

TAKING CHARGE OF CHOICE: HOW CHARTER SCHOOL POLICY CONTEXTS MATTER

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Abstract

This paper examines the policy context of charter school *adoption* and *implementation* in Indianapolis. The first section of the paper explores the public policymaking process using Kingdon's (1995) model, asking how and why "advocacy coalitions" (Sabatier & Jenkins-Smith, 1999) made Indianapolis the first – and only – city with independent mayoral control over charter school authorization and accountability. Indianapolis represents an interesting case in that it differs from mayoral "take over" analyses of urban education reforms in Philadelphia (Bulkley, 2007), Chicago, (Shipps, 2006), Baltimore (Orr, 1999), and other cities (Wong et al., 2007).

Against the backdrop of increased accountability, autonomy, and competition associated with mayoral-authorized charters, this paper identifies the *impact* of this shift in the urban educational policy landscape. Specifically, this work considers expanded civic capacity to support urban school reform (Henig et al., 1999) and innovation diffusion (Lubienski, 2004; Miron et al., 2002) across Indianapolis area public school systems.

The paper utilizes over 30 in-depth interviews conducted with key stakeholders (e.g., including charter and non-charter school leaders, school board members, business leaders, teacher union representatives, education foundation officers, former mayors of Indianapolis, and state legislators) involved in the Indianapolis charter school law adoption and implementation. Additionally, a myriad of documents are analyzed for descriptive evidence of expanded civic capacity, school innovation, and charter/non-charter school competitive pressures. Interview transcripts and documents were coded and summarized according to descriptive categories derived from relevant conceptual frameworks undergirding the study (Patton, 2003).

Findings suggest that the political streams (Kingdon, 1995) associated with the original charter school law created new policy communities comprising state legislators, local business leaders, prominent national education foundations, and a key educational non-profit organization in Indianapolis. The civic capacity (Stone, 1998) to implement innovative education reforms—the centerpiece of these new policy communities—is derivative of the record of rigor, transparency, and accountability associated with the Mayor's nationally-acclaimed charter school authorizing program.

A parallel policy community, consisting of the Indianapolis Public School (IPS) leadership, local universities, and the KIPP Charter Management Organization, evidences the positive tension linked to charter school competition. This policy network has solidified around a series of IPS magnet school programs and partnerships—collaborations and coalitions created, in part, in response to competitive pressures of the Mayor's charter school program. These IPS innovations represent the *potential* for the types of structural change and curricular diversity (Lubienski, 2004; Miron et al., 2002) that, according to public choice theorists, spring from the ideal of autonomous charter schools (see: Chubb & Moe, 1990; Peterson, 1990).

Introduction

In 2001, Indiana became the 38th state to pass a charter school law, ending a debate that had rumbled through the hearing rooms and hallways of the Indiana General Assembly for seven years. Just five years later, charter schools numbered 36 in the state, with a total enrollment of 10,000 students, including almost 5,000 in Indianapolis alone (<http://www.indy.gov.org>). The rapid growth of Indiana's charter schools and the debate that preceded passage of the law are commonplace features in the political landscape of school choice in the U.S. The distinguishing feature in Indiana – the one-of-a-kind element in this charter school law – relates to the set of eligible chartering authorities. The law stipulates only three in the state: local school boards, public state universities, and *the mayor of Indianapolis*. From the passage of the law in 2001, until his unexpected defeat following a second term, Mayor Bart Peterson of Indianapolis chartered 16 charter schools and closed one financially troubled one. The current Indianapolis mayor, Greg Ballard, has authorized two charter schools since taking office in 2008.

The paper explores how charter school politics are nested within a larger framework of interest group politics and idiosyncratic social and political contexts (Kirst, 2007). The focus rests with examining the political and educational values of public and nonpublic organizations, state officials, and local actors. How did these stable (and shifting) coalitions) form? How did these groups coalesce to produce the nation's first mayoral chartering authority? What are the implications of this "mayoral charge" for choice policy, innovation diffusion, and civic capacity in Indianapolis? Against the backdrop of vast variability of charter school laws and charter school performance (Gill, Timpane, Ross & Brewer, 2001; Lake & Hill, 2006), the Indianapolis context provides a distinctive yet informative political and cultural canvas to explore charter school policy formulation.

