

Accountability and Competition for Charter Schools?

Theory versus Reality in Concession Schools in Bogotá, Colombia

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Abstract

Charter schools are among the most prevalent public-private partnerships in the education sector. Too frequently, charter schools are assessed only by measuring outputs such as enrollment and test scores. This paper assesses the logic model behind charter schools, specifically the mechanisms of accountability and competition. This paper examines these mechanisms through study of the Concession Schools (*Colegios en Concesión*) in Bogotá, Colombia using a realist evaluation methodology. The authors find that both accountability and competition do not work as conceived by charter school proponents. The findings of this paper demonstrate that successfully operationalizing the charter model represented by the CEC program requires that the mechanisms underlying each segment in the model are carefully designed, that they directly connect, and that the functioning (or not) of one does not adversely impact the others—a difficult task given the dynamic and sensitive nature of many of the mechanisms. More specifically, both a lack of competition in the bidding process and poorly designed contracts affect the ability of the government to hold schools accountable; similarly, insufficient choice for parents—or, parental choice on an insufficient scale—affects the development of competitive dynamics among schools.

Keywords: charter schools, Colombia, realist evaluation, public-private partnerships, accountability, competition

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At the broadest level, public-private partnerships (PPPs) can be defined as “cooperation of some sort of durability between public and private actors, in which they jointly develop products and services and share risks, costs and resources which are connected with these products” (Hodge & Greve, 2010, p.4). As should be clear from this definition, the PPP label can apply to multiple reforms, which promote private sector involvement (both individual and institutional) and introduce market-based values and mechanisms (Wolff, Navarro & González, 2005). In education, the most well-known PPP policies are vouchers and charter schools, though a wide range of other PPP arrangements exist.²

In education, not only have PPP educational policies gained traction globally in the past 10 years (ADB, 2010; Patrinos, Barrera-Osorio, & Guáqueta, 2009; Robertson, Mundy, Verger, & Meashy, 2012; UNICEF, 2011), but they appear to be increasing in influence. There are many indications of this, such as the continuing growth and rising political clout of privately managed schools in the United States, the inclusion of PPPs as a central theme set forth by the European Union in its EU2020 vision for sustainable and inclusive growth, and the prominence of PPPs in the process of defining the post-2015 development agenda for education (Au & Ferrare, 2014; European Commission, 2010; Fabricant & Fine, 2012; United Nations, 2013).

In promoting PPPs, policy entrepreneurs often highlight four pathways through which these arrangements can lead to positive educational outcomes. These include: (a) operational flexibility of private entities (i.e., the ability to customize one’s organization and service

¹ We are grateful to Toni Verger for his assistance in the framing of this introduction.

² These other arrangements include any instance in which private actors contribute some aspect of the provision of public education, ranging from building construction to cleaning services, for example (Patrinos, Barrera-Osorio, & Guáqueta, 2009).

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offerings), (b) bidding and selection processes (through which government agencies select private companies to provide a given service), (c) risk-sharing between the government and private sector (such that private companies will enter the market, knowing that they do not bear the full burden of failure), and (d) competition (through which public schools react to the threat of losing students) (Patrinos, Barrera-Osorio, & Guáqueta, 2009). However, despite the somewhat specific nature of these pathways, and despite the many assumptions embedded in the operation of each one, the debate in education tends to boil down, more often than not, to findings related to such outcomes as student achievement or student dropout rates. (Fabricant & Fine, 2012; Lubienski, 2003; Lubienski & Lubienski, 2006; Miron & Nelson, 2002).³

The problem with this is that essential aspects of the operation of PPPs are overlooked. If debates and studies tend to be restricted to input-output research that assesses outcomes alone without unpacking the mechanisms or pathways by which those outcomes are achieved, then essential information is missing. On one hand, we are left with a partial understanding of the various interactions and processes that connect private providers and government agencies; on the other hand, we are left with an incomplete view of the dynamics among schools in competitive environments.

The present paper attempts to address this issue through the presentation of findings from a study of charter schools in Bogotá, Colombia. The charter model of interest is known as Concession Schools (or, in Spanish, *Colegios en Concesión*, CECs). It began in 1999, is intended to provide education that is high quality, privately-managed, and publicly-funded to poor students in specific areas of Bogotá. This program has become a well-known and relatively high-profile reform. It has been promoted by the World Bank (see, e.g., Patrinos, Barrera-Osorio, &

³ It is worth noting, as well, that broad reviews have shown the impacts of charter schools on student achievement to be mixed at best and typically no better than traditional public schools (CREDO, 2009; Jeynes, 2012; Lubienski & Lubienski, 2006; Zimmer, Gill, Booker, Lavertu & Witte, 2012).

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Guáqueta, 2009) and its founder has continued to feature in key conferences in the United States on private education led by such actors as the International Finance Corporation (2014) and the Brookings Institute (2015). This program thus reflects education reform trends in the United States and internationally while also serving as a reform example itself that encourages the continuation of the PPP trend. These characteristics make the CEC program particularly salient for understanding multiple aspects of how charter school programs operate.

In the present paper, we will trace and unpack—through the application of a realist evaluation methodology—each of the mechanisms embedded in the theory of action of the CEC program. As will be shown, the findings from this study have implications for the extent to which mechanisms of accountability and competition can be expected to materialize in practice through the introduction of charter-type programs. Importantly, the relationships of interest are not only those between parents and schools but also those between charter management organizations and the central office managers who oversee them. Notably, these relationships are an under-studied aspect of charter school programs, as the literature review in the next section makes clear.

To address the above-mentioned issues, this paper moves through a number of sections. First, we review the relevant theory and evidence on charter schools. Second, we detail the methodology employed for the study. Third, we situate the CEC program within Colombia by explaining the national and city-level context out of which it emerged. Fourth, we then discuss the specific policy provisions and the theory of action that guide this program. Fifth, we present the results of this study, which relate specifically to the processes of accountability and to the dynamics of competition that accompanied the Concession Schools. The final sections offer discussion, implications and conclusion.

Theory vs. Reality in the Literature

The literature on PPPs generally and on charter schools specifically has discussed for many years the theory of accountability and competition in education markets (Chubb & Moe, 1990; Lubienski, 2006; Patrinos, Barrera-Osorio, & Guáqueta, 2009). The former typically relates to the ability of a school district, for example, to monitor and, if necessary, to take action against those private entities that are providing services related public education (Crew & Anderson, 2003). Key aspects of this arrangement are the use of contracts and open-bidding processes. In theory, the open-bidding process should be transparent and competitive and the contracts themselves should not only be awarded on the basis of past performance but should also include clear stipulations regarding performance requirements (Patrinos, Barrera-Osorio, & Guáqueta, 2009). Subsequently, those officials responsible for overseeing charter schools or other service providers can carefully monitor administrative behavior and/or academic outcomes, thereafter using poor performance as a justification for revoking charters or for cancelling contracts (Crew & Anderson, 2003). Of course, the logic of this arrangement presumes that performance criteria are clearly established, that public managers regularly collect the necessary decision-making information, and that those public managers have the ability to exercise their authority (Lubienski, 2006).

The idea of competition in education markets also rests on a number of assumptions. In the case of charter schools, the primary assumption is that, as a result of the creation of multiple choices from which parents can choose, schools will be pressured to improve the quality of the education offered (Chubb & Moe, 1990; Lubienski, 2003). Improvement is thought to be achieved through administrative and pedagogical innovation (Lubienski, 2003) and/or simply by strategically employing the school's resources in order to improve indicators such as test scores

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or dropout rates. Importantly, though, in order for competition to work in this way—that is, in order for an education market to function properly—not only must eligible parents be aware of and able to exercise their choices but school principals (or the umbrella company for the school) must also be incentivized to respond by the perception that other schools represent a legitimate threat to their survival. To the extent that these dynamics are realized, theory suggests that service providers will attempt to minimize their costs and will use their resources more efficiently, thereby leading to an education system that is more efficient overall (Rho, 2013).

The available evidence, however, suggests that accountability and competition often do not function in practice as they are presented in theory. For example, on the issue of accountability, Crew and Anderson (2003), in their study of 103 charter schools in Florida, found that state law required charter schools to produce annual reports that contained information on school finances, faculty and staff, and the attainment of performance goals. However, in practice, the reports submitted by the schools complied with few of these legal requirements in that they “stated objectives in ways that could not be tracked or measured, provided very little baseline data and often made few references to the progress they had made toward the goals identified in their charter applications” (Crew & Anderson, 2003, p. 200). Moreover, “no school complied with the requirement that baseline data be presented that would permit a showing of the academic progress made by individual students during the time enrolled in the charter school” (p. 200). Compounding this situation was the fact that “no one in Florida’s educational system [took] responsibility for annual analysis and reporting of data” (p. 200) and that “the Charter School Office claimed to have no mechanism to enforce [the annual report] requirement on recalcitrant schools” (p. 200). Consequently, not only is there little information about the

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performance of charter schools but these schools have been able to operate with performance and “without repercussion” (202).

