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## **Solving the Policy Implementation Problem: The Case of Arizona Charter Schools**

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### **Abstract**

When Republican legislators in Arizona failed to approve educational vouchers in four consecutive legislative sessions, a charter school program was approved as a compromise. The charter school policy was written during a special summer session and within three years, over 30,000 students were enrolled in 260 charter schools across the state. Republican policy makers, who failed to enact voucher legislation, proclaimed the charter school program to be an overwhelming success and protected it from amendments by Democrats and potential actions of bureaucrats that could have altered the policy intent. Research on the implementation of policy indicates that state and local implementors frequently undermine or alter legislative intentions. However, when Arizona policy makers approved the charter school policy, they overcame this persistent implementation phenomenon and, in fact, succeeded in preserving the legislative intentions in the working program. This policy study analyzes how they were able to achieve this elusive result. Key policy makers attended to four significant features of policy implementation in creating the charter school policy: communication, financial resources, implementor attitudes, and bureaucratic structure. Manipulating these key variables allowed policy

makers to reduce implementation slippage.

## **The Implementation Problem**

Contrary to the desires of federal, state, and local policy makers, policies are not self-executing. After policy enactors develop legislation, various stages precede a working program. Simply because legislators express explicit intentions in policy does not guarantee those aims will be preserved through the implementation process. Frequently, implementors misconstrue or disagree with the conceived purpose and undermine legislative intent.

Beginning in the 1970s with the work of Pressman and Wildavski (1973), studies on the implementation of government policy over the following 16 years illustrated the problem of convincing local implementors to adhere to the spirit of government mandates. This implementation problem has been repeatedly identified in studies of agricultural, economic, energy, environmental, labor, penal, public health, urban planning, technology, and welfare policies at the state and federal levels. Baum (1981; 1984) and Clune (1984) identified similar frustrations in the implementation of judicial policy.

In the late 1970s, research on federal and state educational policy also identified the implementation problem (Barro, 1978; Berman & McLaughlin, 1978; Weatherly & Lipsky, 1977). Over the following two decades, educational researchers have continued to highlight the implementation problem in their work (Elmore & McLaughlin, 1981; Hall, 1995; Hall & McGinty, 1997). In a comprehensive review of the literature Odden (1991) concluded:

In short, early implementation research findings coupled with somewhat later findings on the local educational change process concluded that local response was inherently at odds with state (or federal) program initiative. If higher levels of governments took policy initiatives, it was unlikely local educators would implement those policies in compliance with either the spirit, expectations, rules, regulations or program components . (p. 2) (Note 1)

Social scientists from various disciplines studying an array of social programs acknowledge that policies emanating from higher levels of government are inherently problematic. McLaughlin (1998) identified local capacity and will as two paramount variables that affect the outcomes of the implementation process.

The local expertise, organizational routines, and resources available to support planned change efforts generate fundamental differences in the ability of practitioners to plan, execute, or sustain an innovative effort. The presence of will or motivation to embrace policy objectives or strategies is essential to generate the effort and energy necessary to a successful project . (p.72) (Note 2)

Despite the preponderance of research indicating slippage during the implementation of social policy, legislators are not completely impotent after enacting legislation. McDonnell and Elmore (1987) identified four discrete methods policy makers can use to increase the likelihood that policy intentions are preserved in working programs. "They can set rules, they can conditionally transfer money, they can invest in

future capacity, and they can grant or withdraw authority to individuals and agencies" (p.140). Baum (1984) described two additional sources of power policy enactors hold over policy implementors- they can investigate and publicize. "These powers allow legislators to embarrass an agency and its officials." (p.41). What is consistent over three decades of research in the policy implementation literature of social policy is that armed with these "policy instruments," more often than not, policy enactors fail to manipulate the actions of policy implementors. Current research on the implementation of education policy is sparse and further exploration of this area is necessary. Accordingly, this study sought to clarify the nexus between policy development and program enactment by focusing on the implementation process. The actions of policy makers and the contextual environment surrounding the implementation of the Arizona Charter School policy were analyzed using a case study methodology. The purpose of this research was to investigate three interrelated research questions concerning the design and implementation of Arizona's charter school legislation.

1. How did policy makers articulate the intent of the charter school policy?
2. After three years of a working charter school program, were they satisfied with the results?
3. How were state policy makers able to preserve their original intentions through the implementation process?

## **Methodology**

A descriptive and exploratory case study approach was utilized for this policy study because how or why questions were posed, I had little control over the events, and the focus was on contemporary phenomenon (Yin, 1994, p.1). The study was completed using data from the analysis of documents, observations of key actors, and focused interviews with policy makers and policy implementors.