Methods

This qualitative case study of Indiana charter school policy development involved purposeful sampling (Glaser & Strauss, 1967). Interviews were conducted with key "advocacy coalition" (Sabatier & Jenkins-Smith, 1998) members across public and nonpublic entities, including: two former Indianapolis mayors, state legislators and members of the governor's legislative staff, members of the former and current mayors' staff, urban school superintendents (reps from the Indiana Urban Schools Association), urban school board members, teacher union representatives, business groups and business leaders (including the CEO of Eli Lilly), foundation officers (Annie E. Casey Foundation), philanthropists, university leaders and education researchers (Ball State University and the University of Indianapolis), parent group representatives, national charter school advocacy group representatives, local charter school technical assistance group representatives, editorial writers for the Indianapolis Star, local civil rights leaders (e.g., Indianapolis NAACP), community activists, and leaders of faith-based groups in the three largest urban districts in the state. Documents analyzed for descriptive evidence of the nature of governing coalitions and their members' educational/political values related to charter school policy include: transcripts from legislative hearings on charter schools from 1994-2001, press releases from the offices of state legislative leaders and the mayor of Indianapolis, transcripts of campaign speeches from the mayor (1999-2001), editorials and articles published in local media, including the Indianapolis Star (the

state's largest newspaper in terms of circulation), and press releases from the state teachers' union and urban superintendents' association.

All interviews were audiotaped, with participants' permission, and transcribed verbatim. Each interview lasted one hour on average, although some were much longer and few a bit shorter. Interview transcripts and document analyses were coded and summarized according to general descriptive categories derived from the conceptual framework, using the constant comparative method (Patton, 2003). This process was both iterative and theory-driven, and involved inductive and deductive analysis (Strauss & Corbin, 1990). Following the coding, converging pieces of information from interview transcripts, field notes, and document analyses were arranged according to broad themes and categories. Pattern coding was used to discern patterns of thought, action, and behavior among subjects/respondents (Fetterman, 1989; Yin, 1989).

Conceptual framework: Public Policymaking Process

Mayoral Control, Influence, & Impact

This paper examines the origins and implications of this unique mayoral function in charter school authorization and accountability against the backdrop of urban school politics in which mayors play increasingly pivotal and powerful roles (Henig & Rich, 2004; Kirst, 2003; Wong & Shen, 2007).

Recent research focuses on the formal structures that expand mayoral authority of city schools, including mayoral selection of school board members (versus ward or city-wide election), the appointment of a schools chief/chancellor/CEO, and the shift from managerial to advisory board functions (Viteritti, 2008). A myriad of questions are raised (and answered) regarding the consequences of mayoral control in a comprehensive empirical analysis of mayor-managed (or "integrated governance") urban school districts and traditionally managed (elected school board) counterparts (Wong & Shen, 2007). The authors focus upon outputs related to governance (evaluated in terms of financial operations), productivity (assessed in terms of student performance), human capital (appraised in terms of teacher and administrator characteristics, and public confidence (measured by public opinion and awareness). The authors' analyses suggest that expanded mayoral influence and control over public schools contributes to "streamlined governance, an alignment of political incentives, a politics of partnership, and a reallocation of resources to their most efficient use" (p. 95). While the research purposes and scope of data analyses in the Wong and Shen work offer a far more expansive examination than is undertaken here, some pertinent parallels add perspective to this project. This study of Indianapolis mayoral charter school authority responds to the need for case-study level analysis of mayoral control (see Alsbury, 2009), with specific focus upon mayoral authority in charter school policy and the associated claims of increased program transparency and accountability. This project also adds analytical insights to arguments made regarding growth in institution-building and strategic partnerships associated with mayoral control (see Wong & Shen, 2007). The second part of the paper explores the implications of the Mayor's Office of Charter Schools on the city's capacity to move forward with public education reforms, undergirded by new alliances, expanded inter-institutional trust, and external interest and investment (Smrekar, 2009).