Other studies have shown similar breakdowns in relationships of accountability. Acar and Robinson (2004) conducted a study of accountability in the United States between K-12 public schools and private or non-profit organizations. On the basis of 38 interviews across 17 states, they found that four issues primarily affect accountability: (a) insufficient personnel on the part of the schools to monitor the private and non-profit partner organizations, (b) insufficient monetary resources to collect the necessary information, (c) difficulty in measuring service outcomes, and (d) inability to access the necessary information regularly and in a timely fashion. Other issues found to hinder the exercise of accountability were personal differences, communication issues, and frequent turnover in key personnel (Acar & Robinson, 2004). Thus, as one might expect, even when service provision arrangements are governed by contracts, there can be significant transaction costs that stem from untrusting and unstable relationships and a lack of information (Reeves, 2008).

Separately, after interviewing 41 public procurement specialists, Diggs and Roman (2012) found that accountability is not always a straightforward or static concept. As pointed out by those whose job it is to hold private providers accountable, the way in which this concept is defined varies based on an individual’s experience, organizational position, and career aspirations. Accountability can be defined as meeting legal requirements but it can also be interpreted as meeting informal or unofficial expectations, for example (Diggs & Roman, 2012).

In terms of bidding processes, very little research has been conducted. Though it is assumed that multiple private or non-profit organizations will compete for public sector contracts, what happens when this is not the case? Do public administrators award contracts even where

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there is insufficient competition and, if so, with what implications for corruption and the ability to effectively manage and, where necessary, to punish these schools when they know that their governmental supervisors cannot easily replace them (if at all)? While these questions are in need of answers—especially in reference to charter schools—one study examined a bidding process wherein private companies were sought as partners for school construction in Portugal (Da Cruz & Marques, 2012). Here, not only did the Portuguese government decide to work with the only willing private sector partner, but, in addition, it was found that this company could not “serve two masters” in that it continued to prioritize profit making over public sector needs (Da Cruz & Marques, 2012, p. 756).

Research on competition similarly problematizes notions of a smoothly functioning market mechanism (Lubienski, 2003). For example, as pertains to information access, Alegre and Benito (2012) reveal that parents in advantaged socio-economic positions are better able to access privileged information (i.e., insider information on a school through social networks) in comparison with marginalized families, who must rely on “under-capitalized channels” (i.e., publically-available information). This kind of information asymmetry influences the choice sets that parents construct when exploring options for their children (Waslander, Pater & van der Weide, 2010). It can also lead to greater segregation of students along socio-economic or racial characteristics (Ball, Bowe & Gewirtz, 1995; Reay, 2004).

The other side of the informational coin is that schools themselves can regulate what is known about them, and by whom. Lubienski (2003) concludes that school processes are opaque to outsiders, that schools enjoy “informational advantages over consumers” and that they have “disincentives to empower consumers with better, more actionable information” (p. 132). On this point, studies have shown that charter schools and private providers share only select information,

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or choose not to make information about their school widely available, precisely in an effort to influence the composition of their student body (Lubienski, 2003, 2006; Jabbar, 2014). Another strategy is to focus on how the school is perceived—that is, to focus on marketing materials and the use of symbolism to evoke emotion and to create positive mental images (Jabbar, 2014; Johnsson & Lindgren, 2010; Lubienski, 2003).

Interestingly, research has found that marketing is also a strategy to which principals turn when they sense competitive pressure for their students, as opposed to focusing on improving educational quality (Kasman & Loeb, 2013; Loeb, Valant & Kasman, 2011). These same studies further investigated the circumstances in which principals sense competitive pressure. While geography—or the distance between traditional public schools (TPSs) and a potential competitor—strongly influences which schools principals perceive as competitors, researchers also found that principals tend sense competitive pressure from those schools that are similar in terms of student achievement, race, poverty status, and enrollment size (Kasman & Loeb, 2013; Loeb, Valant & Kasman, 2011). Yet other studies have suggested that the perception of competition depends on the purpose of charter schools, for example, and the context into which they are introduced. Not surprisingly, TPSs may not perceive charter schools as a threat if the latter are intended to serve marginalized or low-performing students and if the TPSs experience no negative financial impact as a result of the charter schools (Waslander, Pater & van der Weide, 2010).

A penultimate point to be made about competition is that it may not lead to pedagogical innovation. In a review of 56 studies related to innovation in charter schools, Lubienski (2003) found that administrative innovations are possible and common due to the autonomy that charter schools enjoy, but that there is no trend of classroom-level innovations; rather, “classroom

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practices are relatively familiar and often revert to traditionalist modes of curriculum and instructions” (p. 396). To the extent that classroom practices are innovative, this is only the case in reference to local contexts; that is, a charter may adopt a pedagogical practice that is uncommon in its immediate geographic location, but charter schools do not fulfill the “R&D assumption of market-based school reform (p. 416).

Lastly, there is surprisingly little evidence on the link between competition and efficiency, though proponents often highlight this connection (Chubb & Moe, 1990). What evidence does exist suggests that the introduction of market mechanisms does not induce cost savings. Levin (1998), for example, concluded that the costs associated with overseeing a system of vouchers would actually increase system-wide administrative costs past their current levels (and without a concomitant rise in test scores). More recently, Rho (2013) analyzed the impact of contracting generally (e.g., for test development or cafeteria management) in more than 1,000 school districts in Texas over 12 years. Though her results do not speak directly to the issue of efficiency or total cost, she concludes that “More contracting generates greater bureaucracy, more bureaucrats presage more contracting, and the cycle continues,” given the demands on school district administrators to supervise contractors through new managerial systems (p. 335). Going forward, however, additional studies are clearly needed on the issues of cost-effectiveness and efficiency, especially given their prominence in debates around PPPs generally and charter schools specifically.

Just as additional research is needed generally on the mechanisms of accountability and competition, so too is more research needed on the Concession Schools of Bogotá. It is the case that a couple quantitative studies have been produced on the effects of CECs on student achievement (Barrera-Osorio, 2006; Bonilla, 2011), but, as pointed out by Edwards (2014), the

findings of these studies are open to interpretation due to issues of endogeneity and the lack of a true counterfactual. Given these issues, the present paper takes as its focus the inner-functioning of the program's presumed accountability and competition mechanisms, as explained further in the next section.

Methodology

Our approach is based in systems thinking (Meadows, 2008). This means, first, that we see each element in the program's theory of action as connected, and that changes in each are assumed to move through the system in a dynamic manner. Second, it means that we see inter-organizational relationships, evaluation, information sharing, and communication as integral to maintaining and operationalizing each link in the casual chain.

Methodologically, in order to operationalize this approach, we drew on realist evaluation (Pawson & Tilly, 1997; Pawson, 2006). This type of evaluation is ideal for the present study in that this study has been developed to help unpack the inner working of a program. That is, rather than asking what the *effect* of a certain program is, the idea is to trace and investigate the *logic* of that program. The benefit of this approach is that one produces findings that are specific to the set of circumstances in which the program is embedded. Put differently, producing such findings is advantageous because it helps to construct a body of knowledge about the outcomes that can be expected from different programs—with their specific logics—given particular technical, institutional, and political characteristics of the context.

This approach is additionally appropriate for the study of the CEC program because, as noted in the previous section, prior studies have not inquired as to how the program works, but rather have focused on whether or not presumed mechanisms have produced certain outcomes. Thus, by presenting the results of a realist evaluation, we seek (a) to clarify the details of the

program's logic model, (b) to analyze the extent to which (and whether or not) the assumed theory of action operates in practice, and (c) to derive lessons for the reform of such programs.

Data Collection

Data collection occurred during May-December 2013. For data collection, a number of specific strategies were employed that aligned with the purpose of this study and with the realist evaluation approach. Specifically, data collection entailed: gathering program evaluations (both academic and “gray” in nature), seeking out relevant literature (e.g., related to the historical, political, and institutional context of education in Colombia), conducting interviews and focus groups with a range of key actors who work within and outside the country's education system, visiting CECs and TPSs, collecting documents from individual schools, and assembling statistical information on the schools in the final sample (more on this below). Importantly, these strategies allowed us not only to identify the logic model for the CEC program but also to compare the theory of the program with its reality in practice.