Relevant documentary information from a variety of sources, including articles from Arizona newspapers, minutes from the Committee on Education meetings of the state legislature, and relevant charter school statutes were analyzed. Data from documents were used to verify and strengthen data from other sources (Stake, 1995; Yin, 1994). Key actors were observed in various contexts, including Committee on Education meetings in the Arizona State Senate and the Arizona House of Representatives during the 1998 legislative session. Also, observations of the meetings of the State Board of Education and the State Board for Charter schools were completed from 1995-1998 . (Note 3) My role in the field was toward the observer side of the participant observer continuum (Gold, 1969).

The third significant source of data came from focused interviews. A semi-structured interview protocol was employed with 24 key actors from the following four groups:

1. Legislative insiders
2. Administrative staff and board members from the two state level charter school sponsoring agencies (the State Board of Education and the State Board for Charter Schools)
3. Administrative staff members from the Arizona Department of Education, including the Superintendent of Public Instruction
4. Administrative staff members from the Office of the Auditor General

Interviews were taped and transcribed. All participants were given a chance to comment on the content of the interview transcripts and all 24 granted permission for the quotations used in this study. In some cases participants insisted on receiving credit for their comments, while others preferred to remain anonymous.

Data collection and analysis occurred simultaneously through a process of reduction, display, and verification (Miles & Huberman, 1994). When data from one source was collected it was coded and compared with data collected from the same source at another time, as well as data collected from alternative sources. As this process continued, patterns emerged. These patterns often became themes that were refined and challenged against data from competing sources. Eventually distinct categories developed, and conclusions emerged.

This qualitative case study provides a rich account of the Arizona policy making context, however, generalization is limited, and this single case provides us with little insight into national trends. A multi-state comparison would be useful in such a pursuit. Moreover, most of the data collected was based entirely on the perceptions of policy makers and implementors. The recent nature of the reform, combined with the minimal reporting requirements for charter schools resulted in a meager amount of quantitative data.

Although this research is focused on the ways that Arizona legislators attempted to insure their intent was carried out, the author takes no position on the question whether this goal and these objectives are desirable in themselves. Others have pointed out the value of "loose coupling," (Weick, 1982) "street-level bureaucracy," (Lipsky, 1980) and other ways in which legislative or regulatory intent are modified or, in extreme situations, even subverted, for the good of all. Finally, this study does not address whether or not this particular reform, charter schools, produces meaningful changes in classroom practice (see Bomotti, Ginsberg & Cobb, 1999 and Knapp, 1997 for further discussion of this type of research). Unarguably an important question, it was beyond the scope of this research.

## **Legislative Intent**

Across the United States many organizations, including Republicans, Democrats, teachers unions, business organizations, and parent groups have climbed on the charter school bandwagon. Many of the groups promote disparate ideologies, but every organization has specific motivations for its support . (Note 4)

In the US, the charter school concept has been driven by three distinct ideologies. Consequently, policy makers define the problem to be solved by charter schools differently in various states. Some state legislators argue that the current bureaucratic system of public education has stifled educational improvement and innovation in the United States. Charter schools in these states typically are granted a blanket waiver from most rules and regulations. Other state policy makers believe that market mechanisms will improve the public school system. In these states charter schools must compete for and maintain their student population. Finally, a few state legislators maintain that teacher professionalism must be increased before any real improvements in public education will occur. In these states teachers have the power to make and implement decisions that affect learning in the classroom (Garn, 1998, p. 50).

This research first examined how key legislative insiders in Arizona defined the problem and articulated the intent of their charter school policy. Determining intent does not easily lend itself to precise measurement. However, the triangulation of various data sources confirmed the purpose of the policy.

The former Chair of the House Education Committee, Lisa Graham-Keegan, defined the "problem" that the charter school policy was intended to solve in a 1994 article that appeared in the Arizona Republic. "I hope this reform will begin to demonstrate that you don't need all of the bureaucratic overlay we now have in public schools." What they [charter schools] are getting is freedom from regulations in return for greater [market] accountability" (Mattern, 1994, p. A1). This was corroborated in the interview data. A leading legislator in the Arizona Senate reflected on the original intentions.

The bureaucratic administration and the monopoly that public schools used to have are now being eroded by charter schools." Charter schools have to compete in a market for students. So, if they for whatever reason can't attract children to go to that school, they are not going to have a school. And that's the whole key to charter schools; that's what disciplines them and that is their accountability mechanism. (Senate Education Committee Member Tom Patterson, March 16, 1998)

Furthermore, even legislators from the minority party, who were ideologically opposed to market accountability, recognized the aims of the charter school reform.