In sum, unlike the mayoral “take-over” analyses of urban education reforms in Philadelphia (Bulkley, 2007), Chicago (Shipps, 2006), Baltimore (Orr, 1999) and other cities, this paper focuses on the “advocacy coalitions” (Sabatier & Jenkins-Smith, 1999) and policy streams (Kingdon, 1995) that made Indianapolis the first – and only – city with *independent* mayoral control over charter school authorization and accountability. The unique contribution here rests with the intersection of charter school politics with mayoral control of urban schools. As the Obama Administration and the Secretary of Education urge mayors to take greater responsibility for improving school performance (U.S. Department of Education, March, 2009), this paper makes a timely contribution to the debate regarding the appropriate role and scope of authority of these city leaders in public education.

Policy Streams

This study is nested in a policy research tradition that focuses upon policy formulation and change (Lindblom, 1968). Specifically, the interest rests with the political contexts, problems, and preconditions that facilitate charter school policy *formulation*, rather than the structural reforms, school-level innovations and student *outcomes* associated with charter school policy (see Fuller, 2000; Lubienski, 2004).

The Indiana charter school law was passed following seven years of sustained effort and investment by an array of public and non-public stakeholders, or what Sabatier & Jenkins-Smith (1999) refer to as an “advocacy coalition.” How (and why) did the policy landscape change to secure passage of the IN charter school law? This project applies Kingdon’s (1995) three-part model of the public policymaking process to unpack the pivot points (“windows of opportunity”) that converged to produce this landmark charter school law. The model includes three integral parts or process “streams” -- the problem stream, policy stream, and political stream (Kingdon, 1995).

Problem Stream: This stage underscores the conditions that anchor subsequent (and simultaneous) concerted action and policy development. Informal and formal communication processes play a critical role, creating the policy networks that establish the channels of information and influence. As Mintrom (2000) notes, members of the policy networks cross public and non-public roles, including elected officials, interest group representatives, national advocacy groups, philanthropists, foundation officers, university researchers, and business leaders. During this phase, a central problem emerges as the focus of attention (problem identification), constituting legislative or governmental action. A “policy entrepreneur” who translates the problem to a policy solution sets the agenda.

Policy Stream: Policy solutions emerge through a process of debate, discussion, and reformulation. The policy entrepreneur navigates the political changes and organizational innovation necessary for action during this phase, when coalitions are built around collective action. In Indiana, Senator Teresa Lubbers, the long-time chair of the Senate Education Committee, played this central role with skill and influence.

Political Stream: The political process is dynamic, involving changes in executive and legislative control by different political parties, new elections that bring new mayors with different political philosophies to office, triggering new agenda setting. The change

in the Office of Mayor following the election in 1999 produced monumental change and momentum – all in the direction of the “middle ground” sought by the coalition built by Senator Lubbers and other members of the charter school policy network. In Mayor Bart Peterson, Indianapolis citizens transformed the political tilt and trajectory of education and urban reform.

Urban Regime Theory

Recent research studies on public housing, urban education, and economic reform utilize urban regime theory (Stone, 1989) to explore the nature of public and nonpublic sector relationships involved in policymaking. Although not a formal theory (Mossberger & Stoker, 2001), regime analyses explore “the formal arrangements by which public bodies and private interests function together to make and carry out governing decisions” (Stone, 1989, p. 179). This assumes a set of political arrangements and trade-offs that compliment the interests of both actors – public and private – and maximize or effectively utilize the political clout and material resources each represents. As Bulkley (2007) notes, “understanding the nature of a governing regime (and whether a regime is even present in a particular context) is critical for understanding the path of policy change and its potential for sustainability” (p. 157). Following Stone’s (1989) description of various types of regimes that match coalitional arrangements and policy agendas, Shipps (1993) underscores the importance of further refinement of a typology around distinctive education policy goals, including an *empowerment* regime found in school choice policy initiatives (e.g., charter schools) designed to enhance the power of parents to choose schools from an array of options beyond their zoned school. At a minimum, members of a governing coalition engaged in these policy shifts include parents, educators, elected and appointed government officials. Shipps also highlights two types of *market* regimes: entrepreneurial and corporate. School choice policy, including charter schools, invokes both types. Entrepreneurial regimes are embedded in the effort to drive education reform through market-style mechanisms of supply (new charter schools) and demand (expressed parent preferences/choices). In a corporate market regime, business interests coalesce with public officials/organizations to advance greater efficiency and accountability in schools, a key principle undergirding the push for charter schools across the U.S. (Lake & Hill, 2006).