A total of 34 persons were interviewed. The individuals interviewed were specifically selected because they occupied key positions in the education system in Bogotá. Because of their positions, they had intimate knowledge of the CEC program that pertained, for example, to program's origins, the relationship between CECs and nearby TPSs, the dynamics of interaction between charter management organizations (CMOs) and the relevant managers within the Bogotá School System (*Secretaria de Educación Pública*, or SEP), the CMO bidding process, and the administrative strategies and behavior of the CECs themselves, in addition to other aspects. As can be seen from Table 1, interviews were conducted with officials from the Ministry of Education (MINED), representatives of the SEP in Bogotá (including those whose job it was to evaluate the CECs), directors of CMOs, principals from both CECs and their neighboring

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TPSs, and parents, among others. To give an idea of the valuable and internal perspective gained from participants, consider that in-depth interviews were conducted with the Minister and a Vice-Minister of Education for Colombia during 2002-2010, two Secretaries of Education for Bogotá during 1998-2003, the Director (as of 2013) of the Colombian Institute for Educational Evaluation (ICFES, for its name in Spanish), the first Director of CEC expansion for the MINED, the Director of Educational Coverage for Bogotá during 1999-2002, and the Director (as of 2013) of Evaluation for the SEP of Bogotá, as well as others.

[TABLE 1 HERE]

To understand the administration of CECs, the principals of five separate Concession schools were interviewed from a single locality in the southern part of Bogotá. This was locality was chosen for its high concentration of CECs (with 20 percent of them located here) as well as for its population density, since previous research has shown that competition mechanisms tend to function better in such areas (Elacqua, Schneider & Buckley, 2006). In addition to performing school visits and interviewing all CEC principals in this particular locality, the principal of the TPS nearby to each CEC was also sought out for interviews.⁴ In all, 10 principals were interviewed: five from CECs and five from TPSs. Finally, the Director of the SEP office in that locality was also interviewed, in order to grasp the extent to which competitive dynamics in fact developed.

Data Analysis

Analysis entailed a number of stages. The first stage required that we interrogate the documents and archives collected in order identify the theory of action of the program. This was particularly essential not only because this theory of action guided subsequent analysis, but also

⁴ For three of the five CECs in the locality of focus, one nearby TPS principal was interviewed; for one of the CECs, two nearby principals were interviewed; and for one CEC, it was not possible to interview the nearby TPS principal.

because proponents of this program have tended to emphasize mechanisms that were not initially intended to be primary drivers of school improvement. The theory of action for the CEC program is presented in a later section of this manuscript.

The second stage then focused on understanding how each facet of the CEC program operates in practice, in addition to the pressures and constraints that impact the program's functioning. As part of understanding these pressures and constraints, we paid particular attention to the way in which—and the context in which—the program initially developed, in order to be aware of the institutional dynamics that could subsequently impinge upon the program. In the third and final stage, and in accordance with realist evaluation, we then systematically traced in practice each link in the causal chain that is theorized to produce the program's outcomes. The results of this analysis are the focus of the present paper. Before presenting those results, however, we first detail the program's antecedents.

Context

National Context and Policy Trends

In the 1980s, Colombia faced a variety of challenges, chief among them security and political inclusion. The decade was marked by an increase in drug trafficking, and protracted conflict between guerillas, paramilitary forces and the national government. Many Colombians felt excluded from their political system, a two-party system long controlled by those from privileged backgrounds (Palacios, 2007). During this time the Colombian government began implementing neoliberal economic reforms, in part due to pressures and recommendations from the World Bank and International Monetary Fund (Estrada Alvarez, 2005). However, this ideological shift cannot solely be attributed to external pressure; many Colombian economists were educated in the United States in conservative economics departments. Additionally, the

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Ford Foundation and University of Chicago established think tanks in Colombia, which promoted neoliberal thought (Estrada Alvarez, 2005). Both external actors and Colombian technocrats also worked through the National Planning Department, which was politically influential, ideologically conservative, and technically savvy. Importantly, this agency is considered to have filled a void left by the lack of capacity of the other governmental ministries, particularly with regard to social and economic planning.

Politically, the late 1980s and early 1990s were also a time of increased political inclusion through both a student movement and the demobilization of some guerilla groups. The latter would be included in the political process through the formation of official political parties. In 1991, a new, liberal constitution was adopted by the National Assembly, as it was now comprised of “practically all social sectors, including some recently demobilized guerrilla groups, indigenous movements, and unions, especially the Colombian Federation of Education” (Miñana, 2010b, p. 34). The 1991 constitution guaranteed public education for the first time, mandating education from five years of age to 14 (Miñana, 2010a; MINED, 2010).

The new constitution also called for additional funding for education, improved educational outcomes and a decentralization of management. In 1993, legislation required that a minimum amount of funding, the ‘*situado fiscal*,’ be transferred by the MINED to local authorities to fund health and education. In 1994, municipalities with sufficient capacity were then allowed to directly manage their human resources and the *situado fiscal* (Meade & Gershberg, 2008).⁵

⁵ By 1998, all 32 departments and 4 independent school districts had been certified and were administering basic education (MINED, 2010). The stipulation that departments must have 100,000 inhabitants in order to have administrative tasks decentralized was not introduced until 2002.

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While the *situado fiscal* was intended (in theory) to be proportionate to the number of beneficiaries (i.e., students) and to account for the administrative needs of the municipality, in practice this led to costs for the MINED that increased drastically and were distributed inequitably (MINED, 2010). This is because funding was based on administrative costs and the number of teachers (not students) located in each departmental government. Departments with more (and more highly qualified) teachers received larger disbursements than those departments that were more difficult to staff or staffed with less-qualified teachers. Some departments went so far as to hire additional teachers or to misclassify expenditures to receive additional funding from the MINED (MINED, 2010). The *situado fiscal* formula did not consider student enrollment or student achievement. There was thus little incentive for departments to focus on student improvement or to better teacher coverage.

By the late 1990s, with 20 percent of the national budget allocated to education, teacher salaries made up 90 percent of national education expenditures, while only 1 percent of spending was dedicated to materials (Villa & Duarte, 2005).⁶ In contrast, only 12 percent of local revenues from departments, districts, and municipalities were dedicated to funding education (Villa & Duarte, 2005). With the onset of a severe economic crisis in the country in 1998, increased resource consumption by the departments increasingly conflicted with budgetary constraints faced by the MINED. Key policy actors were thus looking for ways to reduce spending on education and to make it more efficient and effective.

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⁶ In 2001, new legislation sought to address these problems by centralizing human resource policies, teacher evaluations and assignments. Larger departments and cities would maintain some responsibility for hiring and firing, but funding would now be based on student population served including: teacher type, student to teacher ratio, socio economic status and the percentage of rural population. Funding in excess of required expenses, including teacher salaries, could be spent on other eligible expenses including infrastructure. This legislation forbade teacher pay increases in excess of available funds, and allowed for the private contracting for service provision, including building maintenance (Meade & Gershberg, 2008).

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In 1995, Bogotá assumed management of its education system and encountered problems similar to those described above. The number of teachers employed tripled in 1996 to 33,172, yet student-teacher ratios varied widely due to a lack of information and poor management practices. It was difficult to assign teachers and financial resources based on educational needs and, as such, student-teacher ratios varied widely across schools. Enrollment projections were unreliable and educational demand across the city was poorly understood. As of 1997, the net enrolment rate at the primary level for Bogotá was 90.7 percent, while at the secondary level it was 83 percent (Castro, Pérez, & Alvarez, 2012).

In 1998, following the election of Enrique Peñalosa as mayor, Cecilia Vélez was appointed the Secretary of Education for Bogotá. During the early 1990s, when decentralization began, Veléz had worked at the National Planning Department. After obtaining a masters degree in urban and regional planning from the Massachusetts Institute of Technology, Veléz would serve as Bogotá's Secretary of Education from 1998 to 2001, and would later become Minister of Education for Colombia under President Uribe.

During her tenure as Secretary of Education for Bogotá, Vélez sought to address some of the systemic problems that she perceived. Vélez had three goals: enhance student results, increase access and retention, and improve management (Castro, Pérez & Alvarez, 2012). Vélez instituted a number of reforms including student-teacher ratio parameters and standardized testing at select grade levels. However, the most notable reform of her tenure was the introduction of Concession schools. This initiative addressed the availability of schools in marginalized locations with high demand. Through a bidding process, successful private schools would construct and manage schools with public funds, as described in more detail below. A total of 25 Concession schools were constructed between 1999 and 2003.

