(Virtual) P02 / Understanding the role and impact of regulatory environments in educational markets

Topic : OTHER SECTORIAL POLICY

Chair : Adrian Zancajo (Universitat Autónoma de Barcelona)

Second Chair : Clara Fontdevila (Universitat Autónoma de Barcelona)

Third Chair : Huriya Jabbar

Fourth Chair : Antoni Verger (Universitat Autónoma de Barcelona)

GENERAL OBJECTIVES, RESEARCH QUESTIONS AND SCIENTIFIC RELEVANCE

In the last four decades, markets have acquired a central role in the provision of different public services in many countries worldwide. In the case of the education sector, the combination of private provision, choice, and competition has become a characteristic feature of different national educational systems. Policies such as public subsidies for private schools, open enrolment schemes or incentives to promote competition between schools have expanded dramatically over this period.

Markets in education have been promoted based on a variety of justifications, mainly on their capacity to promote a more effective provision of educational service, but also in a more efficient manner. Other arguments that have frequently accompanied the adoption of education markets are the need to diversify the school supply and foster pedagogical innovation. Regarding equity, advocates of education markets have frequently argued that socially disadvantaged students would benefit the most from these positive outcomes, improving, therefore, educational opportunities. However, the available evidence about the impact on these dimensions is mixed and remains inconclusive. While some studies show that these policies have increased the diversity, innovation and effectiveness of education systems, others consider that these effects have been null or even negative, particularly regarding equity (i.e., achievement gap, school segregation, social stratification between schools or exclusion of disadvantaged groups of students).

This diversity of outcomes and impacts has raised interest in the role of regulatory environments in mediating the impact of markets in education. There is indeed growing consensus that, to some extent, rules, norms, and other policy design components can determine the impact of these policies on the effectiveness, efficiency, and equity dimensions. Accordingly, different countries have recently experimented with regulatory reforms oriented at improving the outcomes of education markets - or at least mitigating their more detrimental effects, particularly in terms of equity. However, despite growing policy and academic interest that regulatory changes could play in mediating the impact of markets in education, this has not been the object of a systematic examination from a public policy perspective. Another important knowledge gap in this area refers to the specific regulatory dimensions and instruments that can determine the impact of regulatory environments.

The panel aims to fill these research gaps by bringing together scholars who have conducted research in different contexts on how regulatory environments and education policy options can mediate market impacts, with a particular focus on equity effects. Specifically, the panel pretends to answer three main research questions: 1) What is the role of regulatory environments in determining the impact of markets in education?; 2) What has been the impact of regulatory reform processes in different contexts to tackle the negative impacts of education markets?; 3) How do education actors enact and recontextualize regulatory reforms, and how this mediates reform impact? The scientific relevance of the panel will lie in providing interdisciplinary and comparative analyses that shed light on the role and impact of regulatory environments for educational markets.

Panel modality: On-line

CALL FOR PAPERS

This panel only accepts online presentations.

Most of the empirical literature on the impact of education markets coincides in signaling their negative effects on equity-related dimensions - including the exacerbation of school segregation patterns or the

expansion of educational inequalities and discriminatory dynamics. At the same time, there is growing recognition that the ultimate impact of education markets is crucially shaped by the regulatory environment in which they operate. The so-called ‘rules of the game’ (including national and local norms, laws and regulations) operate as a key mediating variable with the potential to inhibit or exacerbate the inequalities, inefficiencies and other negative effects generated by education markets. Across different national contexts, recent attempts at reforming normative arrangements have rendered clearer the importance of the regulatory context - and have spurred considerable academic interest and policy debate. However, this body of scholarship inspired by these developments remains largely fragmentary and unsystematized. This represents an obstacle to gain an informed understanding of the opportunities, limitations and trade-offs offered by regulatory efforts.

This panel aims to bring together and establish a dialogue between researchers addressing the role of policy design and public regulation in education markets from a public policy perspective. To this end, it invites both conceptual and empirical contributions interrogating how regulatory environments contribute to shaping the impact of education markets on different education dimensions, and engaging with the policy implications of such dynamics. Papers adopting a retrospective approach and focusing on recent reform episodes are equally welcome. The panel looks for contributions addressing such questions from the following angles:

- The configuration and reform of regulatory environments, with particular attention to the processes of agenda-setting and policy instrumentation. The panel invites contributions analyzing under which circumstances existing regulatory arrangements are problematized, enquiring into the process through which certain regulatory alternatives come to be perceived as desirable, and reconstructing the process through which policy instruments are embedded in existing regulatory regimes - and which rationales, discourses and interests are at play in such processes.