Well, for the rest of the world, the non-charter public schools, there is this perception, and also laws, which say, 'If I am going to give you the money out of the purse, then you have to give me accountability back.' So, what happened with these [charter schools] was that by using the definition of the 'innovativeness' of charter schools, we can just give them the money and part of the 'innovativeness' is not bothering them about the details of how the money is being spent." So, I guess, I mean, to me there is no [bureaucratic] accountability. (House Education Committee Member Kathy Foster, March 24, 1998)

Well, right now, currently, there's an atmosphere in the state that the 'buyer beware,' 'let the market forces drive them,' 'people are voting with their feet,' any number of clichés. As far as voting with their feet or the rhetoric you hear that charter schools are more accountable because there is an actual contract they have to adhere to. Well, the oversight of this contract is lame at best. The Department of Ed[ucation] and even the charter school boards themselves, and local districts that have all chartered, there has been very little monitoring of activities and adhering to their charter. (Senate Education Committee member Mary Hartley, March 23, 1998)

Arizona legislators created a charter school policy that was intended to address two intertwined problems. First, they wanted to reduce the bureaucracy with which public schools must contend. Second, they wanted to inject market mechanisms into the public school system. Satisfaction with the Results Building on the first research question, the second goal of the study was to determine if Arizona's policy makers were satisfied with the results of the working charter school program. Data from interviews with key actors indicated that they were pleased with the effect of the legislation.

Well, we hoped that it [charter school policy] would have a large impact and I think it is more successful than we anticipated it would be in the time span. Arizona is probably one of the leading states in the number of charters

that have been granted and we have a few failures, but we expected that.  
(Chair of the House Education Committee, Dan Schottle, March 25, 1998)

It's [the charter reform] been one of those things that I think we had a pretty clear idea of what kind of principles we wanted it based on, and particularly what kind of accountability we wanted for charter schools.... And we were astonishingly successful, but I don't think we realized, or I certainly did not realize all the implications of that at the time and what a large and profound public policy movement this would be. (Senate Education Committee Member Tom Patterson, March 16, 1998)

I am not a plan-ahead person, and I don't know what will happen in the future, and I certainly did not know with the charter school legislation when I was working on it. That is just not the way I work. However, I did know there were some good principles in that legislation and then it took off.... Charter schools have just opened up one more venue for school choice. They vastly surpassed the number of schools that I or anyone else anticipated.... Yes, I am happy with the program, and, yes I think it is working like I wanted it to. (Personal communication, Superintendent of Public Instruction, Lisa Graham-Keegan, April 21, 1998)

The interview data were confirmed by data from documentary sources. All proposed charter school legislation from 1995-1998 was coded into three categories: bills that reinforced the intent, measures that subverted the intent, and acts not related to the intent . (Note 5) Moreover, the proposals were grouped by party preference. Assuming that proponents would protect the program from bills that would alter the policy intent, the documentary record was clear. Although many amendments (proposed by Democrats) would have subverted the legislative intent, very few of those made it out of the House or Senate Education Committees, and even fewer were written into law. And those proposed by Republicans reinforced the intent and were more likely to be written into law.

Legislators involved in passing the charter law in 1994, who remained in office through 1998, explicitly understood their role in protecting the principles expressed in the statute. Senator John Huppenthal, Chair of the Senate Education Committee stated that "They [charter schools] are still getting sucked back into the bureaucracy." I've been able to defeat any legislation that would harm the charter schools" (March 23, 1998). The stability of the political support structure from 1994 to 1998 contributed to the preservation of intentions. Champions of the charter school policy remained in powerful positions and were able to protect the program from amendments that could potentially subvert the aims of the policy. Senator John Huppenthal served on the Education Committee from 1993 through 1998 and chaired the committee from 1995 through 1998. The Chair of the House Education Committee, Lisa Graham-Keegan, resigned from the House of Representatives and soon after was elected Superintendent of Public Instruction. Representative Dan Schottle assumed leadership of the House Education Committee in 1995 and maintained a strong defense of charter schools. Senator Tom Patterson was the first to introduce the idea of charter school reform to the Arizona Legislature. Formerly the Majority Leader, his support and defense of the charter policy was invaluable to the preservation of intentions.

In sum, policy enactors who enacted the statute remained in powerful positions. These champions were pleased with the working program and worked diligently to

protect it. With regard to the first two research questions, the data were clear. Policy makers wanted to limit the bureaucratic requirements for charter schools and replace them with market accountability mechanisms. Moreover, after four years of charter school operation in the state, they were satisfied that the policy had achieved those objectives. The final step in this policy study was to address the third and larger research question: How were Arizona policy makers able to preserve the original legislative intent through the implementation phase when so many mandates are subverted?

## **Avoiding Implementation Slippage**

To address the final research question required a framework that could isolate the linkages between the national and state political levels, state political and state bureaucratic levels, and state bureaucratic and charter school levels. Hall and McGinty's (1997) mesodomain framework was useful in clarifying how "the realization of intentions is shown as both constrained and enabled by (1) organizational context and conventions, (2) linkages between multiple sites and phases of the policy process, (3) the mobilization of resources, and (4) a dynamic and multifaceted conceptualization of power" (p. 439).

