

**Contested Framing and Feedback after Big Policy Changes:
How Interest Groups Compete to Shape State Charter School Policies**

Thomas T. Holyoke

Department of Political Science
California State University, Fresno
tholyoke@csufresno.edu

Heath Brown

CUNY Graduate Center and John Jay College
City University of New York
hbrown@jjay.cuny.edu

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Abstract

A great deal is known about how organized interest groups compete to enact major new policies, often in a dynamic known as punctuated equilibrium. What we know much less about is what happens to these policies after enactment, and what becomes of the interest groups on the losing end of that political battle? Do they fade away into the night, or do they re-group for a new, prolonged war of attrition against the new policy? If so, how do they do it, and how do the newly empowered interest groups benefitting from the new policy fight to secure what they have won? In this chapter we explore post-enactment policy competition in terms of feedback loops and issue framing, doing so in the context of ongoing struggles over charter schooling, a major policy shift in American K-12 education policy. We see how different interests fight to frame the way lawmakers understand education and the way charter school policy affects students and their families, often competing on entirely different rhetorical grounds because both sides in the conflict still command substantial resources.

Research on policy change often focuses on large bursts of political activity and the resulting shifts in the structures of policy and its beneficiaries, as well as the regimes of interests undergirding those policies. This makes good sense. Replacing long-standing policy with something new and dramatically different usually means pushing aside a regime of lawmakers and organized political interests; the new beneficiaries in the public are trying to further their political goals and their different priorities, an event scholars often refer to as “punctuated equilibrium.” What happens *after* this dramatic change is much less clear. As the attention of most lawmakers, the media, and often the public shift away to the next big thing, what happens to this new policy? Does it remain controversial and contested? Or does it settle down and become unchanging for years to come? And what role, if any, do interest groups play in any subsequent change?

In this chapter we explore how policies ebb and flow in the years after their enactment, and especially the crucial role that interest groups still appear to play in this ongoing process of competition, accommodation, and change. To support our points, we explore changes in charter school laws in the fifty states, one of the most contentious policies in the larger realm of education policy over the last few decades, and one that remains heavily lobbied by a variety of interest groups. How and why these laws emerged and continued to change tells us a great deal about continuing interest group influence in the evolution of policy, as well as what happens to those policies after big punctuations.

Interest Groups and Post-Punctuation Policy Change

Major policy change often occurs when economic and/or social interests, excluded from existing policy regimes, can convince lawmakers that long-standing policy not only

fails to meet the needs of these interests, but it is also not serving the lawmakers' needs particularly well.¹ When legislators' skepticism of the policy's performance overtakes their faith in its ability to succeed, they start to become responsive to the distinct concerns of newly mobilized constituencies. They may even come to accept the radically different framings of the policy that these new interests promote – typically concluding that the status quo is not adequately addressing the previously identified problem.² This new mix of interests may even go so far as to convince public officials that the original problem is not what everyone thought it was. If disenchanted lawmakers embrace this alternative framing, they may be willing to enact a new policy that provides a significantly different distribution of benefits, favoring the new interests at the expense of the old. When this happens, interests supporting the old policy are abruptly shoved aside in favor of the new regime in an event called “punctuated equilibrium.”³

Then what happens? Do lawmakers quickly institutionalize the new policy, establishing an unchanging set of winners and losers until the next turn of the wheel (likely many years in the future)? Or does the new policy continue to change in predictable ways, even if it does so incrementally? If so, might the newly victorious interests still feel a need to defend the policy because the older, now displaced rival interest groups have not faded into the night, but are gathering their resources to mount a counterattack? After all, if these defeated interests are to remain as viable vehicles for representation in the eyes of their members, they cannot meekly give up the fight as long as they have the resources to continue.⁴

In our work on post-punctuation change in education policy, we argue that interest groups that wish to can, and often do, continue to try to shape new policy after its

enactment.⁵ The mechanism that they use is best seen as manipulating feedback loops, a fruitful approach to studying policy change used by many scholars.⁶ Feedback can take several forms, including the way politicians receive support (electoral, financial, and informational) from key electoral constituencies, wealthy supporters, and other client groups. As these privileged recipients begin to enjoy the benefits of the new policy, the support that public officials receive from them constitutes positive feedback, which strengthens their commitment to the new policy in the post-enactment phase.⁷ Negative feedback, however, can arise when constituents' sense of political efficacy weakens because their expected benefits from the new policy instead diminish or fail to materialize at all. This dissatisfaction strips crucial political support away from the lawmakers who enacted the policy, weakening their support for it. Both forms of feedback create different post-enactment environments potentially leading to further change in policy that interest groups may take advantage of.