CEC Policy

Emergence of CEC Policy

Although Colombia had experimented with a voucher program (known as PACES, *Plan de Ampliación de Cobertura de la Educación*) in the 1990s, it acquired a negative reputation—at least among some actors in the education sector—because lower quality private schools emerged to take advantage of the program. It was for this reason that Cécilia Vélez, with her lack of faith in the public school system, searched for alternative arrangements to contract private providers in 1998 when she entered office as the Secretary of Bogotá’s SED. Notably, her belief in the fast reaction time of private schools combined well with the desire of Mayor Peñalosa to act quickly to expand access and quality to the poorest students in the city. After considering a number of options (e.g., putting private school principals in public schools or creating school boards to oversee public schools), a public-private model won out. Successful private schools would manage newly constructed public schools in targeted areas of high need.⁷ This idea would become the Concession Schools program.

Somewhat surprisingly, the teachers unions did not oppose the implementation of the CEC program and its implied privatization of public resources. Villa and Duarte (2005) note that this was because the CEC program did not affect teachers working under their existing bargaining agreement, and because teachers hired to work at CECs would receive comparable salaries, though without tenure or other additional benefits.

Policy Provisions

Villa and Duarte (2005) and Bonilla (2011) have most clearly laid out the legal, institutional, and theoretical facets of the how the CEC program was supposed to work. The legal and institutional aspects of this program are:

⁷ See Miñana (2010b, p. 174) for more on external influence on Colombian education.

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- Contract duration: Initial CEC contracts were established for 15 years—1999-2014. Future contracts were also written to terminate during 2014.⁸ The shortest contracts granted were for 11 years, for those schools which opened in 2003.
- Selection of CMOs: Eligible CMOs are organizations that already operate schools (typically private schools) which agree to operate an additional school constructed and funded with public money. Participating CMOs are to be selected—through a competitive bidding process—on the basis of their educational quality, as gauged by their performance and reputation.
- CMO obligations: CMOs have to provide formal education services in the form of a full, single-shift school day at the primary and secondary school levels to children from poor backgrounds, on specific premises, in return for a per capita fee. Half-day shifts are provided to preschool students. CMOs also have to provide each student with one meal daily, have to meet minimum governmental curriculum requirements, and must have the same academic year duration as TPSs, among other requirements (Bonilla, 2011).
- CEC school infrastructure, features, and cost: CECs were newly constructed specifically for this program, in marginalized areas with insufficient capacity to serve the student population. Beyond simply having classrooms, CECs are intentionally well-resourced, containing such features as recreation rooms, science laboratories, art rooms, technology rooms, a library, and multi-purpose fields. The average cost of each school is \$2.5 million, including the purchase of the land, construction, and school furniture and equipment (Villa & Duarte, 2005). According to Villa and Duarte (2005), not only should the quality of the building and its facilities be a source of pride to the children and the

⁸ Note that this statement does not apply to the renewal of contracts in 2014 for certain schools.

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community, and not only should these schools raise expectations about the learning experience, but they should also be centers of social development for their communities.

- School and teacher management requirements: CMOs enjoy autonomy in school management, especially in the hiring of teachers and principals, though teachers must meet the legal requirements for their profession. Additionally, while teachers are paid in accordance with the national pay scale for public school teachers, they do not benefit from the job security conferred by the national Teaching Statute to teachers in TPSs (Villa & Duarte, 2005). As such, CECs are able to hire teachers on ten-month renewable contracts from a nonunionized pool of applicants, though some CECs offer longer contracts, up to 11.5 or 12 months. The implication is that—in contrast to TPSs—CECs have the ability to adjust their teaching corps each year (Bonilla, 2011).⁹
- CEC finance: At the outset of the CEC program, the government funded the CECs at a rate of \$1,200,000 (USD\$520) Colombian pesos per student per year, in comparison with about \$1,000,000 pesos (USD\$430) for TPSs (Barrera-Osorio, 2006). More recently, in 2013, CEC funding ranged from a low of \$1,325,379 pesos (USD\$689) to a high of \$1,916,411 pesos (USD\$996) for the best academically performing CEC, according to the evaluation of the Institute for Educational Research and Pedagogic Development's (IDEP, in Spanish) (2010).¹⁰ It is not clear why the per student funding amount for CECs

⁹ In practice, though CMOs would like to design incentive schemes, this is difficult. According to Villa and Duarte (2005), “The need to keep real costs flat limits its ability to offer a career path to all teachers, but [the CMO] also has to guarantee an education process that delivers the levels of achievement agreed to in the contract. Thus it must retain and foster a core of highly motivated and capable teachers to set academic standards for another smaller or larger group, whose members must regularly be changed to prevent staff costs from becoming too high” (p. 119).

¹⁰ See document “Valor Niño Concesión, 1999-2013” for more on per student funding for all CECs since the program's inception. Currency conversions listed here used exchange rates as of January 10, 2014.

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has diverged so significantly.¹¹ It may be the case that, on average, TPSs continue to receive less on a per student basis, since CECs are awarded annual per student funding increases in line with inflation.¹² After expenses, any surplus or loss is the responsibility of the concession-holder.

- Student admission/selection: Clear eligibility and admission criteria are set for CEC recipients: students must belong to the lowest socioeconomic strata,¹³ and live near the school (Villa & Duarte, 2005, p. 114). The schools themselves are responsible for carrying out the selection process. Schools cannot use admission tests to make their decisions, and they must admit the most economically disadvantaged students first. Students for whom there is not space in the CECs are assigned to the nearest school to their residence with an available seat (Bonilla, 2011).
- Accountability between government and CMOs: According to the contract between the SEP and the CMOs, there are three accountability dimensions. Through periodic evaluations by the SEP, CMOs are accountable, first, for building management, second, for proper staff management, and, third, for student learning. For this last dimension, the CMOs not only have to submit to an independent assessment but also have to be rated “good” or “very good” every year; test scores may not be “unsatisfactory” for two consecutive years. In the event that test scores fall below this threshold, the contract stipulates that the charter may be terminated (Villa & Duarte, 2005).

¹¹ For reasons that are unclear, Villa and Duarte (2005) report different findings on CEC finance. According to them, CMOs received \$475/per pupil per year at the outset, which was less than per pupil unit cost of \$595 unit cost that they reported for Bogotá’s TPSs.

¹² One TPS principal reported that he receives about \$1,000,000 pesos per student, which, if accurate, reflects the same amount received by TPSs 15 years ago (BOGACT15).

¹³ Students’ families must have income equivalent to level one or two of the “SISBEN” system (the System for the Selection of Beneficiaries of Social Programs), which is a “six-level classification used by the local government to characterize the socio-economic characteristics of a given dwelling. ... In general, residents of dwellings in the first 2 strata are considered the urban poor and pay, for example, subsidized prices for public utilities such as water and electricity” (Bonilla, 2011, pp. 16-17).

Theory of Action

The implicit theory of action—or program logic—can be derived from the preceding sections. Based on the understanding we have of (a) why the program was developed by its protagonists and (b) how the program is supposed to operate in terms of its legal, institutional, and theoretical dimensions, we can visually depict the way that the program’s various elements and mechanisms should ideally function in relation to one another—and with what outcomes. This visual representation can be found in Figure 1.

In line with the theory of charter schools more generally, proponents of the CEC program suggest that certain dynamics and outcomes should result from the above-mentioned policy provisions. First, it is thought that the schools in this program should be more efficient because they are selected through a competitive bidding process, and because the CMOs face lower labor costs. Second, it is thought the CECs should respond to the threat of accountability from the SEP, in that they can be closed if they do not perform well for multiple years on student achievement tests. Third, and finally, they suggest that nearby TPSs should feel a sense of competition with the CECs, because they may lose students if they do not improve the quality of education offered (Barrera-Osorio, 2006; Bonilla, 2011; Villa & Duarte, 2005).

The logic model provided below for the CEC program is integral to the realist evaluation presented in this paper. This is because the logic model guided both the collection and analysis of data. By collecting data on each of the logic model’s dimensions and then analyzing that data against how the CEC program is supposed to function, we can identify the strengths and weaknesses of the program’s approach.

Before proceeding, it should be noted that in the logic model the mechanism of parental choice is a different color than the rest of the diagram. This is done to reflect the fact that this

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mechanism was thought to be a secondary mechanism for school improvement. Together, the bidding process, the school evaluation system (based on student achievement), and the threat of government accountability were thought to be the primary drivers that would lead to superior performance of the CECs.