Though the descriptive analyses in this study are not anchored to a regime theory perspective, the underlying processes provide the scaffolding for considering the broader policymaking process (Kingdon, 1995) outlined above, and underscores the value and utility of applying a critical element in regime theory – civic capacity -- to the evolution and impact of the Indiana charter school law in Indianapolis.

Civic Capacity

In one of the most thorough set of analyses and detailed applications of urban regime theory, Stone et al (2001) identify the conditions that give rise to education reform. The authors refer to “greater civic capacity” (p. 12) as the foundation for comprehensive public policies that result in material change and improved outcomes. Civic capacity enables “a community to come together to address its problems” (p. 12) over a sustained period of time. Civic capacity involves linking integral structures and processes across disparate entities – formal (public, governmental, institutional) and informal (private,

inter-personal) relationships among key stakeholders, common understandings and trust, and an interest in engaging in collective action for a set of shared, mediated goals (Stone, Henig, Jones & Pierannunzi; 2001). This scaffolding supports the framework for moving forward with decisive and collective action toward solving public problems – in education, housing, community redevelopment, and other social policies. Civic capacity, then, constitutes a *pre-requisite* for policy reform and change.

In this study, findings indicate that civic capacity expanded in *response* to the convergence of the policy streams (Kingdon, 1995) related to the formulation of charter school policy and passage of the IN charter school law. The analyses suggest that civic capacity coalesced measurably following charter school policy implementation and the establishment of the Mayor’s Office of Charter Schools. Mayor Peterson’s efforts to elevate public accountability and program transparency established Indianapolis as a strategic foothold for national urban education reform initiatives. The capacity to change the direction of education policy in Indianapolis was constituted by a public demonstration of collective action, inter-institutional trust, and investment from partners (e.g., national foundations) external to the formal governance structures in the city.

Politics of Charter School Policy: Case of Indianapolis

“Window of Opportunity”

Charter school policies mark a convergence of national, state, and local political contexts that are complex, characterized by clusters of coalitions and active policy network members (Bulkley, 2005; Kirst, 2007). This case study of the adoption and impact of Indiana’s charter school law provides an instructive illustration of the public policymaking process against the canvas of these connected political contexts. Following Kingdon’s model (1995), policy changes emerge when three streams – problem, policy, and political – come together to create a “window of opportunity.” Changes in local and state leadership, a fiscal crisis, a massive program failure, or creeping incrementalism may help trigger an opportunity. The tipping point -- whether or not an opportunity translates to policy change -- requires political leadership or a policy entrepreneur. The policy entrepreneur manages the policy network by anchoring the new agenda to a well-defined set of problems and solutions. As Kingdon (1995) explains:

But their defining characteristic, much as in the case of a business entrepreneur, is their willingness to invest their resources -- time, energy, reputation, and sometimes money -- in the hope of a future return. (Kingdon, p. 122)

In sum, the problem definition stage sets the agenda for particular set of policy responses. In Indianapolis, the city’s education and economic “problems” were easily identifiable, though the “solutions” remained highly contested across political contexts and policy communities. What were the problems? How did “political streams” galvanize policy networks toward the charter school “solution?”

Paddling upStream

According to an analysis of state education and economic development reports, and a set of interviews with elected state and local (Indianapolis) officials, business leaders,

interest groups, philanthropists, foundation officers, and state agency officials, Indiana's problems were associated with two inter-related sectors: education and economic development. Indianapolis, the state's largest city with a population of over 6 million (U.S. Census Bureau, 2000), amplified some of the state's most critical economic conditions – declining economic activity and vitality marked by a steady outflow of corporate interests from the city to the suburban communities, coupled with plant closings and a steady decline in manufacturing (Indiana Chamber of Commerce, 2007). These economic issues were matched by a set of negative education indicators: one of the lowest high school graduation rates in the nation (39%) in the Indianapolis Public Schools (IPS), and a large and persistent achievement gap between white and African American students in the district (Greene, 2003). These conditions were fueling a precipitous population decline in the city (and school district) of Indianapolis that began in the late 1980s.