## **The National Level**

At the national level, George W. Bush pushed hard for systemic reform of the district public school system and was the first American president to endorse charter schools. Charter school legislation was first approved in Minnesota during the 1991 legislative session. Since that time, the charter school reform has evolved into a national movement as 34 states, the District of Columbia, and Puerto Rico have approved this policy. Bush's successor, William J. Clinton, recognized this national education reform trend and called for the development of 3,000 charter schools by 2001 (Clinton, 1997). Accordingly, federal funds for charter school research were first approved in 1994 through amendments to the Elementary and Secondary Education Act. Federal stimulus funds to charter school operators (to defray start up costs) increased from \$6 million in 1995 to \$100 Million in 1998 (Wohlstetter & Griffin, 1997).

Information about charter schools spread nationally through various channels, but two organizations took the lead. The first issue network was the Center for School Change at the Hubert H. Humphry Institute of Public Affairs at the University of Minnesota (Nathan, 1996). The Pioneer Institute, a conservative think tank located in Massachusetts, was the second organization to take an early lead in publicizing this reform (Wohlstetter, Wenning, & Briggs, 1995).

## **National to State Political Linkage**

Ted Kolderie, a Senior Policy Analyst at the University of Minnesota's Hubert Humphry Institute, visited Arizona in 1993 to explain the charter school concept. Kolderie, who was influential in lobbying the Minnesota Legislature on the merits of charter schools, emphasized the professionalism for teachers embodied in the reform. In Arizona, his vision of charter schools was rejected. Providing teachers with more autonomy was not a problem that Arizona's leading legislators wanted to fix. In addition to disagreeing with the core ideology (as described by Kolderie), in 1993 notable policy makers in Arizona were pondering more radical educational change--school vouchers.

Vouchers for all children were a top education reform priority for influential Republican members of the legislature and Arizona's Republican Governor, Fife Symington. During the 1993 legislative session, Symington stated that he would defeat any education reform that did not contain a voucher program.

Conversely, Arizona Democrats, the minority party, were fundamentally against the concept of a voucher program. They were able to unite and, with a few moderate Republicans, mustered enough support to defeat voucher proposals in the 1991, 1992, and 1993 legislative sessions. By 1994, the calls for educational reform were incessant. The public and the media were increasingly demanding that legislators "do something." As Arizona's 1994 legislative session ended, again without voucher legislation, the pressure intensified.

In the early 1990s, staff members at the Goldwater Institute, a conservative think tank located in Phoenix, developed several alternative voucher proposals, ranging from limited to full participation. When voucher legislation was defeated in four successive sessions, Goldwater staff members promoted charter schools as a viable policy option. Goldwater officials closely monitored the school choice issue networks and were aware of the Pioneer Institute's work on charter schools. They saw the potential in the concept, but rather than focusing on the teacher autonomy, the Goldwater Institute's proposal emphasized radically decreasing bureaucratic oversight and forcing charter schools to compete for students. Behind closed doors in a Republican caucus, the Goldwater Institute's plan was modified without input from Democratic legislators. Authored by House Education Chair Lisa Graham-Keegan and championed by leading legislators, it quickly passed through the special session and was enacted into law on September 15, 1994.

Contrary to many other states, in Arizona charter school legislation was approved as a compromise in place of vouchers. Although both Democrat and Republican legislators voted for the bill, it is too simplistic to argue that there was bipartisan support. Democrats were against any plan that would divert funding from the district public schools. However, they were worried they would not have the votes to defeat another voucher bill. Conversely, Republicans were displeased they had failed at their original voucher intentions, but were anxious to pass an education reform that increased parental and student choice while decreasing bureaucratic oversight.

### **State Political to State Bureaucratic Linkage**

The state political to state bureaucratic linkage was critical to the preservation of policy makers' intentions. Although policy makers had clearly articulated intentions for the charter school plan, this did not guarantee that state level bureaucrats would promote those interests during implementation. There has been a history of discord between the state Department of Education and state legislators; the latter feeling that bureaucrats too frequently misinterpreted the aims of the policy and the former feeling they were constantly being asked to do too much with too little. Due to the institutional distrust, policy makers took two explicit steps to ensure that state level bureaucrats did not undermine their intentions. First, the legislature minimized the authority of the Department of Education to regulate charter schools. McDonnell and Elmore (1987) stated that "Selecting or creating an implementation agency is often as important a choice for policymakers as transferring money or specifying rules" (p.138). The legislation granted two state sponsoring boards (the State Board of Education and the newly created State Board for Charter Schools) general sponsorship and oversight responsibilities for charter schools. This shifted the authority away from the Arizona

Department of Education to regulate public charter schools.