- The role of regulatory variables in determining the outcomes of education markets. The panel encourages contributions measuring and evaluating the ultimate impact of specific regulatory features, instrument changes and policy designs on educational systems, and aimed at identifying the differential effects of education markets under different regulatory environments. The panel particularly welcomes papers addressing regulatory effects on equity-related dimensions such as school segregation, the inclusion of minority and special needs students, or differences in academic achievement.

- The enactment and recontextualization of regulatory frameworks and instruments. Of particular interest are contributions critically examining how specific instruments and regulations are interpreted on the part of different education agents (schools, families and students, teachers, education authorities, etc.), which strategies, behaviors and subjectivities these actors develop in response - and how such responses vary according to their social circumstances and social position.

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Session 1

Wednesday, June 28th 10:20 to 12:20 (VIRTUAL 3)

(Virtual) The role of Government of Punjab, Pakistan in regulating Public Private Partnerships (PPP) in education

Moaaz Hamid (Indiana University Bloomington)

Tahreem Fatima (Miami University, Oxford, Ohio, USA)

PPP in education is a pre-independence phenomenon in Pakistan, and the private sector has had its role in education since independence. However, their share in education provision and impact on education policy varied depending on a myriad of factors, including, but not limited to, policy shifts both local and global, funding sources, organizational leadership of both public and private, ways of initiation of partnership, and wider political structure. Though there has been a steady growth of the private sector in education in Pakistan for the first two to three decades after independence, expanding and shrinking at different times, there has been a trend of significant increase from 1980 onwards till date, mostly owing to a shift in the state's response to non-state actors in the education sector.

The timeline of this local policy shift coincides with a global policy shift. Since the 1970s, there has been an ideological shift towards privatization of public services and a redefinition of the role of the state. With a global narrative of crisis in education, and a perceived failure of the state to provide quality education to all, significant efforts have been made by global education policy actors and networks to create space for PPP in education, despite resistance to such efforts from many quarters.

Shielding from global reforms is contingent upon several factors, key among them, is the socioeconomic stability of a country, which is not the case in Pakistan. This results in dependence on aid and conditional loans and grants, resulting in the country losing power over its own policy agenda setting. It is important to note that despite amiable policies, the state retains a lot of power over private partners, as any private entity cannot operate within the country in any capacity unless sanctioned by the state. The government established the Public Private Partnership Authority (P3A) in 2017, which is a continuation of several policies starting in 2006 to allow the Government of Punjab, Pakistan (GOP) to govern PPPs more closely.

While proponents of PPPs claim it to be an efficient solution to increase access to quality, equitable, and inclusive education. Empirical evidence shows mixed results at best. This is further complicated by the definitional ambiguity and an array of configurations that are considered PPP, which is evident from analysis of various sources (scholarly literature, government publications and documentations, journalistic sources, and organizational reports).

Empirical evidence from interviews of policy implementation actors reveals that PPPs, while considered successful in increasing enrollment, have detrimental effects for promoting equity and inclusion in education. They report a sorting mechanism resulting in higher socioeconomic groups that already have an affinity towards education opting for private and PPP options, leaving the lower socioeconomic group having low affinity towards education for public schools. They also highlight that PPPs are poorly planned, which create spatial competition between public and PPP schools, which does not expand access to education, but results in a tug of war for a limited number of students in an already saturated educational space.

(Virtual) The crisis and the market: regulation attempts and the impact of the covid-19 pandemic on Perú's ungoverned private education market

Maria Fernanda Rodriguez (University of Cambridge)

Maria Balarin

Since the mid-1990s, Peru has undergone a process of default educational privatization that led to the emergence of a highly heterogeneous private education market - both in terms of supply and results - that now accounts for more than a quarter of the country's enrollments. A very small sector of high-fee schools (about 1% of the total) coexists with a large market of low-fee and low-quality private schools (70% of the market) that often operate as subsistence businesses; while in between, there is a variety of chain as well as independent schools, whose quality and costs are highly variable.