Officials interviewed for this project noted a cultural tilt and tradition in public education and other governmental services that tended to exacerbate these documented problems. These issues included excessive rules and regulations, and an absence of public accountability and responsiveness. How did these problems open the window opportunity and set the agenda for charter school policy adoption after over seven years of failed efforts to pass a charter school bill?

The Streams Converge: Problems, Policies & Politics

By 2001, the battle to win charter school approval in Indiana has been fought for seven years by Senator Teresa Lubbers, a former public school educator, and the reigning influential Republican chair of the Senate Education Committee. Lubbers, widely regarded as the “mother of the movement” toward expanded school choice in Indiana, had worked over the years to cultivate a policy network of other elected Republican members of the Senate and House, the IN and Indianapolis Chambers of Commerce, and local foundations (Friedman Foundation) and think tanks (Hudson Institute) with a long history and well established tow-hold in public education, school choice (notably, including tax credits and vouchers), and conservative Republican political circles. She held legislative hearings on the problems of low high school graduation rates, large and persistent achievement gaps, and the lack of public confidence in the Indianapolis public schools. She defined the problems and outlined the solutions, in committee hearings, public speeches, and meeting with members of the growing school choice policy network in Indianapolis. Lubbers embraced policy values with broad appeal as she set the agenda:

The idea of freedom with accountability was to me like as American as you could get. We are going to treat teachers as professionals. We are going to cut you free of a lot of these rules and regulations that may not be tied to student learning and in exchange, we are going to hold you accountable for what you do. So I think the whole idea of innovation, the idea of serving different populations...

In the late 1990's, Senator Lubbers joined forces with well-organized, energized forces within the Indianapolis Chamber of Commerce and national organizations and leading advocates in the expanding charter school movement, including Jeanne Allen and the Center for Education Reform (CER), and the National Association of Charter School Authorizers (NACSA). A local philanthropist (who later founded one of the first mayor-

authorized Indianapolis charter schools), and other prominent business officials with links to the IN governor's office, played lead roles. The policy network was fully formed when Senator Earline Rogers, a Democratic from the economically hard-hit and educationally low-performing northern Indiana city of Gary, joined Lubbers in supporting the charter school effort. Rogers, a former school teacher and member of the American Federation of Teachers union, joined with Senator Lubbers in moving some reticent Democratic legislators from stiff opposition to all expanded forms of school choice, to what emerged as "middle ground" on the school choice policy agenda – charter schools. Rogers joined Lubbers, and examined other strong state charter school laws as a model for the IN law. In large part, she viewed charter schools as the solution to problems in the current public education system:

I absolutely believed in the concept of having incubators of learning where people could experiment -- that was something that I thought was attractive. When I was teaching, there were some barriers there and I would have liked to have gone outside some of those barriers, but couldn't because of the bureaucracy. I basically wanted to make certain that we could get a law that everybody could agree to and give that opportunity for experimentation to teachers or to other groups who felt that there were some needs that a particular community had.

Kingdon (1995) suggests that policy entrepreneurs move policies forward by seizing upon the "windows of opportunity" presented by the convergence of problem, policy, and political streams. How did the entrepreneur -- Lubbers -- provide the pivot point for school choice policy formulation and more specifically, charter school adoption? By 1999, Lubbers was building the momentum that would link a set of public problems to a set of policy solutions found in the charter school movement. As Mintrom (2000) explains:

Among the activities that policy entrepreneurs engage in, the most important include identifying problems, networking in policy circles, shaping the terms of policy debates, and building coalitions to support policy change. (p. 57)

During data collection for this project, numerous elected officials and interest group leaders described a culture of insularity and incremental policymaking in Indiana. Many officials noted that these traditions made education change challenging, and created some disconnections to the policy networks formed around the agenda of school reform and charter school adoption. As Senator Lubbers observed:

People will say that Missouri is the "Show-Me" state, but I think our state has a bit of that, especially when it comes to education. People are a little reticent to embrace a new idea as the newest and greatest until they really have some reason to think it is a good, new idea.