Policy Goals and Feedback

We predict the changes that might occur by assuming that public officials are goal-directed, meaning that they have personal or professional goals they wish to realize by supporting a policy. These officials, of course, have different kinds of goals depending on whether they are elected, appointed, or serve as career civil servants. Elected legislators want to be re-elected, or elected to higher office, which means keeping key voting constituencies and campaign contributors happy with policies and the benefits these policies provide.⁸ Executive branch regulators want to solve problems consistent with the statutory missions and cultures embedded in the agencies in which they work,

which often means efficiently serving the client groups intended to benefit under the policy.⁹

Once a new policy is enacted, public officials begin receiving feedback on how well it serves the intended constituencies, but political environments are noisy places, distorting the feedback they receive.¹⁰ Everybody is telling them what to do and trying to push them in multiple directions, including making further changes to the policy, that may or may not move them closer to their goals. Lawmakers cope with this cacophony by searching for dependable information on how well the policy is performing and whether it is getting them closer to achieving their goals than the old, now over-thrown policy did. This feedback comes through several channels, including seeing changes in voting and campaign contribution patterns by supportive constituencies and ideologically sympathetic organizations.¹¹

Of these various sources of feedback, interest groups arguably provide the clearest, most immediate signals to officials on how the policy is performing and whether they should act to further amend it. Much of lobbying is about helping lawmakers solve this noise problem by building relationships where trusted information on policy performance is traded for influence. Using their access, lobbyists frame and interpret the new policy in ways leading to any needed “improvements” so that benefits continue to accrue to the constituencies these lobbyists represent, all the while telling lawmakers this gets them closer to their goals.¹²

However, the information provided by lobbyists may become untrustworthy. Because interest group lobbyists are inclined to provide information that frames a new policy’s performance in ways most beneficial to the people they represent, lawmakers

may start to notice that this information is falling out of sync with other feedback they are receiving. Since there *are* other sources of feedback, such as trends in constituent concerns made directly to legislators' offices, changes in voter turnout patterns and campaign contributions, and even reports skeptical of the policy's performance in the media, lawmakers may wonder whether they are being played by interest groups supporting the new policy. Put another way, if the new policy does not improve the welfare of intended beneficiaries and consequently starts to have the perverse effect of decreasing political support, officials will begin to doubt all the good news they are hearing from proponent interest group lobbyists. Once lawmakers lose confidence in what proponents are telling them about the policy's effectiveness, they lose faith in the new policy's actual ability to meet their goals. Consequently, they may seek other sources of information, including negative information on policy performance from those very interest groups who lost out when the new policy was adopted.

Predictions of Interest Group Responses to New Policy

Figure 1 serves as a visual aid for identifying possible responses by both proponent and opponent interest groups under a combination of circumstances. One broad dimension in the figure defining group reactions is the extent to which the policy is perceived by lawmakers, from a variety of feedback sources, to be performing well. The other dimension defining the figure is the resource strength of the interest groups that had benefited under the old, now overthrown policy regime, which they hope (if perhaps a little unrealistically) to see restored.

---- Insert Figure 1 about here ----

In scenario 1, when the new policy appears to be working well, there is little that resource-weak opponents can do. Proponent interest groups tout the policy's success in meeting lawmakers' goals, flooding the political environment with positive feedback because no other information directly from constituents or other client groups is likely to give lawmakers reason to doubt what they are hearing. Proponents may be so emboldened with their success that they try to convince lawmakers to further amend the policy, increasing the benefits it delivers to the people or organizations these groups represent. Opponents, however, have few (or no) options. They may try to re-package their desires to appeal to lawmakers in other policymaking venues, or they may simply back off, lick their wounds, and start re-mobilizing their supporters for possible new opportunities in the future.

If, however, the policy is not performing well, even resource-weak opposing interest groups might be able to lay the foundation for a near-term resurgence by generating negative feedback. In Figure 1's scenario 2, opponent interests may try to draw attention to the policy's failure. They could even try to confront proponents on their own grounds in terms of policy framing, showing how the predictions proponents made prior to enactment are now failing to materialize, and, consequently, arguing that these newer interest groups are not to be trusted. But since opponent interests have few resources, this strategy of trying to use proponents' arguments against them may not be successful in the near term because they do not have the resources to really develop and push their counter-arguments. Proponents likely still enjoy enough credibility with lawmakers to deflect weak attacks, continuing to frame the policy as helping policymakers

fulfill their goals if they just give it a bit more time. Since proponents may be reluctant to draw attention to its failures by suggesting amendments, the policy may not change at all.

Arguably the best scenario for interests opposing the new policy is scenario 3. They have resources, so with the policy performing poorly they will pounce with ferocity. As with the prior scenario, opponents will attempt to generate information critical of the new policy's performance, reinforcing what lawmakers may be hearing from other sources. They will do so on proponent's grounds by widely advertising just how badly proponents failed to predict or even deliberately lied about the consequences of enacting the new policy. Yet, unlike the prior scenario, opponents here have the resources to make the accusations stick, using intense negative feedback to undermine proponents' credibility. They may use their resources to launch grassroots advocacy by people harmed by the policy, sponsor studies highlighting the policy's failures, or mount a media campaign to demonize proponent interests. Most likely it will be all the above. Opponents may ultimately convince lawmakers to enact significant reforms to the new policy, bending its arc back towards something much more in-line with the old policy. All proponents can do is play defense, argue that the policy needs to be given more time and stop it from reverting back to the old too much.