To reinforce this shift in authority, legislators included a statute that provided the governor with the power to appoint members to the State Board for Charter Schools. Although Governor Symington was originally opposed to charter legislation, it was not because he opposed increasing school choice. Rather he wanted additional choices (including private and religious schools) and supported education vouchers. However, he quickly reversed course and championed the charter school reform when he realized vouchers were not a viable policy option. As a strong proponent of school choice, Symington appointed seven individuals to the State Board for Charter Schools who supported the legislative intent. Board members understood that they first needed to approve as many applications as allowed under the law, and that second, they would play a "hands off" role in oversight (Garn & Stout, in press). The members of the State Board of Education, while supportive, were so to a lesser extent because of a slightly more diverse board makeup . (Note 6)

In addition to transferring much of the authority for charter schools to the State Sponsoring Boards, legislators used a second policy instrument to ensure state bureaucrats would not interfere with the spirit of the legislation. They passed the charter school reform as an unfunded mandate for state level administrative staff. The Arizona Department of Education, the Office of the Auditor General, the State Board of Education and the State Board for Charter Schools received no additional funding for charter school staff. This proved to be an effective policy instrument in limiting the influence of bureaucratic agencies. The Arizona Department of Education [ADE] and the Office of the Auditor General illustrate this point.

The Arizona Department of Education could easily justify an oversight role for charter schools. The legislative statute creating this agency speaks of a responsibility for all public schools. However, without additional funds to hire charter school support staff, ADE's role was effectively limited. Moreover, the charter statute asked little of the Department beyond providing general support to the sponsoring boards on an as-needed basis. Without clearly articulated statutory demands and funding to hire charter school support staff, ADE was overwhelmed by these new responsibilities and unable to institute any meaningful oversight on charter schools.

The Office of the Auditor General faced the same dilemma as ADE: they had statutory responsibilities, but received no additional funding to carry out those duties. The Office of the Auditor General was created to ensure that public entities were using tax-payer dollars appropriately. Arizona Revised Statute §41-1279.03 requires this office: "to be an independent source of impartial information concerning state and local governmental entities and to provide specific recommendations to improve the operations of those entities" (<http://www.azleg.state.az.us/ars/41/1279>). Accordingly, this agency had responsibilities for conducting and reviewing financial audits of public schools. Because charter schools are publicly funded, they came under the purview of this agency. Similar to the Arizona Department of Education, the Office of the Auditor General Office was not allocated additional funding to meet this charge.

One fundamental objective of the charter reform was to make sure that charter schools were not caught up in the same bureaucratic rules and regulations as the district public schools. Transferring authority to specially appointed bureaucratic agencies and limiting funds to government agencies for administrative staff effectively achieved that goal.

An equally important contextual factor ensured the original intentions embodied in Arizona's charter school policy were intact during the state political to state bureaucratic linkage. Lisa Graham-Keegan was the author of the charter legislation as

Chair of the House Education Committee. The charter school legislation took effect in September 1994, and she was elected to the position of State Superintendent of Public Instruction in November 1994.

Wohlstetter (1991) argued that "success of educational reforms was tied directly to the political agendas and self interests of their legislative sponsors or champions" (p.289). Other legislators clearly recognized Graham-Keegan's self interest in the charter school policy. "The Superintendent of Public Instruction is a strong proponent of charter schools. As a matter of fact, I would say sometimes to the disadvantage of the non-charter schools" (House Education Committee Member Kathy Foster, March 24, 1998).

The Superintendent of Public Instruction had a place on both the State Board of Education and the State Board for Charter Schools. Observations of both boards recorded over three years verified that Graham-Keegan used her position as expert on these layperson-dominated boards to ensure that the legislative intent was preserved. (Note 7)

Moreover, in her capacity as CEO of the Department of Education, Graham-Keegan was able to make sure that her staff did not misconstrue the aims of the policy. Although the legislature had transferred authority away from this agency and withheld funding, Graham-Keegan took several additional steps. First, Keegan ran on a platform of cutting the bureaucracy within ADE. One of her first actions after the election was to initiate a major downsizing of staff at ADE. The year before she took office the Department of Education had 460 full-time staff members. By 1996, she reduced the number of full-time staff to 231 (personal communication, ADE Payroll Division, April 1998). However, the Department was unable to function effectively with such low staffing provisions, much to the concern of some Democratic legislators.

Well, for one thing they [ADE] could add a few more staff people and they could keep them longer than six months. I don't think myself, I've called over there and gotten the same person twice. There's no continuity of staff at all." I think that speaks volumes of what's going on. (Senate Education Committee Member Mary Hartley, March 23, 1998)

However, legislators from the minority party were forgotten players in education policy, and only after school district leaders began to vociferously complain about the quality of services, did the numbers rise to 348 full-time staff by April 1998 (personal communication, ADE Payroll Division, April 1998). Consequently, fewer staff had more responsibilities, further limiting the possibility for bureaucratic oversight of charter schools. Graham-Keegan took another explicit step in order to limit bureaucratic interference from ADE. She discouraged effective communication among the various divisions in the Department of Education. Her justification for this uncoordinated approach was as follows:

Our main efforts are not to be too onerous on all schools. We don't have an internal structure of people who just focus on charter school issues. We have people from all departments dealing with the schools and don't isolate it anyway. We have specialists who work in various areas in all public schools. (Personal communication, Lisa Graham-Keegan, April 21, 1998)

The practical result to this uncoordinated approach to charter school oversight ensured that each unit within the Department had no idea what the other divisions were doing and gave rise to the belief, reiterated in interviews with ADE staff, that "somebody else must be looking at that." Keegan's position on the state sponsoring

boards, a major staff reduction and persistent turnover, coupled with a lack of coordinated leadership, disabled the bureaucratic response to charters. These contextual factors, in addition to the explicit steps taken by legislators to transfer authority away from state agencies and limit funding, allowed the original aims of the charter school policy to remain intact during the state political to state bureaucratic linkage.

### **State Bureaucratic to Charter School Linkage**

The final linkage in the charter school reform was from the state bureaucratic to the charter school level. The institutional distrust between political leaders and state level implementors was equally as strong among political leaders and local implementors. Selecting a system changing policy instrument transferred authority away from district administrators and teachers, much as it did with state level implementors. Similar to creating the state boards and appointing handpicked individuals, local implementors were recruited. Most of the charter school applicants participated in the Goldwater Institute's charter school project. Mary Gifford, a staff member at the Goldwater Institute during the early 1990s, said in a 1998 interview,

We were integral in getting that legislation through in the summer of 1994, and then the Goldwater Institute launched a two-year charter school program, a project at that time. The first year [we] aimed at getting the word out on charter schools" setting up conferences, developing a how to apply type of manual, [and] trying to get as many qualified applicants as possible before the board so we could get charters up and running. (Mary Gifford, March 9, 1998)

Consequently, those at the school level were socialized early on as to the intentions of state level policy makers. Some of the charter school directors were formerly district teachers who were frustrated with the constraining rules, regulations, and levels of bureaucracy. Others came from private industry and wanted to run their school like a business. Whatever the rationale, virtually all of the charter school directors attended the Goldwater seminars. Therefore, the individuals who were creating the policy at the point of implementation understood the intentions of policy authors; they would not have to endure the level of bureaucratic reporting as district public schools, but they would be forced to attract and maintain their student population. More importantly, individuals at the smallest unit had the capacity and will to implement these principles (McLaughlin, 1998). In addition to transferring authority away from district public school personnel and recruiting local implementors, the charter school policy also removed one linkage in the policy process. Traditionally policy is interpreted at the state department of education, the central district office, and finally it is passed along to schools within the district. However, in a charter school, the district and school are one in the same. Consequently, one potential linkage, where original aims could have been misconstrued or subverted, was averted with the charter school policy. In sum, local implementors were recruited, socialized and had the will to support the legislative intent.

### **Conclusion**

The distortion of intentions for Arizona's charter school policy when put into practice was minimal, a finding at odds with most of the research on education (and social policy) implementation. From the literature, it appears that four variables

influence successful policy implementation: communication, financial support, will, and bureaucratic structure (Edwards, 1980; McLaughlin, 1998; Weatherly & Lipsky, 1977). Arizona policy makers addressed all four features, significantly increasing the chances that the legislative intent, embodied in the charter school policy, would be preserved in practice.

First key Arizona legislators effectively communicated their intentions to state and local implementors. They did so by clearly articulating their intent to decrease the bureaucratic structure in statute. Arizona Revised Statute (ARS) §150183E obligates charter schools to comply with federal, state, and local rules, regulations, and statutes relating to the health, safety, civil rights, and insurance. In addition, charter schools must provide a non-sectarian, comprehensive curriculum and design a method to measure pupil progress. With the exception of the aforementioned requirements, charter schools are "exempt from all statutes and rules relating to schools, governing boards, and school districts" (ARS §15-183E5).

This blanket waiver liberated charter schools from over 1000 pages of rules and regulations by which district public schools must abide. Moreover, the specific responsibilities for the Office of the Auditor General were omitted in the charter school statute, and there was only a single vague reference to the role expectations for the Arizona Department of Education. By explicitly excluding a clear description of the responsibilities for state regulatory agencies, policy makers reinforced their message of limited bureaucratic controls. Key legislators preserved their intent over the following four years by defeating proposals that would limit competition or increase reporting requirements for charter schools. Arizona policy makers were also acutely aware of the impact financial support would have on implementation efforts. To limit excessive bureaucratic oversight, they simply refused to appropriate funds for state level bureaucrats. The administrative staff for the State Board for Charter Schools through 1998 consisted of an Executive Director and one administrative assistant . (Note 8)