[FIGURE 1 HERE]

Profile of CECs in Bogotá

During 2005-2011, the CECs enrolled between 3.7 and 4 percent of students in Bogotá. Of the 39,667 students in CECs as of 2012, 7 percent were in preschool, 79 percent were in grades 1-9, and 13 percent were in grades 10-11 (Secretaría de Educación, 2013). As for the schools themselves, they are located in the marginalized, peripheral areas of the city, with the majority (80 percent) located in the western and southern parts (Bonilla, 2010).

With regard to the CMOs, documents show that nine different organizations have granted charters. Three of these nine were “family benefit societies” (*cajas de compensación*, in Spanish). As Villa and Duarte (2005) explain, these are “private entities funded by 2 percent of the payroll of private companies and public institutions. Their purpose is to provide recreational, health, training, housing, and other services to affiliated workers” (p. 122). Importantly, those that have participated in the CEC program “have extensive experience in formal and non-formal education” (p. 122). The rest of the CMOs have been created—and are run—by members or affiliates of elite private schools, religious orders, or university-private school alliances.

Findings

As indicated, our focus is the inner-workings of the CEC’s assumed mechanisms and the factors that influenced the functioning of those mechanisms. For an extended discussion of the available evidence on CEC program outcomes, see Edwards (2014). As noted there, access

certainly did increase as a result of the construction of 25 CECs in marginalized areas with few schools, with these schools serving just under 40,000 students (or 4 percent of all students in Bogotá) in 2012. On the other hand, data on efficiency and quality were either unavailable (in the case of efficiency) or incomparable (in the case of educational quality).

That said, we now turn our attention to contextual, institutional, technical and process dynamics around accountability and competition in the CEC program. As we discuss below, these issues combined in various ways to prevent the theory of action from being realized in practice. Following the flow of the logic model presented above, our discussion of findings is spread across multiple sections. The issue of accountability is divided across the following subsections: (a) bidding process, (b) evaluation system, and (c) governmental accountability actions. Subsequently, the issue of competition is divided among: (a) information system, (b) parental choice, and (c) school behavior. These grouping reflect the components that should combine in practice to produce properly functioning mechanisms of accountability and competition.

Components of Accountability

Bidding process. The findings on the bidding process are surprising; the initial process lacked competition. First, this was because the SED determined the entities they wanted to serve as CEC management organizations based on the test results of their existing schools. The SED then worked backwards to determine the criteria that they could require in the bidding process (NATACT7).

Second, the lack of competition resulted from the bidding guidelines. The point here is that applicants—from the pool identified by the SED—had to meet extensive criteria regarding the provision of services, and they had to do so for a level of per-pupil funding that was fixed (at the beginning). The implication is that it was difficult for organizations to make themselves

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eligible given the bidding requirements (NATACT6). One consequence of this situation is that the SED actually had to persuade a number organizations to participate in the bidding process (NATACT4).

Third, the lack of competition was due in part to the initial skepticism of qualified bidders. The Jesuits, nuns, and leaders of elite private schools were not only confused as to the exact nature of the CEC program, but also had to be convinced that the government would provide continual funding for the program (NATACT6). The quote below, from the CEC program's first coordinator within the SED, adds further depth to these issues:

It was my job, I went to the schools we selected, we made a list of schools, ... I met with the board of directors of all of the schools, of those we had chosen, and I presented the project, and it was a disaster, but I convinced them. For example, I remember meeting with the board of directors of the *Gimnasio Moderno*, some old men who didn't understand anything, and they said, "this is going to cost us," and I explained that it wasn't going to cost them anything, and they asked where the school was going to be, and I said in Icará, and they said it was going to be very difficult, and it was like this with all of the groups, even more with the religious communities. I had to present to them and explain to them and have thousand meetings, show them the contract ... With the nuns it was absolutely impossible, ... [they] didn't understand anything (NATACT6, int 1, p. 20)

Evaluation system. This is one of the most important aspects of the CEC program, since, in theory, it provides the informational basis upon which the SED may decide to close schools and upon which charter schools may modify their behavior and mix of service offerings. Documents collected revealed that two evaluations (2004 and 2009) have been conducted, in

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addition to more frequent audits. Audits are focused on contract compliance, and are conducted by the government's comptroller office. In addition to reviewing paperwork and the physical state of the school, audits also review enrollments to ensure that students are actually receiving services (BOGACT3). The SED also checks to ensure that CECs are providing one snack to students per day, as stipulated by the contract.

While regular audits focus on compliance, CEC evaluations assess performance and focus on the quality of services delivered. Evaluations are conducted by outside firms, occur over the course of a single day, and involve surveys that may be taken by students, parents, and even teachers. These surveys include questions regarding academics, the quality of classes, and how well classes are liked, for example. Teachers are often asked about the school's education plan and curriculum (BOGACT3).

Despite their importance, the usefulness of the evaluations is mixed. The first evaluation—by Corpoeducación (2004)—included only a general summary of each of the CECs followed by an overall descriptive discussion of such issues as leadership, school climate, pedagogical approach, community engagement, school administration, etc. The other evaluation obtained—that by IDEP (2010), performed in 2009—was superior in its design because it created an index based on weighted scores on a range of dimensions related to CEC operation and performance. For example, some of the dimensions examined include stakeholder participation in school processes, teaching practices, student achievement, institutional organization, etc.

Notably, however, for the CECs, the first evaluation was more useful. This is because it could be used—due to its descriptive nature—to formulate an improvement plan. The later evaluation, on the other hand, frustrated the leadership and principals of many of the CECs. This

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frustration stemmed both from the perception that the evaluation was inadequate (due to its methodology, which involved assigning a score from 1-4 for the various dimensions of CEC performance mentioned above) as well as from the sense that the findings of the evaluation were politically predetermined given the election in 2008 of a new, left-wing administration (under the leadership of Samuel Moreno Rojas, of the Alternative Democratic Pole Party) and the fact that IDEP is a governmental ministry that is not entirely independent, as the evaluating agency should be (BOGACT1).

That said, it is interesting to note that the latter of the two evaluations, the IDEP study, was the only one to give grades to the CECs, as the CEC contracts initially envisioned. Perhaps this is a key reason why the CECs did not think highly of the evaluation—because most of them received poor marks. Indeed, ten of the 25 CECs received an overall score below 80 percent, and for student achievement only 4 CECs scored over 80 percent.

Another point of contention for some of the CECs was the subsequent improvement plans the SED required following the IDEP evaluation. To that end, a principal from the Don Bosco CEC describes:

The [SED] received the evaluation report from IDEP and said that improvement was needed ... institutional improvement, and they said that this was found from an external evaluation, that was supposed to have been independent, and so we implemented improvement plans, ... we used a general format and these were inserted into the work plans of each institution ... we created them and the [SED] visited two or three months later and said they were tracking the progress. ... *They proposed an improvement plan and, in 2009-2010, implemented this plan* (BOGACT11, p. 7-10, emphasis added).

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Interestingly, this quote clearly describes an instance of government accountability of the CECs in that the CECs had to develop improvement plans following the IDEP evaluation—plans on which the government followed up. Moreover, the 2011 audit reveals further accountability mechanisms. The SED, through the School Coverage Unit, communicated with the CECs and, where necessary, demanded through official correspondence that they rectify service provision compliance problems identified by previous audits (Controloria de Bogotá, 2011).

Thus, importantly, while the SED has not taken drastic action to punish CECs where they did not comply with regulations, there is in fact some evidence that the SED has taken appropriate steps to monitor CEC behavior and to ensure that the CECs implement corrective action. For much of the life of CEC program, what was uncertain was whether or not the SED would be willing to take more punitive measures, such as issuing fines or revoking contracts for sustained non-compliance and/or inadequate performance. What little evidence existed in this area (up through 2014) suggested that the SED was reluctant, in large part because of the contentious dispute around the legitimacy of recent evaluations conducted by IDEP.¹⁴

Overall, then, prior to 2014, the SED's evaluation system, at its best, worked to ensure that CECs meet legal requirements related to: personnel qualifications, student snack provision, infrastructure management, student enrollment quotas, and appropriate student selection. At the same time, the SED's ability to hold schools accountable for student achievement was limited. This was a result, on the one hand, of the somewhat vague language in CEC contracts (discussed further below) around how CECs are to be graded. On the other hand, this was a result of the inadequate nature of the evaluations, which have tended to be descriptive in nature, except for the IDEP evaluation of 2009. Here, however, the study's utility is undercut by the perception of

¹⁴ More recent punitive action taken by the SED in 2014 is not discussed here because it occurred outside the scope of this research, after data was collected. See El Tiempo (2015) for more information.