Lubbers would need to divert other (political) streams to a particular choice policy. She concluded that charter schools were the solution to the problems the state – and the state capital (Indianapolis) – were chasing. Charter schools would emerge in the late 1990s as the middle ground to the decades-old debate in the state Capitol on school vouchers as a policy solution – a position advocated by the Republican mayor of Indianapolis, some Republican legislators, influential Indiana business leaders, and scholars at the

Indianapolis-based Friedman Foundation and the Hudson Institute. In 1999, the election of the first Democratic mayor in Indianapolis in 32 years provided a new advocacy coalition -- this one tilted toward charter schools as *the* policy solution to the problem of poor performing public schools.

Peterson's immediate predecessor, Stephen Goldsmith, the Republican mayor of Indianapolis from 1991-1999, advocated private out-sourcing and public-private competition to ensure greater innovation, accountability, and efficient city government. Sharp ideological differences and entrenched political battles with teacher unions, school superintendents in the city of Indianapolis, and Democrats in the city and state legislatures characterized his tenure as mayor. Goldsmith supported the idea of charter schools, but argued that the teacher unions, particularly in Indianapolis, would prevent passage of a strong law, something he favored. As Goldsmith framed the dilemma:

It would be such a weak law that all of the oomph out of the choice movement, without accomplishing anything for the kids. I just didn't feel like even if I could get a strong law, we'd get enough charters to reach a tipping point.

Goldsmith pursued a policy of structural change through competitive pressures. He sought to fracture and then eliminate what he perceived as costly, bureaucratic monopolies throughout city government, and replace government-provided programs with privatized services. He sought market-based reforms in education as well, including publicly financed vouchers for private schools and tuition tax credits to defray the cost of parochial school tuition in the city. Goldsmith cultivated strong policy networks with the conservative Friedman Foundation and the Hudson Institute to bolster his beliefs in the efficiency and productivity of private providers. Goldsmith argued that charter schools could create "competitive pressures" on traditional public schools, if enough "strong" charter schools could be approved. He summed up his position on charter schools in a recent interview for this project:

What I was trying to do was change the system. I viewed the charters, innovative charters as important in and of themselves, but more important as a way to exert structural impact on the rest of the system... that is why I used competition in the city government because it changed all of the government, not just the stuff that was outsourced, all the rest of it.

During the 1999 campaign for Indianapolis mayor and throughout the first nine months of his administration, Bart Peterson sought a middle ground between two polarizing positions staked out by various political constituencies: privatization, vouchers, and market-based reforms sought by Mayor Goldsmith (and the Hudson Institute, members of the business community), and the outright rejection of any public school choice policies (including charter schools), advocated by most of the Democratic caucus in the Indiana state legislature. In an interview for this project, Peterson noted this political climate raised particular challenges -- and imperatives -- for a vastly different direction in education policy.

The city government, the media, the business community -- all had been working for close to a decade to change the schools. I felt that the environment was very antagonistic. I felt that if we couldn't find something that, not necessarily

initially, but eventually might lead to consensus, that we would never have permanent change.

In the interview for this project, Peterson identified a different set of *problems* in need of policy *solutions* than those articulated by the charter school policy network led by Senator Lubbers. As noted earlier, these problems involved low student performance, measured by the low high school graduation rates in IPS. These issues were linked to a lack of accountability and innovation in the education system. These policy network members focused upon the “logical” (Miron & Nelson, 2002) and widely promoted changes triggered by charter school reforms (see Table I), including teacher autonomy and improved student achievement. Peterson’s view of the city’s problems transcended classrooms and high school corridors. He shared his more expansive perspective of mayoral involvement in education problems and policies:

The reasons why a lot of mayors look to get involved in education is not just because they see how important it is for the lives of children and their future, but how many other issues and problems in our major urban community are connected with bad education. Excuse me, there is also population decline associated with the perception and reality of poor schools. So if you believe that a city has to retain its population in order to be strong, in order to do all the things you want to do, you have to figure out a way to keep people in the city, and the people are going to vote with their feet.