Arguably this is what occurred with the Affordable Care Act (a.k.a. Obama Care), which was enacted early in the Obama Administration over considerable resistance from conservative interest groups and much of the health insurance industry. After its disastrous initial roll-out, opponent interests swiftly went to lawmakers to argue that every prediction they had made about how much damage Obama Care would do to private, individual health insurance was coming true and the policy needed to be scaled back, if

not eliminated entirely. All proponent interests could do was plead for more time, claiming that ultimately the new law would provide more and cheaper health care options for Americans.

What happens, though, when the policy appears to be successful, but opponent interests still wield significant resources (scenario 4)? It will likely mean a significant advocacy fight between proponent and opponent interest groups to define the feedback public officials receive regarding the policy's performance. Both sides will fight over what the policy is really about and what its actual consequences are for the constituencies and client groups important to lawmakers. Proponent interests will shape positive feedback around the argument that it is providing the benefits promised, while opponents will craft negative feedback drawing attention to other, perhaps unforeseen consequences of the policy, using different values on different economic and social dimensions to re-frame the policy as a slow-motion disaster. Proponents likely go into these battles with a natural advantage of being the interest groups with access to, and most trusted by, lawmakers, but opponents have the resources to make convincing arguments that the policy's real consequences are not what proponents had sold everyone on and serious changes are needed. Given this intensity of conflict, it is difficult to predict just how policy might change; the conflict often leads to gridlock and no policy change at all, despite substantial dissatisfaction.

Interest Group Competition over Charter School Policy

Charter Schooling as Contested Policy

We evaluate some of the predictions of the four scenarios in Figure 1 by looking at how interest groups lobbied for and against a controversial new policy that swept the field of K – 12 education in the American states in the 1990s and early 2000s – charter schooling. The idea that public education might improve if parents could choose where to enroll their children, rather than have the choice determined for them by geography, has many antecedents. In the 1990s, charter schooling as a policy of reform was embraced by advocates who believed that markets and choice are effective solutions to social problems.¹³ Having successfully framed traditional K–12 education as a failed policy, these advocates settled on charter schooling -- publicly-funded schools free enough from regulation to design innovative curricula they can use to recruit students -- as the alternative for reform most likely to appeal to lawmakers.¹⁴ When national leaders proved reluctant to embrace this change, advocates refocused their efforts on states where politicians, hoping to portray themselves as free-market reformers, happily pushed charter schooling, often over fierce resistance from teachers' unions and school board associations.¹⁵ Minnesota enacted the first law in 1991, with 47 states (including the District of Columbia) doing so by 2018.

For several reasons, enactment of charter schooling was a dramatic enough change to qualify as punctuated equilibrium. First, it involved changing fundamental beliefs about traditional education policy, such as accepting the idea that parents should be allowed to choose schools for their children and that the resulting competition for students would lead to improvements in a state's education performance.¹⁶ Second, as

Baumgartner and Jones argue what is often true, it required changing policymaking venues, in this case shifting from the national arena to the states.¹⁷ Third, it was accompanied by a sustained burst of press coverage shaping and re-shaping public opinion through the 1990s.¹⁸ Fourth, it broke up a policy monopoly long dominated by interest groups such as teachers' unions and elected school district boards.¹⁹ Fifth, enactments occurred in an S-pattern as a few early adopters led the way, followed by an explosion of additional enactments, and then a few stragglers, which Boushey argues is often a hallmark of punctuated equilibrium.²⁰ Finally, not only has charter schooling often been driven, or at least facilitated, by interest groups such as parent associations, free-market think tanks, and educational management organizations, it has been resisted in many places by teachers' unions and other more traditional education-oriented interest groups.²¹ It is therefore a good case for studying interest group response to big, new, and disruptive policies.

Interest Groups and Charter School Policy

Passing charter school laws in the states did not reflect an uncontested new policy regime in education. Instead, there was, and still is, ongoing issue framing and re-framing fights as many state policies evolve over time. We observe this by looking at how interest groups on both sides of the issue have fought it out in these states and what some of the resulting changes in policy have been. We get a sense of policy change using the year-to-year scoring of state charter school policies originally developed by the Center for Education Reform (CER) and modified by us in subsequent research.²² The CER scale ranges from 0, a "weak" charter school policy where the state still has a lot of control over

schools, to 30, a “strong” policy where individual charter schools are largely free of government regulation to operate in most any way they wish. With this measure we find that most states proceeded to significantly change their charter school policies in the years after enactment. While we cannot say so definitively, we found substantial evidence that in many states the change resulted from lobbying pressure from interest groups.²³

In Georgia, for instance, we see a weak policy in 1996 with a CER score of 5, but as the number of charter schools grew from 2 to 110 by 2014 with 1.7 million students enrolled, and as lawmakers judged the policy as a success with a graduation rate rising from 56% to 73%, pro-charter interest groups convinced them to further strengthen the law, raising the state’s score to 17.²⁴ Arguably, this exemplifies scenario 1 in Figure 1, since opposition groups were largely invisible. South Carolina’s experience was a little more complex, with a graduation rate that fell from 54% in 1996 to 48% in 2001, making the policy appear to be a failure. Correspondingly, its CER score fell from 22.5 to 13.25 as lawmakers started to lose faith in proponent interests as they received negative feedback from falling graduation rates and persistent complaints from critics of charter schooling, suggesting the state is in scenario 3. Yet, after pro-charter school interests became stronger, with the number of schools rising to 59 and enrolling three-quarters of a million students in 2014, constituents’ support for charters increased. Accompanied by a rebound in graduation rates to 75%, the environment shifted more towards scenario 1, as South Carolina’s CER score rose to 17.5. Similar circumstances and changes occurred in Arkansas and Utah.

