	4	3	2.5	0	4.3	0.6	2.5	2.5	0.5	0	4.5	0	0	0.5	0	0.5	0.5	3	1.3
<i>Legal/operational autonomy</i>	2.75	1	2	2	2	1	1	0	1.6	0.5	1.5	0	0	0.5	0	2	0.5	0	0.5	0	0	0
<i>Guaranteed full per-pupil funding</i>	3	2	2	0	3	3	2	3	0.3	3.5	3.5	1.5	3	1.5	3.5	1.5	3.5	2	0.5	0.5	0	0
<i>Fiscal Autonomy</i>	2	3	2	0	3.5	4.5	2	1	1	3	1	1	1	1	1	0	1.5	1	0	0	0	0
<i>Exempt from collective bargaining agreement/district work rules</i>	2.5	4	3	5	2.5	1.5	1.5	1	4	2.5	0	0	3	0	0	0	0	0	0	0	0	0
Total	30	29	28.75	28	27	26.25	25	23.7	23	23	23	21.75	20.75	20	18.8	17	15	14.5	13.1	13	6.5	2.3
<i>RANK 2004</i>	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41
<i>Rank 2003</i>	20	22	23	31	21	24	25	27	26	28	29	30	32	33	34	35	36	N/A	37	38	39	40
<i>Number of charters Winter 2004</i>	37	12	19	0	30	16	36	16	19	16	14	1	4	26	20	11	8	0	9	31	0	1