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a lack of independence on the part of IDEP (also discussed further below).

Governmental accountability actions and dynamics. In Bogotá, the CECs have been accountable to the SED's School Coverage Unit and, within that, the Office of CEC Coordination.¹⁵ Three forms of accountability were envisioned when the CEC program began: building management inventory, supervision of compliance with rules on teaching by the SED and assessment of the attainment of learning objectives, which is to be measured by an independent party. The way the system is set up, the SED (with assistance from its relevant financial and legal offices) should be able to hold CECs accountable in each of these areas on the basis of the evaluations and audits previously discussed. In practice, however, the operationalization of accountability is hindered by a number of factors.

The first issue is that the enforceability of accountability is problematized by a lack of clarity regarding CEC expectations. Though CEC contracts state that the ability to operate a CEC can be revoked if “the results that the concessionaire receives are rated ‘poor’ by the independent evaluator during two successive school years,”¹⁶ it is often unclear—even among those who work in the education system—what level of achievement students in CECs should obtain for the CEC to remain in good standing. One source of this confusion is the fact that the contracts do not define what constitutes poor, good or superior performance. A commonly assumed—but inaccurate—requirement is that CECs are contractually obligated not only to perform well but better than TPSs.¹⁷

The second issue relates to the poor and politically-tense relationship that has developed between CECs and the city's leadership. In the first half of the 2000s, during the time of the

¹⁵ See the document “Seguimiento a los Contratos de Concesión Educativa” for more information.

¹⁶ See Cláusula 37 of the contract for more information.

¹⁷ Note, though, that some concessionaires have voluntarily included clauses in their contracts stipulating that their schools must obtain scores that are, in fact, better than those received by TPSs in their respective localities (BOGACT5).

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administration under which the CEC program began, the SED had a productive relationship with the CECs, despite (or perhaps because) it monitored and worked with them closely. The following quote from the Director of Coverage in the early 2000s (who was charged with overseeing the CECs) explains this well:

Despite having millions of other obligations in my role as Director of Coverage, I took the time to make surprise visits, to be very involved, and this was a deterrent to any irregularities because I arrived unannounced to any school and reviewed everything, and ... where it was dirty and where the children were alone without a teacher, ... I said “how is this possible? You are shameless.” And the next day it would be corrected. ... They had great respect for me because they knew that I had been there from the beginning, because I understood the contract perfectly, and because they knew what they were required to do—and if they performed poorly, there would be serious consequences, but they were never necessary because the CECs were very.... In these first few years, they were very judicious. And I, more than believing in supervision, I believe in building alliances, that is, I contract you and I don’t pursue you like the police but rather I form a team with you. In this way I built a relationship with them. I am not the enemy who is going to review everything; we are a team so that this functions, and that leads to good results (NATACT6, p. 26).

However, the relationship between the SED and the CECs changed starting in 2004, when the left-wing party (under the leadership of Mayor Luis Eduardo Garzón, of the Independent Democratic Pole Party) took control of SED administration for the first time since the CEC program began. Under this new administration, the supervision of CECs became, for many years, more distant, hands-off, and perfunctory, and the relationship as a whole was

restricted only to the conduct of evaluations and audits. As one CMO director stated: “The relationship is only those evaluations for which they send people. You attend to the evaluators and show them what you have to show them” (BOGACT5, p. 16). Another CMO director added to this: “the communication has been very poor for a few years between the School Coverage Unit and us. What we do is fight, defend ourselves, make claims—nothing constructive” (BOGACT17, p. 17). In large part, this tense relationship stems from the anti-privatization and anti-charter school position of Bogotá’s mayors since the election of Luis Garzón in 2004.

In this context, the CMOs were skeptical that accountability for CECs became a priority for the mayor’s office in the run-up to the 2014 expiration of CEC contracts. Previously, in the post-2004 era, while the CECs were subject to criticism, they were not closely monitored by the SED. For these reasons, the evaluations have taken on a “political tint.” From the perspective of CEC principals, these evaluations have been performed to show that CECs “don’t work, that they haven’t had superior achievement, that students dropout just the same, that the academic results aren’t better” (BOGACT11, p. 5).

The result of these dynamics is that accountability was rendered moot for many years during 2004-2014. That is, due to the weak nature of the evaluations and the unclear criteria for defining acceptable performance, the mayor’s office did not dare to take formal action that would threaten the status of the CECs, in particular because it knew that the CECs would challenge both the methodology of the evaluations as well as the lack of independence of evaluating agency. From this situation, we see that accountability, in practice, depends on a number of factors that go beyond the simple, mechanistic assumptions often offered to justify charter schools. More will be said about the implications of these findings later in the paper.

Components of Competition

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Information system. Conceivably, an information system for a PPP program might collect and communicate information on a range of aspects to a variety of actors. In the case of the CEC program, however, the primary issue around which information is communicated relates to the availability of spots in CECs. In terms of timing, CECs announce any open spots they might have during August or September. In order to advertise open spots, the CECs typically place announcements on posters outside their schools. According to interviewees, other means of communication around open spots include television, newspapers, and circulars sent out to the families of students. Word of mouth across families is also reported by numerous principals to be a primary means of information sharing (BOGACT3, BOGACT8). In reality, however, very few spots open up each year. This is because very few students dropout or leave the CECs once enrolled. The result is that spots only tend to open up at the preschool level, since there is a preschool associated with each CEC that feeds into it.

Many parents are aware of the limited number of new spots each year. The former coordinator of the CEC program describes this situation well: “Look, in the CECs, the new spaces are known three months in advance, parents are around like hens looking for them” (NATACT6, p. 42). Thus, while CECs are required by law to announce any openings to the public, it is a formality that is not necessary in order to fill the available spots. Indeed, the principals indicated that they would not advertise the open spots if they did not have to because they already have a backlog of requests from parents. Each individual CEC is then responsible for facilitating the student selection process.

Parental choice. Parental choice is, in part, a function of system capacity and the existence of spots from which to choose. In the locality examined for this study, there are 3,300 more slots available in public schools than students enrolled (Secretaría de Educación, 2013). In

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practical terms, what this means is that parents know that their children will not be without a school to enroll in, even if it is not in a CEC, since demand for CECs is well above supply.

Indeed, limited supply seems not to have stunted demand—that is, the availability of few spots has not discouraged parents from attempting to exercise their choice. In the words of one CEC principal, “There were 5,000 kids at the door of each CEC” when they opened the first 16 (NATACT6, p. 27). One CEC principal also commented that parents request spaces everyday because CECs are considered to be privileged and because, as such, enrolled students value the schools (BOGACT6, p. 13). Another principal noted that, on average, for every opening at their CEC, there are seven applicants (BOGACT11, p.14)

More than being about private management, however, parents, for the most part, simply want their children to receive a quality education. In this respect, the high levels of demand should come as no surprise, particularly given that the localities that contain CECs were those where education has not only traditionally been of low quality but also where, in the late 1990s and early 2000s, there weren’t enough schools to house each neighborhood’s children. Going from this situation to one where a brand new school is built and put on offer, it is to be expected that demand would far exceed supply.

Inter-school dynamics. Apart from the bidding process, it has been suggested that competition should also materialize among individual CECs and TPSs in practice. However, the findings from our research are not consistent with this assumption. TPSs overwhelmingly tend not compare themselves with CECs; in the words of one TPS principal, the CEC program “has not affected us at all” (BOGACT9, p. 2). And the director of the Local Education Office in Usme rejected the notion of competition, stating instead that “each school has its autonomy, its own program” (BOGACT18, p. 7). For their part, the CECs also do not perceive the TPSs as

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competition. As the director of one CMO states: “I know many public school directors from the secretary of education that appreciate us as a concession school, they don’t view us as a threat” (BOGACT17, p. 19).

More specifically, as to why competition has not developed, three factors emerge. The first relates to the difficulty of enrolling in the CECs given excess parental demand. Put differently, there are few enough CECs that the TPSs do not feel threatened by the prospect of losing their student population. The second reason relates to the drastically unequal starting points of the CECs and TPSs. CECs have newer physical infrastructure, access to newer resources and a longer instructional day. In other words, TPSs know that they cannot compete with the infrastructure and amenities offered by the CECs. Third, as noted previously, competition is lacking because TPSs know that they will still have a student body to serve. Those characteristics which make CECs more attractive to parents are structural and, as such, are out of the hands of TPS principals. Consequently, TPS principals resign themselves to dealing with the issues within their schools over which they have some influence. Ultimately, as opposed to competition, what develops on the part of TPS principals is a sense of jealousy and envy, particularly with regard to such supplemental services as social workers and school psychologists (BOGACT8).

