Research on Emergent Phenomena: Responses and Speculations*

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These comments run the gamut, from Joe Nathan's, which argues that we have fundamentally mischaracterized the charter school phenomenon and implies that we may be doing harm in the process, to John Witte's, which says our findings are probably accurate but possibly irrelevant. Katrina Bulkley, on these and other dimensions, strikes a middle ground; she suggests we are onto something significant but that there may be other and better ways to go from here. On at least three things they agree. They wish we had gone about things differently. They agree with our general point that it is important theoretically and empirically to disaggregate the charter school phenomenon. They think a dichotomous distinction—between EMO and non-EMO or between market and mission—is insufficient; the real world of educational practice is more nuanced and complex than such simple classifications can accommodate.

Space does not allow for a point-by-point rebuttal and that would not be the most useful exercise in any event. Our approach instead takes the following form. We begin with responses to what we consider some of the most important criticisms and observations; in some cases to take issue but more often to nod in appreciation and with the sincere hope that we and others will use these as points of departure for future analysis. Following that, we conclude with some speculations about the particular challenges of studying emergent policy regimes.

Commenting on the Comments

Nathan, regarded by many, including us, as a leading founder and proselytizer for what has become an important school-reform movement, wishes we had started with charter school successes and worked backward from there. He argues that student achievement is the bottom line, that charter schools are designed to vary in the forms and pedagogies they adopt in order

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to produce better outcomes, and that failing to highlight the fact that some may be succeeding serves the interests of entrenched opponents. Like many fervent charter school advocates, he complains about being systematically ignored (charter school advocate as "Invisible Man") and at the same time insists that those who write about the phenomenon should do it on terms that he wants to define.

The mélange of studies, newspaper reports, and anecdotes he recites is enough to convince us that charter schools are an interesting and potentially important policy experiment, incorporating a diverse array of subexperiments, some of which may be very worthy of emulation. But we are easy to convince of those things because we began our research with the conviction that these things are true. It also is true, as Nathan comes close to acknowledging, that some charter schools are failing on multiple dimensions, that some careful studies find no positive impact on test scores or positive competitive effect on traditional school systems, and that there is a lot about the phenomenon that we simply do not yet understand. We agree that it is important to study outcomes but disagree that this is the only thing worth studying and that looking exclusively at success stories is the best strategy for promoting collective learning. Nathan perhaps fears that any negative or even ambiguous or nuanced findings will be exploited by charter school opponents who are lying in wait hoping to pounce. But both research training and personal experience have convinced us that there is at least as much to be learned from failures and mixed findings as from intense analysis of success stories; no matter how many World Series games we seem to watch, none of us can come close to hitting a curve ball.

Both Nathan and Witte note our somewhat disappointing response rate. Nathan muddies the point a bit due to his failure to distinguish between sample *size* (he points out that the Center for Education Reform "received almost three times as many responses") and response *rate* (he fails to note that theirs was a national study with a much higher denominator). Witte's request for more information with which to judge possible sampling bias is more to the point. He notes that our comparison with the national 1999 Schools and Staffing Survey (SASS) in footnote 5 alleviated some of his concerns, and we can take that discussion a bit further here. Although the wording in SASS and our survey is not identical, along several important measures the two groups of charter schools surveyed are broadly similar. Sixty-two percent of the schools responding to our survey reported offering a theme; 56 percent of the SASS charter schools in the same four states said they offer "programs with special instructional approaches." Our survey asked two slightly different questions about EMO affiliation. The first asked whether the school was *founded by* an EMO (16.3 percent), and the second asked whether the charter school had *collaborated with or received support from* a for-profit EMO (23.3 percent). The SASS asked whether charter schools were *managed by an organization that manages other schools but was not a school district*, to which 21.6 percent of the schools in the four

jurisdictions responded that they were being managed by for-profit EMOs. Since our "collaboration" question may imply a less formal relationship than the "management" wording used by SASS, and in light of the fact that our later survey might have been expected to find a higher level of EMO involvement, we conclude that our sample may underrepresent the EMO-associated charter schools to a slight degree. We did find possible differences in grade-level configuration; for example, 26 percent of the schools in our sample are high schools, a lower percentage than in the SASS population (36 percent).