Since 2011 the Ministry of Education has led at least four attempts at improving the regulation of this market, bringing it closer to state oversight. These attempts have met with staunch resistance, especially from some sectors of the market, but have helped cast a light on the nature and problems that a completely free market for private education may lead to.

In this paper, we want to revisit those reform attempts, as well as the more recent trends in the supply and demand for private education in Peru. To do so, our paper draws on a critical review of previous research, which will be complemented with a qualitative methodology of more recent processes that includes archival analysis and interviews with key actors involved in the regulation of private education in the country. In that sense, the study will reflect on the current state of the Peruvian private education market after Covid-19. We hypothesize that the growth of the said market may have begun to stall in the past decade through a variety of causes that may range from families' difficulties in paying fees to changes in regulation and a slow dismantling of the myth that private education is better. More recently, the Covid-19 crisis may have acted as a major regulator of a market that had gone rogue, as it evidenced the unsustainability of an ungoverned education market and the limits it imposes on students' right to education. The paper contributes to the panel's debate by understanding the shaping of regulatory mechanisms in contexts of ungoverned private education, as well as the different interests at stake that hinder or advance regulatory endeavours.

(Virtual) Taming education markets: a mechanisms-based approach to the potential and limits of pro-equity regulatory approaches

Clara Fontdevila (Universitat Autónoma de Barcelona)

Adrian Zancajo (Universitat Autónoma de Barcelona)

Antoni Verger (Universitat Autónoma de Barcelona)

The idea that the ultimate impact of education markets depends largely on the specifics of public regulation has been gaining ground over the last few years. Public regulation - understood as the way regulations are negotiated, designed, enforced, and revised by public authorities - is increasingly recognised as holding a considerable potential to mitigate or even offset the negative impact of education markets on equity and inclusion. Different countries have thus embarked on regulatory reforms oriented at making the preservation of market features compatible with an equity agenda. Most of these regulatory initiatives have focused on three main dimensions, namely, the configuration of the school supply, school funding arrangements, and school choice and admission processes.

Despite the different policy innovations that have been adopted in each of these areas, the evidence of their capacity to improve equity is scarce, rendering it difficult to draw meaningful conclusions. The limited number of impact evaluations shows that regulatory reforms have, at best, modest effects in improving equity. For instance, studies of emblematic market arrangements such as those found in Chile and England suggest that regulatory reforms oriented toward establishing fairer school choice procedures or equity-oriented funding schemes have not significantly reduced school segregation.

The lack of conclusive evidence cannot be disconnected from the relatively short life-cycle of these policies, many of which remain in their infancy and have followed an erratic trajectory. However, the uneven success of the regulatory agenda is also explained by the fact that not all policy options are equally able to tackle the ultimate roots of inequality in marketized education environments. Available evidence demonstrates that the mechanisms through which market policies affect equity are complex and crucially shaped by contextual specificities and their interaction with other policy arrangements, with responses to the same policy varying greatly across social groups. The potential of public regulation to inhibit such mechanisms cannot be taken for granted but needs to be examined empirically.

This paper contends that the regulatory debate may benefit from a mechanism-based approach - one explicitly aimed at identifying the social mechanisms that explain how market mechanisms contribute to educational inequalities and examining how different regulatory innovations affect such mechanisms and under which circumstances. Drawing on the results of a literature review, firstly, the paper identifies the main mechanisms at the root of the three types of inequalities more frequently associated with markets in education: the socioeconomic stratification between schools, the inequitable distribution of resources, and the discretion enjoyed by private providers and other subsets of schools. Secondly, the paper examines the potential to inhibit or mitigate such mechanisms exhibited by the most common regulatory innovations - including more discriminatory approaches to the authorisation of private providers, needs-based funding schemes, the centralisation of school admissions, or school choice criteria giving priority to disadvantaged students. Finally, the paper reflects on the policy implications of the findings and the need to interrogate the underlying assumptions of causality informing the policy design of pro-equity regulation initiatives.