Delaware, however, started with a high CER score of 27.5 and a graduation rate of 81% in 1996, but subsequently the graduation rate percentage fell into the lower seventies. At the same time, the Delaware State Education Association membership grew from 9,285 to over 11,000 by 2006 and beyond.²⁵ Conforming to scenario 3, the falling graduation rates made it possible for the recovering union to convince lawmakers to amend state policy and impose more oversight on charter schools, driving down Delaware's CER score to 18.

In Colorado, the state's score started at 15 and increased to 22 by 2004 under pressure from several influential charter school associations and school management companies, but during this time the graduation rate percentage remained stuck in the lower seventies. Campaign contributions from the Colorado Education Association rose from \$61,950 in 1996 to \$2,423,946 in 2014, suggesting the situation conforms to scenario 3. Under pressure from the increasingly powerful teachers' union, which drew attention to the stagnant graduation rate as proof of a failed policy, Colorado's CER score fell to 19.3 as lawmakers tightened the law's regulatory requirements on charter schools.²⁶

In other work we have taken particularly close looks at advocacy and charter school policy change in Michigan and the District of Columbia.²⁷ We found that Michigan's policy remained fiercely contested by competing interest groups and has become now less ambitious in its structures and expectations than it was when enacted, conforming more to scenario 4 in Figure 1. In the District of Columbia, however, a resource-weak opposition for years provided the opportunity for proponent interest groups to help enact, and then defend and entrench a strong policy regime benefitting charter

schools, despite the absence of evidence that the policy is performing well.²⁸ This conforms to scenario 2.

Framing Rhetoric used by Interest Groups in Charter School Policy Debates

Since we are discussing framing in this chapter, it is especially useful to examine the rhetoric interest groups involved in the charter school debate use to frame the policy and manipulate the feedback received by lawmakers. As noted, the initial stability of a status quo policy rests on an established and accepted definition, or framing, of a public problem and issue. Interest groups are often at the center of these contests over issue framing, typically employing communications strategies and outside lobbying through the media to convince lawmakers that it is to their advantage to support the policy. Lacombe, for example, shows how the National Rifle Association used its member magazine, *American Rifleman*, to build an identity of gun owners as law-abiding patriots, consistent with its liberty and freedom-focused issue framing of gun policy, which shows lawmakers the existence of a highly mobilized constituency to be served.²⁹ This positive policy feedback helps explain why gun policies rarely depart from the highly deregulated status quo.

Consistent and supportive information from advantaged interest groups helps to buttress an existing policy by showing lawmakers that change is largely unnecessary and potentially harmful. When lawmakers adopt a new policy, the process of issue framing continues. Shifting the problem and framing of key issues to convince officials it is not to their advantage to support the status quo offers one way for proponents of policy change to weaken these commitments and foment change. If they succeed, the old policy is

eliminated in favor of the new. With the new policy still unsettled and not fully tested, defenders of the old policy regime, eager to rein it in and regain influence, will search for alternative issue frames and definitions of the policy problem, as laid out in Figure 1.

In the case of charter school policy, proponents have long relied on a definition of the problem of public schooling in the United States that is rooted in bureaucratic failure, inflexible public monopolies, and weak market forces.³⁰ Since the 1980s, these advocates have argued that school rules are too rigid, public unions too inflexible, and administrators too unconcerned about outcomes. Charter schools, on the other hand, offered innovation, efficiency, and the advantages of the free market to shake public education free of its cobwebs.³¹ This issue framing tied to market and consumer choice differed from the older, more traditional framing of public education around equity, justice, and opportunity. For defenders of the status quo, civil rights trumped the right to choose, and schools were lacking adequate funding, not market pressure.³² In state capitals across the country in the 1990s, legislators faced a contrast between these two ways to frame education and the essential problem of public schooling, with many ultimately agreeing that the charter school advocates had a novel point of view that could solve the widely accepted crisis in K-12 education.

We can observe this mechanism at work by comparing the competing policy framings of two national charter school organizations and one of the major advocates of public school teachers, the American Federation of Teachers (AFT), through the content of their press releases. Though AFT has long been a defender of the status quo policy on education, it took a conciliatory position on charter schools in the 1990s, rather than outright opposition. In fact, one-time AFT president Albert Shanker shares credit for the

idea of charter schools, when he borrowed from an idea developed by Ray Budde, an educator from Massachusetts.³³ Shanker's framing of charter schools, however, focused on empowering teachers as the school leaders best capable of addressing the needs of the most disadvantaged students. For these reasons, the AFT offers a different viewpoint on education, generally, and charter schools, specifically, than do interest groups like the National Alliance for Public Charter Schools (NAPCA) and the National Association of Charter School Authorizers (NACSA).