John Witte's most important point is that the privatization of educational delivery may turn out to be relatively inconsequential, with the real story being the substantial expansion of student choice. He sees charter schools and various voucher regimes as likely to be constrained within publicly defined contracting and regulatory regimes that make organizational differences among the providers less relevant. We are not sure how the various currents of change will play themselves out over the coming decades (more on this below). We think it quite likely that he will turn out to be right. But for reasons we elaborate elsewhere (Henig et al., 2003), we also worry that it is possible that he will prove wrong; that broad assaults on the legitimacy and capacity of government will leave contracting and regulatory regimes too effete and intimidated to exercise much authority at all.

Some smaller points relate to decentralization. Witte wonders about whether our findings regarding teacher recruitment are right. We are not sure that our findings regarding school-based discretion in teacher recruitment are in fact at odds with what Witte reports finding in Wisconsin. Our questions asked charter schools about their degree of discretion for various functions, specifically in relation to those of their external partners, and might not pick up feelings of frustration relating to constraints tied to state, district, or union rules. More significantly, on theoretical grounds, he questions whether there is any basis in market theory from which to infer a tendency toward centralization. But one of the "more mundane" explanations he offers (that EMOs like Edison usually offer packaged products that "by nature" reduce school autonomy) strikes us as very consistent with our framing. Although we find his speculations about start-up "mavericks" versus conversion schools to be interesting and worth further exploration, they do not appear particularly relevant to the findings we report. Of the 58 schools in our sample that indicated that a preexisting public or private school was part of its founding coalition, only six indicated that an EMO was also among the founders. The apparent discrepancy between this and the Wisconsin data Witte reports is probably due in part to differences between the jurisdictions, but primarily to the fact that we are looking specifically at the *founding* organizations and do not include as EMO-related schools that subsequently contract with or are taken over by an EMO. Based on this as a possible source of confusion, and on Katrina Bulkley's specific questioning, we recognize a need to elaborate a bit more on our reasons for framing the issue and defining our key variable in these terms.

Bulkley has been grappling with similar issues to ours in her own research. We have found her work to be quite helpful, and take her points here very seriously indeed. Her comments focus on two major points. First, she suggests that we could just as well—and perhaps more appropriately—have operationalized our EMO versus non-EMO distinction on contemporary alliances instead of founding organization. Second, she encourages us to look for distinctions within the EMO and non-EMO charters. At the risk of appearing utterly spineless, we agree with both points. We'll simply attach a "but" or two.

We think it is important to look at both the origin and subsequent partnering behavior of charter schools. Part of our rationale for looking at founding character was a practical one. In the fluid world of charter schools, the nature of partnerships is changing rapidly. Some schools begun without EMO alliances are subsequently forming them. Others begun with EMO partners have shed them, usually for another management firm but sometimes under substantially different provisions. It may be that this is a function of the relative immaturity of the charter school movement and that organizational identities will settle down over time. But it made little sense for us to put so fluid a distinction at the center of our analysis. A typology based on ephemeral attributes would not provide much leverage for theorizing or policy direction. Just as importantly, we consider it to be an open but critical question whether and under what conditions the values and orientations of the founding organizations set and maintain the course. Charter schools launched by strong and focused mission-oriented organizations may pragmatically opt to contract with for-profit EMOs without relinquishing their founding vision. Or they may subsequently ally with EMOs and lose key battles to define the school's direction. Or it may be that both EMOs and non-EMOs find that the power of parent demands or the power of regulatory politics trump their preferred responses, with the consequence that the differences both within and across the two types gradually are eroded. Wrestling such questions to the ground will definitely require the kinds of analyses Bulkley is proposing, but we think it also makes sense to start with the starting point and investigate changes as they evolve.