Student selection. We found that CECs manage the student selection process directly. In selecting students, there are three criteria that principals must take into account. The first and most influential is sibling status—that is, whether the applicant is a sibling of an enrolled student. The second, is the vulnerability status of the family. This status includes, for example, families that have been displaced (e.g., due to natural disaster) as well as poor families, as defined by the System for the Selection of Beneficiaries of Social Programs (SISBEN). To qualify for

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enrollment under the poverty indicator, families must be in the lowest two strata, which are the strata of those families who also pay subsidized prices for public utilities such as water and electricity (Bonilla, 2011). The third criterion pertains to geographic location in that students who live closer to the school are given higher priority.

Not all students are selected before the school year commences, however. There are times when a spot may open up mid-year because a student moves, dropouts out, or repeats a grade. In these cases, the CECs contact waitlisted students and their parents and administer a series of interviews and tests to learn more about them. According to a principal from one CEC, these diagnostics include academic tests and meetings with a psychologist in order to better know the student's and to become familiar with the family itself "so that when the child is enrolled the CEC can channel the student according to their strengths and weaknesses" (BOGACT10, p. 13). Although the principals interviewed did not indicate that the selection process is used to choose more desirable students, it clearly could lend itself to this outcome, whether intentionally or unintentionally, particularly given the overwhelming demand from parents and the fact that some principals reported having 10 applicants for each opening.

In this context, it is important to note that our interviews with CEC principals affirmed that students have, in fact, been rejected for reasons of capacity. Interestingly, this aligns with what Miñana (2010b) found in his study of education reform in Colombia during 1994-2005. In a focus group he conducted, principals asserted that the first wave of 16 CECs "were at liberty to select" their students (p. 161). Though CEC contracts have always stated that students should be from SISBEN strata one and two and should live near the school,¹⁸ it is possible, as mentioned, that principals could target other student characteristics as grounds for selection. In the end, while it is not clear how or why CEC principal discretion supposedly declined, Miñana (2010b)

¹⁸ See clause 27 of the CEC contract.

writes that the leftist governments during 2004-2011 were “able to end the privileges these schools had and to partially revert the policy” (p. 168).

From a long-term perspective, there could be practical consequences from principal discretion in student selection at the outset of the CEC programs. Put simply, over time, the implication of initial selection practices whereby students with more “cultural capital” were chosen, as the principals interviewed by Miñana (2010b) assert, is that student achievement could be positively skewed in comparison with TPSs in the same locality. And, feasibly, since the SED has changed the criteria to give preferential treatment to siblings, a positive bias could be sustained over time, where families have more than one school-age child, though the impact may likely be minor.

Discussion and Implications

As PPPs generally and charter schools specifically gain in popularity within and outside the United States, policymakers need to be careful with the design of these programs, especially in light of the many possible challenges to making them work in practice as expected. The present paper has attempted to make a significant contribution when it comes to understanding those challenges. As has been shown, despite a purposeful effort by the SED in Bogotá to design a policy that would result in dynamics of accountability and competition, a number of issues arose which hindered the realization of these dynamics.

In contrast to the findings of Crew and Anderson (2003), the SED of Bogotá intentionally included a clause in the CEC contracts that—they thought—would provide them with the necessary leverage to hold the CECs accountable for student achievement. However, as revealed above, this clause was insufficiently clear; while it stated that CEC performance cannot be rated as poor for two consecutive years, it does not define what it means to perform poorly. Moreover,

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outside of the technical realm, the Bogotá's SED further reduced its ability to hold the CECs accountable by violating the requirement that the evaluating agency be independent of the government. Beyond the technical limitations of the contractual language, it would have been legally infeasible for the SED to use IDEP's evaluation as the basis for punitive action, given that the SED appoints the director of IDEP.

What these comments underscore is the centrality of the evaluation system. In the CEC case, two types of evaluation were utilized. The first form—more appropriately labeled an audit—related to the more traditional notion of accountability, wherein the government checks to ensure that the private provider is complying with regulations and requirements related to student selection, procurement, and service provision, for example. As noted, there was some evidence that the SED has followed up on these audits by requiring that CECs, where necessary, elaborate improvement plans, with the SED then checking later to ensure compliance with that plan.

However, both in Colombia and around the world, when grappling with the concept of accountability, it is the second form of evaluation—i.e., outcomes-oriented evaluation—that garners the most attention. Yet, as shown in the CEC case, these evaluations can be complicated by a number of factors. One salient issue to emerge here was failure to employ an accepted methodology that not only measures key outcomes such as student achievement, but which can also control for differences in background characteristics between CEC students and TPS students, though it should be noted that debate among academics is ongoing with regard to the feasibility of successfully implementing such a methodology in practice (Klees & Edwards, 2014; Lubienski, Weitzel & Lubienski, 2009). Moreover, even if the outcome metrics for decision-making by the SED were clearly defined, and even if a sophisticated method were used for evaluation—both limits in the CEC case—it would still be necessary to ensure that all key

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actors and the public were on the same page about the exact criteria against which the CEC would be measured. Clarity around student performance requirements was made difficult in Bogotá because some CMOs were allowed to voluntarily include more stringent achievement clauses in their contracts than were called for by the SED. By allowing this, the SED contributed to the confusion that has surrounded the accountability process, as many stakeholders have incorrectly believed that all CECs must score higher than nearby TPSs on standardized exams. More generally, though, when it comes to carrying out such evaluations and communicating both results and expectations, a core consideration needs to be the complexity and costliness of the ancillary systems that must be developed and managed, for, as Levin (1998) has pointed out, creating and maintaining parallel systems to monitor a subset of schools can be costly enough that one must question whether the resources required for correctly establishing and managing a charter scheme could not be better used to improve the TPSs.

Interestingly, the findings for this study indicated that personal relationships—more than impersonal mechanisms of punitive action—were at the heart of the accountability dynamic between the SED and the CECs. To some extent, the building of these relationships may have been possible because of the small number of CECs, particularly at the beginning, before all 25 were built, and thus this dynamic may be less likely to emerge—at least on a widespread basis—in other education systems with larger numbers of charter-type schools. Nevertheless, it is important to highlight the importance of transaction costs and the fact that the development of positive rapport along with high expectations may contribute to more effective accountability processes in practice—or at least to more open lines of communication and feedback, which can be seen as a precursor to accountability. Establishing and maintaining these connections throughout can also reduce the transaction costs that have been found to stem from untrusting

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and unstable relationships between government and private providers (Reeves, 2008). These connections can furthermore facilitate the communication of informal or unofficial expectations around accountability between school districts and charter schools (Diggs & Roman, 2012), with the implication being that school districts may be less inclined to take punitive or harsh actions against charter schools if they feel that—or if they are regularly informed of the ways that—the charters are striving for improvement.

This personal aspect also filtered into aspects of the CEC system that were thought to engender competitive dynamics. The prime example was the bidding system. In shedding light on this under-studied dimension of charter arrangements, our research suggests that, even in large metropolitan school systems with one million students, there may be insufficient competition to earn the right to manage a publically funded school. This result seems especially likely where, as in Bogotá, the school system requires that CMOs, among other things, (a) be not-for-profit, (b) manage schools in impoverished areas of the city, (c) accept the most marginalized students, and (d) accept per student funding that precludes the CMOs from offering the mix of services that they would otherwise offer, that is, the mix that they believe to reflect a quality education. As a result of this situation, the coordinator of the CEC program in Bogotá had to meet individually with potential CMOs, explaining to them the design of the program, convincing them of its feasibility, and persuading them to participate. However, beyond revealing what is fundamentally a sociological—as opposed to economic—side of this market mechanism, the aforementioned finding shows that the opposite of competition materialized in practice. That is, rather than weeding out weaker applicants, the SED found itself in a position where it was forced to work with all willing actors who met the minimum criteria. This dynamic raises questions about how to define sufficient competition as well as about the practical

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implications for accountability of a lack of surplus providers, particularly in the event that the initially selected CMOs have their charters revoked. What is a school system to do, particularly in the short run, if, in a neighborhood where there is an inadequate number of seats in the TPSs, it is discovered through evaluation that the charter school is in grave violation of its service requirements? This is certainly a relevant concern given that previous research has suggested that private providers in PPP arrangements tend to prioritize their own needs (e.g., remaining financially solvent) over the prerogatives of their public sector counterparts (e.g., providing student meals) (Da Cruz & Marquez, 2012).