While successive Republican and Democratic Indiana governors supported the concept of charter schools, none were as vocal or specific about support for charter schools as Indianapolis Mayor Peterson. Peterson vowed to work with state legislative leaders to get a strong charter school law passed during the 2001 legislative session. He coupled his strong support for charter schools with a specific endorsement for an expanded mayoral role in public education as a charter school authorizer. His position was punctuated by a major speech outlining his education policy priorities in his State of the City Address, on February 22, 2001:

A mayor is uniquely positioned to tap into the community resources necessary to make charter schools thrive. A sponsor must evaluate charter school proposals and hold the schools accountable for their performance...a mayor is accountable to the public for all decisions and the decisions I might make as a charter school sponsor would be no exception.

The Mayoral Charge in School Choice Policy

This expanded and exclusive role for Mayor Peterson – a Democratic -- had been developed with Senator Lubbers and other members of the policy network over the previous months, and inserted in a bill that failed in late 2000. Peterson laid the groundwork for his key role as authorizer early – first during the campaign in 1999 as a vocal proponent of a *strong* charter school bill, and later in his major public speeches. But more importantly, Lubbers and other members of the policy network –including the Indianapolis Chamber of Commerce, the Hudson Institute, and philanthropist Chrystal DeHaan (who was funding a separate foundation to provide technical expertise on charter school legislation) -- viewed the Indianapolis Public Schools (IPS) as the major

obstacle to charter school *implementation*. “Strong” charter school laws rated by CER included a wide range and type of authorizers (e.g., universities) in addition to local school boards. CER and the National Association of Charter School Authorizers (NACSA) underscored this point with the charter school policy community led by Lubbers. The traditionally strong ties between local Democratic leaders, elected school board members in IPS, and teacher unions were a central matter of interest and concern as the charter school bill evolved. In the effort to avoid appearing radical, policy network members noted that naming a mayor as an authorizer was not new in 2001: the Wisconsin legislature granted the Milwaukee mayor specific authorizing authority in 1998, though the authority is more restricted -- subordinate to a separate, independent Milwaukee board that forwards recommendations to the mayor. The Indiana law flipped this formal authority arrangement, making the Mayor of Indianapolis the first mayor with *independent charter school* authorizing authority in the U.S. In an interview for this project, Peterson underscored the rationale and significance of this unique approach:

I think this is where Senator Lubbers was visionary and correct – that you are less likely to get the kind of charter community that you are looking for if you only leave it to school districts to do the chartering. So who the authorizers are is key and then of course she is the one that came up with the innovation of getting the mayor of Indianapolis a charter, which was not something that I had even thought of before.

The match between policy problems (low graduation rates, lack of accountability, population decline in the city) and solutions (innovation and accountability via charter schools) culminated in a final negotiation with the teachers union in Indiana. In exchange for restored collective bargaining rights for Indianapolis district teachers (suspended by legislation urged by Mayor Goldsmith and passed with Republican majorities in both chambers in 1995), and other provisions designed to provide a “level playing field” for charter schools and traditional public schools, House Democrats joined the Republican-led coalition in the Indiana Senate and passed the Indiana charter school law in 2001.

Mayor’s Office of Charter Schools: The One Best System?

Granted legislative authority to authorize charter schools in IPS and the surrounding 10 school districts in the city limits of Indianapolis, Mayor Bart Peterson and his chief aide, David Harris, set out to “create the best system.” Central to Peterson’s efforts was the central argument he had embraced along the way to charter school law adoption: the quality of charter schools was ultimately tied to the quality, rigor, and integrity of the authorization process. The new Mayor’s Office charter school review process set out to establish a set of central organizing principles: scrutiny, technical assistance, on-going evaluation, and transparency. The new Mayor’s Office on Charter Schools collected information from leading scholars, consulted with charter school authorizing experts across the U.S., and examined “best practices” across an array of urban school districts. Simultaneously, the Mayor and his team cultivated an inter-institutional infrastructure of political and financial support. Under the new law, the Mayor’s recommendations for charters had to be approved by one other governmental entity -- the 29 members of the City Council in Indianapolis, a majority Democratic body. By Executive Order, Peterson created the seven-member Mayor’s Charter Schools Advisory Board and named

prominent local educators, business leaders, and university scholars to serve. The Board was charged with formal review responsibilities, and for making recommendations to the Mayor on all charter school applications. The Mayor's Board added credibility, expertise, and transparency to the process. Notably, all 16 of the Mayor's recommendations for charter school passed with what became a routine 29-0 vote of Council support.