(Virtual) The right to pay. Ideology and ideological tensions in enacting market regulations. The case of Chile

Mariano Rosenzvaig (University of Cambridge)

The Chilean education system is known as one of the most marketised in the world. The market reforms of the 1980s combined a variety of policies, mechanisms and regulations to create a supportive framework for the institutional transformation of the system into an industry (Bellei, 2015). In the last decade, however, new pressures have emerged to 'unmake' the market. The Chilean experience provides an excellent perspective for analysing the process of privatisation and the transformation of its institutional structure, mechanisms and regulations (Donoso, 2005).
In Chile, education has been the ideological battlefield of society. Freeden states (1996) that ideologies require another corpus of ideas to contrast, as they exist only in opposition to other ideologies. In this sense, the pillars sustaining hegemonic views governing the educational field must be observed along with the tensions provoked by counter-hegemonic views that, eventually, slowly erode some of the hegemonic concepts within the field, generating opportunities for new epistemic dynamics that can end up displacing the field´s main cleavages.
This presentation is based on a larger study of the discourses of 40 influential actors in the field of education, from 1980 until Bachelet's last presidential term (2014-2018). The task is to observe how this educational battlefield has been imagined and materialised, and in particular to understand the process of transformation of ideas and ideologies struggling to dominate the educational debate in Chile.
Ideologies exert their influence in shifting the power dynamics and regulatory policies for dominating the field, as well as pushing the boundaries for redefining the meanings and purposes of education in individual and collective lives. The shape of the field is in constant motion, as are its practices, institutional architecture and mechanisms of operation.
In my analysis I identified five periods in which I observed the creative (or destructive) power of these ideological tensions and how they configured and reconfigured the educational field. This presentation focuses on the last of these periods (2006 to the present). After decades of neoliberalism, deeply rooted in cultural, social and individual dimensions, the dynamics and expectations of members of society demanding better education could not be satisfied with a new narrative based exclusively on collective values. It seems that the right to consume education is ultimately something that a significant part of society is not willing to give up easily. Unmaking the market, or tackling its many negative effects, clashes with a commodified view of education that is already embedded in common sense. In this context, regulatory mechanisms need to recognise the agentic capacities, expectations and desires of the neoliberal individual.
This period shows the need to reconstruct not only the narrative for strengthening the public component of the education system, but more generally the need to reimagine public education before rebuilding the structure to provide it, and to build solid pillars to anchor this new imaginary to a specific way of life, in which the market is a mechanism for a greater purpose, not the purpose itself.

(Virtual) Regulatory Framework for Civil Society Organizations (RFCSO) implementation in the provision of childcare spaces in São Paulo and their impact on the results of the early childhood education`s politics.

Bianca Cesário da Silva (Universidade de São Paulo)

In São Paulo, the brazilian biggest city, childcare spaces are provided by arrangements that include civil society organizations and state actors of the Municipal Department of Education. This article aims to analyse the implementation of the Regulatory Framework for Civil Society Organizations (RFCSO), a national regulation, in the provision of early childhood education for children aged 0 to 3 (zero to three) in

São Paulo City, in order to answer the following questions: How did the Municipal Education Secretariat (SME) adapt to the changes proposed by the RFCSO? Were there changes in the partnership process and in the relationship between the Secretariat and Civil Society Organizations (CSOs) involved in the provision of early childhood education? If so, which ones?

For this, qualitative research was carried out based on the following methodological strategies: (i) documentary analysis of decrees, ordinances and other documents of the Municipal Department of Education regarding the process of entering into partnerships for the provision of places in daycare centers; (ii) description of the bureaucratic procedures and structures involved in the celebration, follow-up and evaluation and monitoring of the terms of collaboration; and (iii) discussion of how the implementation of the RFCSO can affect institutional and governance arrangements and state capacities for the provision of childcare spaces in São Paulo City based on (iv) review of the implementation literature, state capacities and instruments of public policy. Furthermore, this paper intends to understand the impacts of the regulatory politics in early childhood education`s provision.

The case of the implementation of the RFCSO in education in São Paulo City is analyzed and discussed with the objective of contributing to the agenda on the implementation of public policies in a federal context and with a focus on the discussion of whether and how the decisions that regulate public policies taken by federal government affect and are affected by local contexts and with what consequences for their institutional and governance arrangements and state capacities, including their consequences in the provision of early childhood by the municipality.

As a result, this research seeks to indicate the role of federalism in the production of public policies, the consequences of including policy instruments for the implementation arrangements and state capacities and to reorganize the relationships between the various actors and interests (state and non-state) included in a policy's governance arrangements.