The Challenges of Studying Emergent Policy Regimes

The combined commentaries lead us to reflect on the special complications engendered in studying relatively new policy regimes. Most of the typical policy research complications—that legislative intent may be obscured due to tactical compromises among competing factions; that fickle legislatures or courts may suddenly alter key parameters; that programs with the same names may mean different things in different niches of our decentralized federal system—are exacerbated in new policy regimes where the rules of the game have yet to be institutionalized; where preexisting norms

and expectations often run at cross-purposes; where the defeated opponents of the new initiative may be engaging in guerilla warfare while massing for a legislative counterattack. If examining deliberate behaviors in social realms is best understood as studying clouds rather than clocks (Popper, 1972; Almond, 1977), then studying emergent policy regimes is like cloud watching in a hurricane.

In the early stages of a new policy approach, like charter schools, there is fundamental ambiguity about the "it" that is under review. This ambiguity is reflected in some of the comments on our article, and it raises the question of whether it might be wiser to wait until such initiatives "gel" before engaging in such research. Although Joe Nathan seems eager for researchers to test for positive outcomes even in this still relatively early stage of the charter school movement, other advocates have argued that this may be premature; they suggest that new programs need to be allowed some space and time to get their act together before being put under the microscope. Coming at the question from a different angle, John Witte's remarks can be interpreted as counsel for researchers to bide their time in selecting which phenomena are worth intensive study; while he (and we) have been looking at recent events through the lens of markets versus government, the real action may have been occurring just outside our range of vision.

Despite the fact that the risks are certainly higher that research on such emergent phenomena will turn out to be misdirected or out of focus, we see at least two good reasons for rising to the challenge. The first and most obvious is the hope that such research can inform public deliberation and decision making at the time when things are most malleable and mistakes most likely to be made. There is a tension everlasting between the demands of policymakers for information *now* and the demands of scholarship for research that is carefully framed and executed; rather than propose that researchers shift *en masse* one way or the other, we take comfort in a pluralistic research enterprise in which at least some serious scholars and studies wrestle with issues that are still in the formative stage.

Our interest in studying emergent policy regimes is not driven by a commitment to practical applications alone, however. Our second reason not to hang back until things "settle down" is that we believe such studies can shed light on important theoretical debates in the social sciences today, particularly those relating to the relative importance of institutions versus social and political processes and to what degree policy outcomes may be dictated by variations in local contexts. Over time, policies, processes, institutions, and places become intertwined in ways that make it difficult to disentangle their effects. Much as scientists can find insights into more stable and contemporary aspects of the physical world by studying the processes by which planets and stars are born and die, social science can profit from examining the interplay among institutions, processes, and contexts during points of punctuated equilibrium when things are most unsettled.

We are interested in charter schools not only as an interesting phenomenon on their own terms, but as a window into broader issues relating to the relative roles of organizational character, local context, and policy parameters in shaping how privatization-oriented policies may evolve over time. In thinking about this issue, we do not think of privatization as narrowly limited to the handoff from governments to profit-maximizing providers. We believe that privatization in the United States has been oriented around partnerships with civil society—with not-for-profit, community-based, and mission-oriented organizations—as well as for-profits, and we see both taking place within a set of parameters that government can frame and enforce, although whether they do so with authority and capacity is problematic and variable. If not-for-profit, mission-oriented organizations are inclined overall to behave substantially differently than for-profit ones, policies based on public-private partnerships should not proceed as if the two are comparable. If, on the other hand, differences in the formal status of organizations providing public services are much less important than legislative frameworks, regulatory practices, and local contexts—if, in other words, market and nonmarket organizations act pretty much the same when faced with similar incentives—our attention is better spent in analyzing details of policy and fitting policy to context and accepting whatever mix of service providers comes to the fore.

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