The State Board of Education staff was also very lean. During the first two years of the charter school program, the staff included an Executive Director and one secretary; the same staffing provision as before the state board gained charter school responsibilities. In November 1997, the SBE created a new position, Director of the Charter School Division for the State Board of Education, who was given all responsibilities for SBE sponsored charter schools. The simple yet effective strategy of withholding funds for administrative staff also thwarted the efforts of the Arizona Department of Education and the Office of the Auditor General to bureaucratically monitor Arizona charter schools. The attitudes of individuals implementing policy were a third critical influence, which affected successful implementation. Arizona policy makers transferred authority away from state and local implementors who lacked the "appropriate" attitude toward the charter school policy. Republican legislators understood that many local implementors were hostile to the charter school idea. District school administrators were threatened by the potential loss of students and funding. District school teachers felt the charter schools were a way to deteriorate inroads made by the teachers unions. Consequently, individuals from non-traditional backgrounds (e.g., the military, health care, private schools and industry) were recruited to run the public charter schools.

The same technique was used at the state level. The Department of Education lost some of their authority when charter schools were granted a blanket waiver from the rules, regulations, and reporting requirements established for district schools. This authority was assumed by two "charter friendly" boards. The State Board of Education, where all members were appointed by pro-school choice governors and the State Board

for Charter Schools, where the main criteria for membership was a strong disposition toward increasing school choice. Transferring authority to individuals who had a favorable inclination towards the policy intent dramatically decreased the chance of slippage.

Finally, organizational fragmentation at the Arizona Department of Education, combined with minimal bureaucratic structure for the state level sponsoring boards ensured that the policy intent was preserved in the working program. Lisa Graham-Keegan, the author of the charter school bill, had an unusually large amount of power over the implementation of the policy and proved to be a key actor in preserving the original aims. In her capacity as Superintendent of Public Instruction, Graham-Keegan had a seat on both state sponsoring boards and was able to influence the behavior of board members who deferred to her judgment. Her position also allowed her to constrain the actions of bureaucrats at the Arizona Department of Education.

The intent of the Arizona charter school policy was preserved through a series of purposefully employed policy instruments and reinforced by a supportive contextual environment. Policy makers created a system- changing reform, which successfully transferred authority away from state and district level personnel, both of whom had historically altered legislative intent. Hall (1995) stated, "Policy production is a very complex process requiring much integration and coordination. It depends on the collective activity of many actors.... There are many places for contingency and numerous opportunities for altering the patterns of the past and context" (p.409). Arizona policy makers were able to maximize the potential for the preservation of their intentions by their explicit actions to produce a policy that limited bureaucratic oversight and neutralized the influence of policy actors who traditionally play key roles in shaping policy in practice.

## Notes

1. For a more thorough review of the implementation research see Elmore & Sykes, 1992; Fuhrman, Clune & Elmore, 1988; or McLaughlin, 1998).
2. See also Kaufman 1972; Van Meter & Van Horn, 1975; or Edwards, 1980 for a further discussion on the character of implementors.
3. These two state entities were responsible for approving new schools as well as general oversight.
4. For example, business leaders tend to favor the market-based nature of the reform. Conversely, teacher organizations favor the reform because it provides teachers with more autonomy.
5. For example, amendments that would increase reporting requirements or restrict the choices of customers would run counter to the spirit of the legislation.
6. All of the members were appointed by pro school choice Republican Governors. Although their position on this issue was not the main criterion for appointment, as it was with the members serving on the SBCS.
7. Although Keegan was never a professional educator, board members repeatedly deferred to her judgment because of her position as Superintendent of Public Instruction.
8. The SBCS had five Executive Directors in the first three years of the charter school program.