We compare the issue framing of these interest groups by coding the words and phrases contained in publicly available press releases according to broad issue frames: equity and fairness, efficiency and choice, freedom and rights, and markets and innovation.³⁴ Even though not every press release deals directly with the conflict over charter school policy, we can look to the general patterns over time to contrast the steadfast advocates with the skeptical critics. With the assistance of a graduate student, we code all the press releases of the NAPCA from 2006-2018 (151 total), NACSA from 2006-2018 (87 total), and a 25% sample of the AFT from 2004-2018 (25% sample of the large number of releases resulted in 516 total).

---- Insert Figure 2 about here ----

Figure 2 shows the clear differences in issue framing between the two charter school interest groups supporting the new policy and the AFT supporting reversion to something like the old in the states. As expected, the charter school organizations rely extensively on the language of choice and options (34% of the press release), framing charter schools as a way to empower parents as consumers of educational choices, thus suggesting that this will attract the support of voters important to the re-election goals of

lawmakers. For example, NAPCA President Nelson Smith summarized a poll of US voters: “Americans clearly want to see more choices within public education...Most also believe that giving parents more options will help strengthen public schools.”³⁵

Charter school organizations also pushed the language of markets and efficiency (33% of the press releases). NACSA President Greg Richmond portrayed charter schools as local businesses fighting to compete “not unlike a small business start-up” in an open market, thereby appealing to long-standing notions that lawmakers will gain political advantage by supporting small businesses and Main Street America. He summarizes the history of charter school reform: “Early on, in the booming 1990s, the market model was predominant. The charter movement suggested that school districts would be forced to change to respond to the competition successful charters would present for students and resources. However, intransigent school district associations have proven adept in protecting the status quo even with charters in the mix.”³⁶ In this framing, Richmond juxtaposes the favorable image of the small business owner charter school with the unwelcomed image of the stubborn public school establishment. Conversely, charter school groups are much less likely to use the language of rights (13% of press releases) or equity (15% of press releases). These rhetorical patterns fit with what we would expect of defenders of charter school policies that rarely sought to make education fairer or more just.

When we move to the AFT, things look quite different. The AFT regularly uses the language of equity and fairness (35% of press releases) and civil rights (31% of press releases). For example, when interpreting performance data, it often emphasizes the racial and ethnic inequities in student outcomes. In response to a federal report on a

national test, the AFT wrote that the “study shows that charter schools do not educate a disproportionate percentage of low-income students,” leading it to conclude: “Some charter school proponents argue that these lower scores can be attributable to the disproportionate number of low-income students they educate...Today’s NAEP report puts the lie to that argument.”³⁷ Similarly, AFT President Randy Weingarten argued in favor of federal legislation by focusing on fairness: “ESSA (the Every Student Succeeds Act) strengthens public education by increasing equity for disadvantaged children, providing more state and local control and holding charter schools more accountable.”³⁸

Not surprisingly, the AFT rarely uses the language of efficiency/markets (11% of press releases), freedom/liberty (14% of press release) or choice (6 of press release) in its counter-advocacy efforts. When AFT does invoke markets, it often does so dismissively, framing charter schools as excessively corporate and unfortunately profit-oriented. For example, following hurricanes in Puerto Rico, the AFT released a statement from Weingarten that linked charter schools to corporate interests: “By backing closures, charter schools and so-called school choice, the governor and his education secretary are imposing chaos and sowing more instability for the families and communities vital to Puerto Rico’s recovery. In their eyes, teaching, learning and economic recovery isn’t as important as feeding Wall Street vultures.”³⁹

Overall, the issue framing strategies of charter school proponents and skeptics adhere to our expectations for groups engaged in a post-adoption battle over the direction of a new policy, which conforms most closely to scenario 4 in Figure 1. While not judged as stunning successes in terms of improving K-12 education in the fifty states, for the most part charter school policies are not (yet) perceived as failures. Charter school

advocates continue to promote the view of charter schools as a positive addition to public schooling because of the infusion of competition, choice, and markets, all frames with a high degree of public acceptance in the US. They aim to use evidence of successful innovation and public support for choice to influence policy makers and create positive feedback effects.

Conversely, charter school skeptics, seeking to push the policy back toward the former status quo, have sought to raise questions about the outcomes of charter schooling, including the negative consequences for student equity and threats to the rights of students to receive an adequate education. They aim to undermine charter school policy by shifting the frame from one of choice and innovation to one of inequities and unfairness. Because organizations such as teachers' unions are still strong in large parts of the nation, as exemplified by the AFT, they have enjoyed some success.

Conclusion

Interest groups play significant roles in the evolution of public policies, whether they are statutes passed by a legislature or regulations crafted by an administrative agency. To the extent that these organizations represent relatively well-defined constituencies in the public, organized by shared interests and passions rather than geography, it is reasonable that they should have some degree of input on what policies are enacted and how they subsequently evolve. Yet they, the interest groups, also seek to undermine existing policies in pursuit of the interests of the people or entities they represent, and sometimes such efforts to advantage their own supporters means

attacking the policy preferences of the members of other groups or even the general public.