Elsewhere, the present study also found that competition, like the concept of efficiency, while often part of the rhetoric around charters, was not supported by the evidence. What this study suggests is that charter schools, unless implemented on a more than marginal basis, will not induce competition between schools, particularly where there is a surplus of demand. That is, on one hand, while parental demand seems not to have been stunted by the limited number of CECs, on the other hand, the limited capacity of the CECs to accommodate that demand has negated the emergence of competitive dynamics among CECs and TPSs. However, beyond excess student and parent demand for CECs, it is important not to overlook the effect that the differential assignation of resources has on TPS principals. As they emphasized, the fact the CECs received new and impeccably equipped schools was out of their control, and thus they understood that they simply could not—even if they wanted to—compete with the CECs for students, given the comparative advantage enjoyed by the CECs as a result of their new buildings and their additional services. Thus, in addition to introducing significant numbers of charter schools, one would also have to ensure that the playing field is constructed such that principals are able to compete.

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A final, but essential, aspect to discuss relates to student selection. Although the CEC program included guidelines which stipulated three requirements for student selection (i.e., that students belong to the poorest income groups, that they live nearby, and that they be a sibling of a current student), the fact of surplus demand has created a situation where CEC principals can—even while meeting legal stipulations—still select the students they prefer from among a pool of qualified applicants. The principals in this study admitted as much, specifically in regard to admitting students after the school year begins, when there is an unexpected open spot. They stated that they administer academic tests and conduct meetings between the potential student and the school psychologist. These activities can serve as mechanisms for filtering out students who may be special needs or who may require remediation—a findings which is consistent with prior research on charter school admission practices (Lubienski, 2006). Moreover, these filtering mechanisms are in addition to the fact that parents with more economic and social capital are able to spend more time in and around the school, volunteering and contributing their energy in an effort to build a relationship with the principal in an attempt to raise the value of their stock to influence admissions decisions—a finding which is also consistent with previous studies (Alegre & Benito, 2012). For the purpose of the present paper, however, a central takeaway is that, to some degree, within the constraints of the CEC program, it is not the parents who put pressure on the school through competition but rather the school that may put pressure on the parents by incentivizing them to contribute to the school on the chance that their child may be given priority for selection.

Conclusion

Within and outside the United States, charter schools have gone from being seen as an alternative mode of school management to a mode that is at the heart of the—often contested—

education reform agenda. The same is true in Bogotá, Colombia, where the CEC program was created in the late 1990s, at a particular moment in Colombian educational reform, in an attempt to address issues of educational access and quality in marginalized areas of the city. While student academic outcomes and indicators have been examined and debated elsewhere (see Edwards, 2014), the research for the present manuscript was conducted in order to shed light on less-often discussed—yet no less important—aspects of this high-profile reform. As discussed, to date, the CEC program has expanded access by serving 40,000 students in 25 new, well-equipped, and privately-managed schools that contain all grades from preschool to the secondary level. Yet not all aspects of the program have operated as it was presumed they would.

As has been shown by the present study, many of the links in the program logic are impacted by the way in which the mechanisms in the other links are enacted in practice. Successfully operationalizing the PPP model represented by the CEC program requires that the mechanisms underlying each segment in the model are carefully designed, that they directly connect, and that the functioning (or not) of one does not adversely impact the others—a difficult task given the dynamic and sensitive nature of many of the mechanisms. Specifically, for example, both a lack of competition in the bidding process and poorly designed contracts affect the ability of the government to hold schools accountable; similarly, insufficient choice for parents—or, parental choice on an insufficient scale—affects the development of competitive dynamics among schools.

It is noticeable, however, that the inner-workings of PPP models generally and charter models specifically tend not to be emphasized when such reforms are brought up for consideration. That is, in both the extant literature on charter schools and, we suggest, in those cases where charter schools are highlighted in the press and in public fora, the focus tends to be

restricted to outcomes without unpacking the details and dynamics of how such reforms operate in practice. This absence is important to underscore because our lack of understanding in this area has direct implications for how such policies are designed and implemented, and with what success or consequences, both intended and otherwise. The present study is an effort to contribute to this gap in our knowledge—a gap which is increasingly important to fill, we argue, in order to complement the numerous input-output (i.e., econometric) studies that tend to dominate the debate on the merit of these models but which are not able to explain how, why or what parts of the model function (or fail to function) as promoted.

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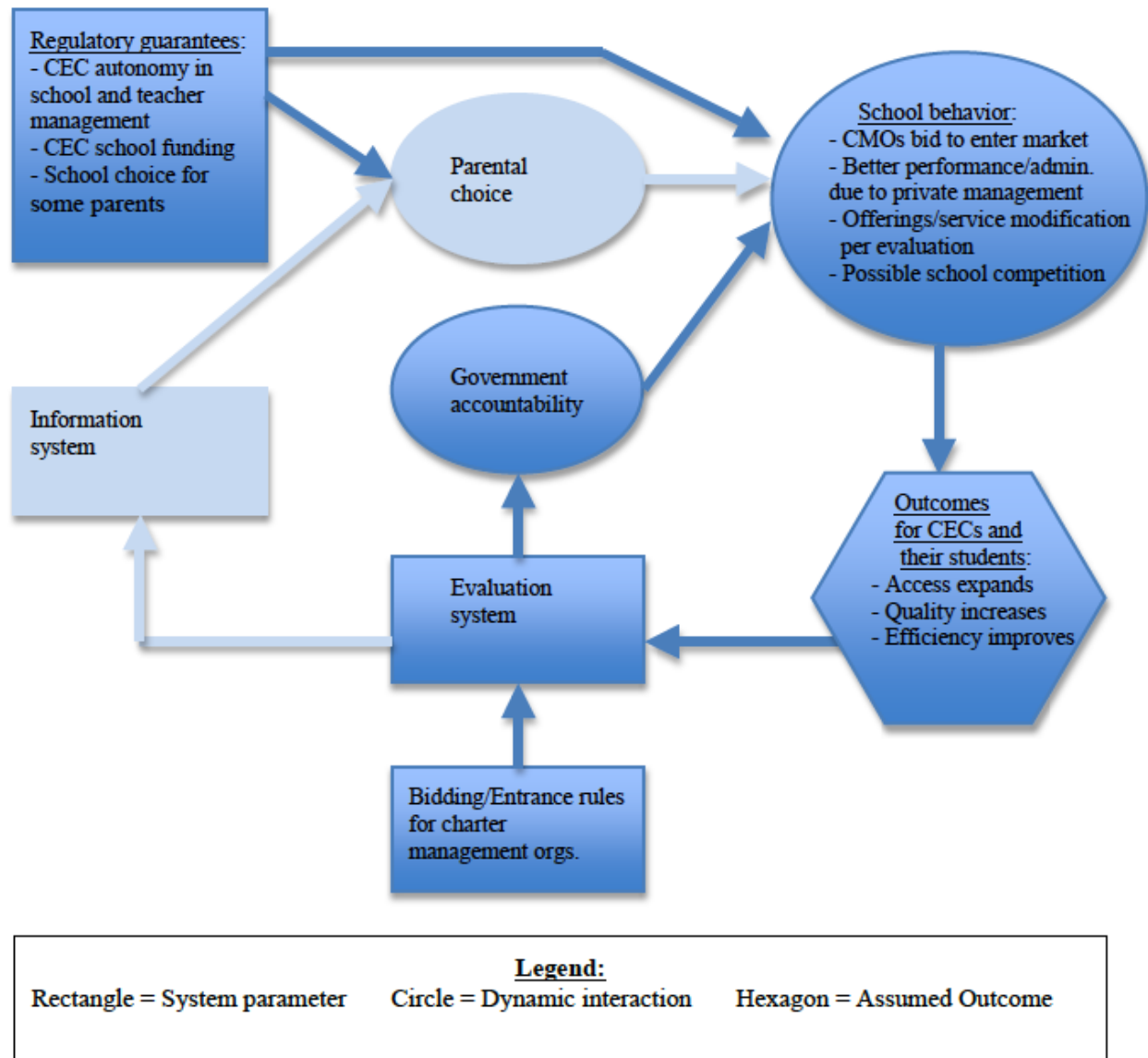
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Table 1: Summary of Interview	
Participants according to Position Held	
Interviewee Position	No.
Education Specialists (Professors, Economists, Evaluators, International Organization Staff)	7
Ministry of Education of Colombia Officials	5
Officials from the Secretary of Education of Bogotá (Not including principals interviewed)	5
Charter School Management Organization Leadership (Not including charter school principals)	3
Charter School Principals	5
Public School Principals	5
Parents	4
Total	34

Figure 1: Programmatic Logic Model of Concession Schools



Source: Adapted from Verger (2012).