## References

- Barrow, S. (1978). Federal education goals and policy instruments: An assessment of the strings attached to categorical grants in education. In M. Timpane (Ed.), *The Federal Interest in Financing Schools*. Santa Monica, CA: The Rand Corporation.
- Baum, L. (1984). Legislatures, courts, and the dispositions of policy implementors. In G. C. Edwards III (Ed.), *Public Policy Implementation* (pp. 29-57). Greenwich, CN: JAI Press..
- Baum, L. (1981). Comparing the implementation of legislative and judicial policies. In D. A. Mazmanian & P. A. Sabatier (Eds.), *Effective Policy Implementation* (pp. 39-62). Lexington, MA: Lexington Books.
- Berman, P., & McLaughlin, M. W. (1978). Federal programs supporting educational change: Vol. VIII. Implementing and sustaining innovations. Santa Monica, CA: RAND Corporation.
- Bomotti, S., Ginsberg, R. and Cobb, B. (1999). Teachers in Charter Schools and Traditional Schools: A Comparative Study. *Education Policy Analysis Archives*, 7, , 22 (Entire issue). Available online at <http://epaa.asu.edu/epaa/v7n22.html>
- Clinton, B. (1997). Public school choice and accountability in education. President Clinton's call to action for American education in the 21<sup>st</sup> century, <http://www.ed.gov/updates/PresEDPlan/part6.html>.
- Clune, W. H. (1987). Institutional choice as a theoretical framework for research on educational policy. *Educational Evaluation and Policy Analysis*, 9(2), 117-132.
- Edwards, G. C. III. (1980). Implementing public policy. Washington, DC: Congressional Quarterly Press.
- Elmore, R. & Sykes, G. (1992). Curriculum policy. In P. Jackson (Ed.), *Handbook of Research on Curriculum* (pp.185-215). New York: Macmillan.
- Elmore, R. F., & McLaughlin, M. W. (1981). *Rethinking the federal role in education*. Washington, DC: US Department of Education.
- Furhman, S. H., Clune, W., & Elmore, R. (1988). Research on education reform: Lessons on the implementation of policy. *Teachers College Record*, 90(2), 237-258.
- Garn, G. (1998). The thinking behind Arizona's charter school movement. *Educational Leadership*, 56(2), 48-50.
- Garn, G., & Stout, R. T. (In press). How a good theory failed in practice. In R. Maranto, S. Milliman, F. Hess, and A. Gresham (Eds.), *School Choice in the Real World: Lessons from Arizona Charter Schools*. Boulder, CO: Westview Press.
- Gold, R. L. (1969). Roles in sociological field observation. In G. McCall & J. L. Simmons (Eds.), *Issues in participant observation* (pp. 30-39). Reading, MA: Addison-Wesley.
- Hall, P. M. (1995). The consequences of qualitative analysis for sociological theory:

- Beyond the microlevel. *The Sociological Quarterly*, 36(2), 397-423.
- Hall, P. M., & McGinty, J. W. (1997). Policy as the transformation of intentions: Producing program from statute. *The Sociological Quarterly*, 38(3), 439-467.
- Kaufman, H. (1973). *Administrative feedback: Monitoring subordinates behavior*. Washington, DC: Brookings Institution.
- Knapp, M. S. (1997). Between systemic reforms and the mathematics and science classroom: The dynamics of innovation, implementation, and professional learning. *Review of Educational Research*, 67(2), 227-266.
- Lipsky, M. (1980). *Street-level bureaucracy: Dilemmas of the individual in public services*. New York: Russell Sage Foundation.
- Mattern, H. (1994, October 4). It's not much now. It's humble, but that will change: Phoenix site will give rise to one of state's 1st charter schools. *The Arizona Republic*, p. A1.
- McDonnell, L. M., & Elmore, R. F. (1987). Getting the job done: Alternative policy instruments. *Educational Evaluation and Policy Analysis*, 9(2), 133-152.
- Mclaughlin, M. W. (1998). Listening and learning from the field: Tales of policy implementation and situated practice. In A. Hargraves, A. Lieberman, M. Fullan, & D. Hopkins (Eds.), *International Handbook of Educational Change (Part One)*. Boston, MA: Kluwer Academic Publishers.
- Miles, M. B., & Huberman, A. M. (1994). *An expanded sourcebook: Qualitative data analysis* (2nd ed.). Thousand Oaks, CA: SAGE Publications.
- Nathan, J. (1996). *Charter schools: Creating hope and opportunity for American education*. San Francisco, CA: Jossey-Bass Publishers.
- Odden, A. R. (1991). The evolution of education policy implementation. In A.R. Odden (Ed.), *Education Policy Implementation* (pp. 1-12). Albany, NY: State University of New York Press.
- Pressman, J., & Wildavsky, A. (1973). *How great expectations in Washington are dashed in Oakland, or why it's amazing that federal programs work at all*. Berkeley, CA: University of California.
- Stake, R. E. (1995). *The art of case study research*. Thousand Oaks, CA: SAGE Publications.
- Van Meter, D. S., & Van Horn, C. E. (1975). The policy implementation process: A conceptual framework. *Administration and Society*, 6, 445-488.
- Weatherly, R., & Lipsky, M. (1977). Street level bureaucrats and institutional innovation: Implementing special education reform. *Harvard Educational Review*, 47(2), 171-197.
- Weick, K. E. (1982). Administering education in loosely coupled schools. *Phi Delta*

*Kappan*, 63(10), 673-676.

Wohlstetter, P. (1991). Legislative oversight of education policy implementation. In Odden, A. R. (Ed.), *Education Policy Implementation* (pp. 279-295). Albany, NY: State University of New York Press.

Wohlstetter, P., & Griffin, N. C. (1997, March). *Creating and sustaining learning communities: Early lessons from charter schools*. Paper presented at the annual meeting of the American Educational Research Association, Chicago, IL.

Wohlstetter, P., Wenning, R., & Briggs, K. (1995). Charter schools in the United States: The question of autonomy. *Educational Policy*, 9(4), 331-358.

Yin, R. K. (1994). *Case study research: Design and methods*. Thousand Oaks, CA: SAGE Publications.

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