We can see how interest groups compete to shape the ideas, arguments, and even fundamental understandings surrounding newly enacted major policies, fighting to define post-punctuation policy environments. This chapter provides a sense of the circumstances under which organized interests advantaged and disadvantaged by a new policy compete to control the way the new policy continues to evolve, or if it evolves at all, by controlling feedback loops and issue framing. Those who worked to enact new policy by eroding support for the old status quo policy subsequently find themselves in positions to defend it by trumpeting its successes in solving the targeted public problem. They attempt to manipulate information flowing to lawmakers, which constitute feedback loops from policy performance, thus framing the policy as a success in that it helps lawmakers achieve their own goals. Their ultimate goals are to either lock-in the new policy so that opponents would have a difficult time re-directing its benefits, or, if proponents are strong enough, further amend the policy to provide their members even more public benefits.

On the other hand, interest groups who had supported the old, now displaced policy, find themselves on the outside of the new policy regime, and so they work to undermine it. They do this by trying to generate negative feedback regarding the new policy's performance and how well it is serving key lawmakers. Sometimes, they meet proponent interests on their own grounds, demonstrating how it is failing to achieve the goals promised by proponents. Other times, they try to change issue framing entirely, showing that the policy is having dangerous and unanticipated effects on important

constituencies, as we saw with the still contested politics of charter school policy. Since entirely replacing the new policy with the old is probably unrealistic, they attempt to amend the new policy to make it look a bit more like the old by partially reinstating a previous distribution of benefits or re-imposing regulations the new policy had eliminated. The extent to which they can do this depends on their resources and how effectively these group proponents can convince lawmakers that they should trust the information that they are providing.

More research on the politics of policy change after major, punctuated equilibrium events is needed; this will reveal whether charter school policy is not all that typical of other policies or whether it is the ideal case study. We also need to know more about how competing interest groups work to defend policies advantaging them or seek to slowly destroy them, something common to many different policies in the United States and a major component of the dynamics of any pluralist political system that empowers organized interest groups. We would also like to know more about how different kinds of interests fare in these advocacy battles. For example, are citizen groups representing passion-driven interests advantaged or disadvantaged when combating associations that represent people and organizations based on profession or type of business? Also, to what extent does the size and inclusiveness of the constituency represented matter in this group competition over policy? Finally, to what extent does group competition lead to predictable, incremental change in policies after enactment, and when can proponent interests lock new policies into a powerful status quo, in which it is almost impossible to amend them in any way, as lawmakers no direct any attention to them, satisfied that the new policies are working just fine? If true, that would be real power.

Figure 1

Predicted interest group response given perceptions of policy performance and opposition group strength