With generous financial support from the Annie E. Casey Foundation in St. Louis, the Mayor first established rigorous applications systems, and second, an extensive accountability and reporting procedure for all approved charter schools. These efforts led to the development of the Charter School Performance Framework, designed to foster on-going school improvement and high student achievement. The Charter School Accountability Handbook gave charter school operators detailed guidance and direction, and was a centerpiece of the mayor's promise of accountability. A grant from the Lilly Endowment soon followed to support a research and evaluation component for the charter school program through the independent technical assistance services provided by evaluation experts at the University of Indianapolis. This project, coupled with the Mayor's team's growing reputation for rigor, reform, and accountability, attracted new interest from the Gates Foundation in 2003 for a small schools initiative in greater Indianapolis. In 2006, the Mayor's Office on Charter Schools was recognized by Harvard University's Kennedy School of Government for innovation in government. The charter school authorizing program was singled out for its "rigor, transparency, and results" (Harvard University, 2006). By 2008, the Mayor's Office on Charter Schools had become a kind of incubator for new civic capacity in the city, culminating in the creation of Mind Trust, a non-profit organization headed by the Mayor's former charter school team, and designed to establish broad-based education reforms across the city. Notable education initiatives were soon attracted to the potential assets and documented expertise represented at Mind Trust, including Teach for America and The New Teachers Project, promising once again, improved school results in Indianapolis. Our findings suggest at least the seminal elements of expanded civic capacity in Indianapolis, growing directly out of the Mayor's charter school program. These elements include new inter-institutional partnerships (Gates Foundation, University of Indianapolis, IPS), new mobilization of community interests focused on public education, and an expanded expertise/human capital within the city government and non-profit organizations within the city. These developments represent the *potential* for achieving some of the promises of charter school reform.

Civic Capacity, Competition & Failed Promises

Part of the promise of charter school proponents in Indiana and elsewhere rests with the premise that innovation diffusion, increased student achievement (from competitive pressures), and increased accountability will follow, and flow across both charter systems and traditional public schools. Though many of the Mayor's authorized charter schools continue to thrive and to outperform IPS schools of similar demographic make-up, the implications of charter schools for improved performance in traditional public schools falls far from the goals explicated above. Despite evidence of competitive pressures, the rate of graduation in IPS remains among the lowest in the country, hovering around 35%. Moreover, the population decline in Indianapolis persists, with a precipitous decline in enrollment among middle class families in IPS, in particular. Despite new innovative education approaches with IPS magnet programs, including a new Law & Public Policy

magnet, and a recently expanded collaboration with the KIPP charter organization, the academic results in IPS are worrisome. To be sure, the academic trajectory for the more than 50,000 students enrolled in that system are far less than the goals established by the charter school policy network and policy entrepreneurs.

At the same time, there are new questions and external pressures regarding the sustainability of the political and policy streams that secured adoption and implementation of the charter school program in Indianapolis. These are manifest in new pressures from Democrats and enduring fiscal pressures due to the economic downturn and high unemployment across the state. Mayor Peterson and Senator Lubbers have moved on to new positions, outside the realm of charter school development and policy entrepreneurship. In the end, enduring challenges remain regarding the efficacy of charter school policy as a potential lever for broad-based education reform and improved academic outcomes for Indianapolis and other urban school districts.

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Table 1. Charter school logic model



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| <ul style="list-style-type: none"> ▪ Decentralized autonomy ▪ Consumer choice (open enrollment, mobile per pupil funding) ▪ Provider competition ▪ Deregulation ▪ Accountability to authorizer (public) for results ▪ Accountability to parental (private) preferences | <ul style="list-style-type: none"> ▪ Entrepreneurial management/ administration ▪ Teacher autonomy and professionalism ▪ Curricular and pedagogical innovations ▪ Equity / access to new educational opportunities ▪ Privatization ▪ Parental / community involvement ▪ Incentives for responsiveness to consumers | <ul style="list-style-type: none"> ▪ Student achievement ▪ Customer satisfaction |
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