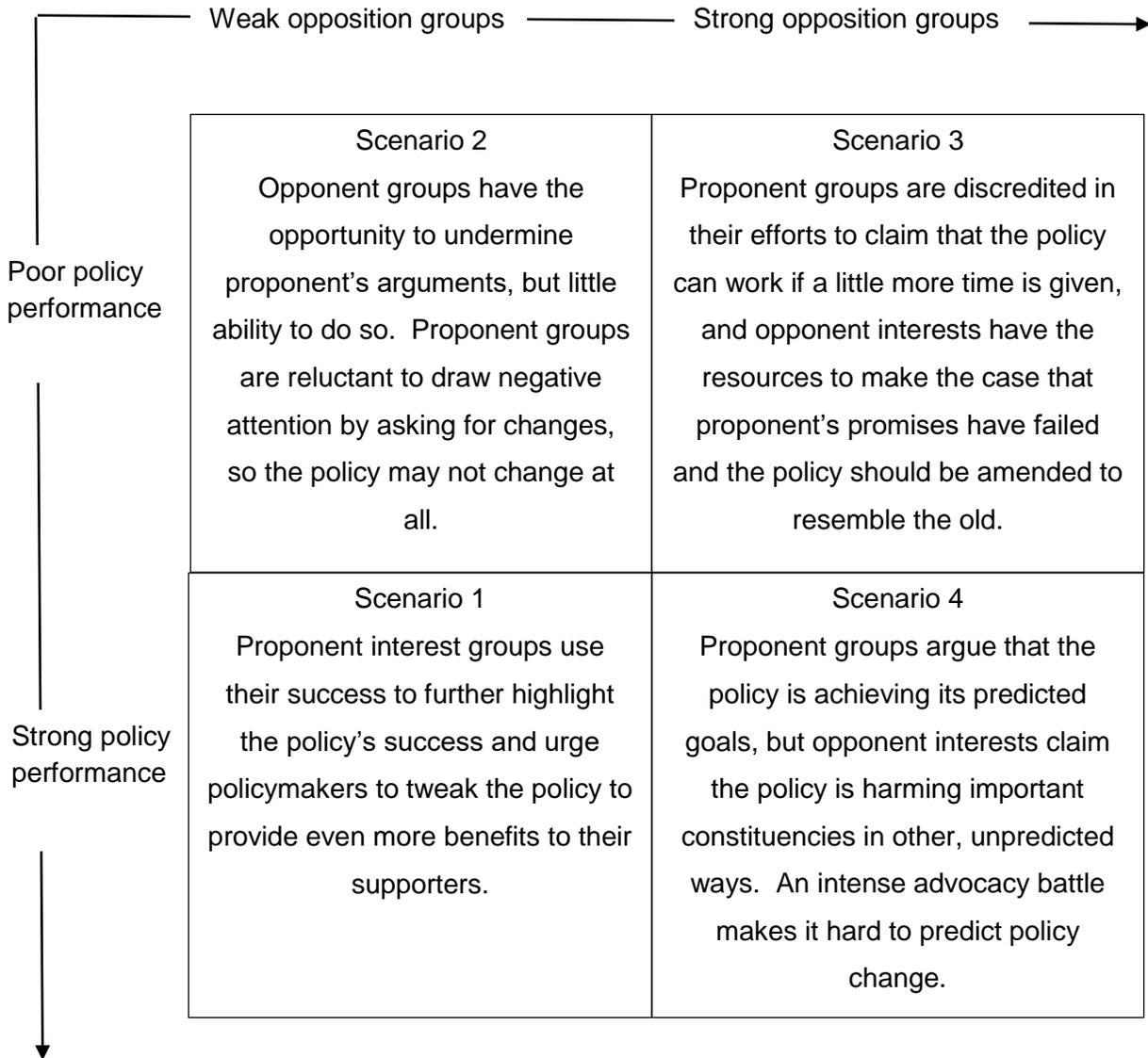
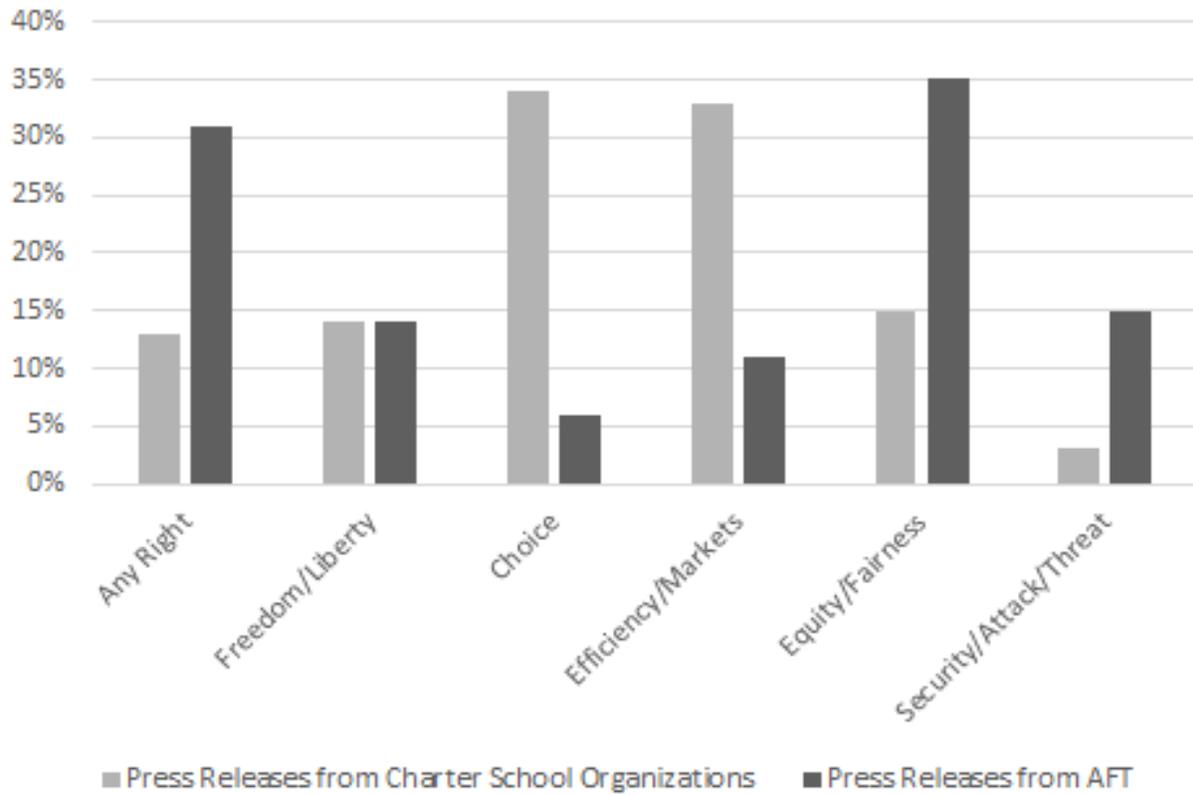


Figure 2: Issue Framing



¹ John W. Kingdon, *Agendas, Alternatives, and Public Policies* (Ann Arbor: University of Michigan Press, 1984).

² David Dagan and Steven M. Teles, “The Social Construction of Policy Feedback: Incarceration, Conservatism, and Ideological Change,” *Studies in American Political Development* 29, no. 3 (2015): 127 – 53.

³ Frank R. Baumgartner and Bryan D. Jones, *Agendas and Instability in American Politics* (Chicago: University of Chicago Press, 1993).

⁴ James Q. Wilson, *Political Organizations* (Princeton: Princeton University Press, 1973); Virginia Gray and David Lowery, “Life in a Niche: Mortality Anxiety among Organized Interests in the American States,” *Political Research Quarterly* 50, no. 1 (1997): 25 – 47.

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⁶ Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge: Belknap, 1992); Paul Pierson, “When Effect Becomes Cause: Policy Feedback and Political Change,” *World Politics* 45, no.4 (1993): 595 – 628.

⁷ Eric M. Patashnik, *Reforms at Risk: What Happens After Major Policy Changes Are Enacted* (Princeton: Princeton University Press, 2008).

⁸ David R. Mayhew, *Congress: The Electoral Connection* (New Haven: Yale University Press, 1974); R. Douglas Arnold, *The Logic of Congressional Action* (New Haven: Yale University Press, 1990).

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¹⁰ John W. Kingdon, *Congressmen's Voting Decisions* (Ann Arbor: University of Michigan Press, 1973); William T. Gormley, Jr., and Steven J. Balla, *Bureaucracy and Democracy: Accountability and Performance* (Washington, DC: Congressional Quarterly Press, 2004).

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¹⁵ Katrina Bulkley, "Understanding the Charter School Concept in Legislation," *International Journal of Qualitative Studies in Education* 18, no.4 (2005): 527 – 54.

¹⁶ Michael W. Kirst, "Politics of Charter Schools: Competing National Advocacy Coalitions Meet Local Politics," *Peabody Journal of Education* 82, no.2/3 (2007): 184 – 203.

¹⁷ Baumgartner and Jones, *Agendas and Instability in American Politics*; Robert C. Bulman and David L. Kirp, "The Shifting Politics of School Choice," in *School Choice and Social Controversy: Politics, Policy, and Law*, ed. Stephen D. Sugarman and Frank R. Kemerer (Washington, DC: Brookings Institution Press, 1999), 36 – 67.

¹⁸ Henig, *Spin Cycle*, 185.

¹⁹ Bulkley, "Understanding the Charter School Concept in Legislation."

²⁰ Graeme Boushey, *Policy Diffusion Dynamics in America* (New York: Cambridge University Press, 2010).

²¹ Thomas T. Holyoke, Jeffrey R. Henig, Heath Brown, and Natalie Lacireno-Paquet, "Institutional Advocacy and the Political Behavior of Charter Schools," *Political Research Quarterly* 60, no.2 (2007): 202 – 14.

²² More information on how we developed this scale from the original CER scores can be found in Holyoke, Henig, Brown, and Lacireno-Paquet, "Policy Dynamics"; Holyoke and

Brown, “After the Punctuation.” The earliest scores are for 1996 and the most recent are from 2014.

²³ Holyoke and Brown, “After the Punctuation.”

²⁴ State graduation rate data comes from the National Center for Education Statistics at the U.S. Department of Education. Data on the number of charter schools, and charter school enrollments, comes from the National Alliance of Public Charter Schools at <http://dashboard.publiccharters.org/dashboard/students/page/overview/state/>.

²⁵ Data on membership state teachers associations comes from the annually published *NEA Handbooks*.

²⁶ Data on campaign contributions came from the National Institute for Money in State Politics at <http://www.followthemoney.org/>.

²⁷ Natalie Lacireno-Paquet and Thomas T. Holyoke, “Moving Forward or Sliding Backward: The Evolution of Charter School Policies in Michigan and the District of Columbia,” *Educational Policy* 21, no.1 (2007): 185 – 214.

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²⁹ Matthew Lacombe, “The Political Weaponization of Gun Owners: The NRA’s Cultivation, Dissemination, and Use of a Group Social Identity,” *Journal of Politics* forthcoming.

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³¹ Nathan, *Charter Schools*.

³² Henig, *Rethinking School Choice*.

³³ Richard D. Kahlenberg and Halley Potter, “Restoring Shanker’s Vision for Charter Schools,” *American Educator* https://www.aft.org/ae/winter2014-2015/kahlenberg_potter.

³⁴ In order to do this coding, we developed a word dictionary associated with each concept. We assume an interest group that seeks to promote an issue frame, such as equity or security, will use those terms and phrases more frequently in communications. We then re-read coded press releases to correct for false positive codes that result from contextual differences in meaning. If a word or phrase is used out of context, for example when a sentence coded as “equity” begins with the phrase “Equally important...”, we correct the automated coding.

³⁵ Available at:

<https://web.archive.org/web/20100626085103/http://www.publiccharters.org/node/272>.

³⁶ Available at: <https://www.qualitycharters.org/news-commentary/press-releases/charter-schools-perform-when-district-political-backing-is-evident/>

³⁷ Available at: <https://www.aft.org/press-release/official-naep-results-charter-schools-mirror-earlier-reports-results>

³⁸ Available at: <https://www.aft.org/press-release/aft-pisa-2015-international-survey-results>.

³⁹ Available at: <https://www.aft.org/press-release/puerto-rico-under-attack-afts-weingarten-gov-rossellos-school-closures>