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Lopez Sanchez , Eliseo R.

Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

Empfohlene Zitierung / Suggested Citation:

Lopez Sanchez , E. R. (2013). Different Models in Educational Regional Policies in Spain. *Annals of the University of Bucharest / Political science series*, 15(2), 75-94. <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-397576>

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DIFFERENT MODELS IN EDUCATIONAL REGIONAL POLICIES IN SPAIN

ELISEO R. LÓPEZ SÁNCHEZ

Abstract

The paper aims to analyze the processes of design and formulation of secondary educational policies in three autonomous communities of Spain, in a context of uncertainty and ambiguity. The paper is the result of an ongoing research project which aims to identify and analyze the inequalities that impact the citizens of three significant autonomous communities (the Basque Country, Andalusia and the region of Madrid) as a result of public policy choices of their political leaders. We describe the different educational models developed by three Spanish regional governments within the same national legal framework. In 2006, this framework created a window of opportunities to develop different educational policies, which the three regional governments have been using differently, taking into account: a). when the regional government had jurisdiction over the management of secondary education; b). the environment of budgetary restrictions; c). the different types of parliamentary majorities and government. Finally, we compare and analyze what policy options these regional governments had and why they made their respective decisions on the secondary education model.

Keywords: regional government, education policy, political decision, outsourcing.

Introduction

This paper presents the analysis of a part of a larger research project in progress¹. Specifically, we analyze secondary education policies in three autonomous communities that have defined very different policy models. Why have they been defined as different models if the state general framework is the same? What criteria do they follow to set their policies? Do they adapt to different situations of each of the autonomous communities? Do they integrate the objectives of social stakeholders into the processes of defining the problems?

The paper does not aim to propose a theory, yet this will be incorporated when the project will finish the data analysis, particularly from interviews that we have conducted, over twenty for the three cases. The theoretical framework

¹ The research project is called: “Decentralization and (Un)Equal in the Autonomous State: Ideology and Parties, Public Opinion, Territorial Financing and Public Policy” (funded by the National Plan for R+D Ref: CSO2011-27547).

of the research project is based on two classic approaches. On the one hand, that of punctuated equilibrium, in the version of True, Jones and Baumgartner²; and on the other hand the multiple streams theory, in the 1999 Zahariadis' version also³.

The paper first presents the situation of this policy which initially fell exclusively within the scope of the central state. This has marked the key lines of a confrontational policy at that level, and has transferred jurisdiction over secondary education in different times. The successive state legal frameworks were given opportunities to define their policies to the autonomous communities, culminating in 2006, with the Organic Law of Education, which has resulted in an "equal opportunities for all redefinition" of the educational policies.

The Beginning

Secondary education policies in Spain are set within a regional jurisdiction at the implementation level, while for the general legal framework it is the central state that is responsible. This jurisdiction has been transferred to the different autonomous communities at different times⁴.

The state's general framework of education has been changing with every change of parliamentary majority, and with every Prime Minister. These changes have been included in several organic laws⁵ that since the 1990s have been defining a set of common elements to all autonomous communities, while other elements have opened the autonomy of decision of regional political bodies. Within the set of issues that the central state organs decide, the most important are: the proportions and content of taught subjects within the curricula; the system of exam promotion for students; the types of educational centers according to their management: direct public management, outsourcing (private, with a contract with the public sector) and private; and the criteria for the selection of teachers in the public sector and in the outsourced high schools.

Within this general framework, the successive laws have left to the autonomous communities a space of decision which has allowed them to outline different educational models. Most importantly, the autonomous communities have defined their own educational policies, particularly at secondary level. In

² James L. True, Bryan D. Jones, and Frank R. Baumgartner, "Punctuated-Equilibrium Theory: Explaining Stability and Change in American Policymaking", in Paul A. Sabatier (ed) *Theories of the policy process*, Boulder, Colorado, Westview Press, 1999, pp. 155-189.

³ Nikolaus Zahariadis, "Ambiguity, Time and Multiple Streams", in Paul A. Sabatier (ed), *op. cit.*, pp. 65-93.

⁴ See also José Beltrán LLavador, Francesc Hernández Dobon, Alejandra Montané López, "Tradición y modernidad en las políticas educativas en España: una revisión de las últimas décadas", in *Revista Iberoamericana de Educación (OEI)*, 2008, 48, pp. 53- 71.

⁵ An Organic Law is a framework law that only the central state can adopt and it needs the approval of an absolute majority in both houses of the National Parliament.

this respect, one may identify several key issues for the regional educational policies: the percentage of elective courses and their contents; the management of the high schools, including the direct management and the outsourced management (the regional authorities sign the outsourcing contracts and set their conditions, under central state rules); the selection of teachers, of the career officers, the staff of the public administration, as well as of other types of procurement within the public sector; and the criteria for the selection of students in schools.

Against this background, each autonomous community has established its own educational model. However, the pace and the conformation of each model have been different, depending on two main elements. First, it depends on the time when the jurisdiction of education was transferred. Second, it also depends upon the political environment of the central government, which has been characterized by uncertainty and change in the part of the model that corresponds to decision-making. In fact, currently new changes are taking place.

When it comes to the political environment of the central state, one should note that in Spain there is no agreement between the two main national political parties – PP (conservative) and PSOE (social democrat) – with respect to the whole setting of the educational model and, of course, neither in what concerns secondary education. Consequently, whenever the parliamentary majority changes, the education policy framework also changes. One should note also that the legal background of this process was a 1970 Law adopted during the last period of Franco's regime, which was characterized by consolidating the universal provision of service, although using two types of schools: public and private.

With respect to public high schools, these were managed in a hierarchical, bureaucratic and centralized mode. They depended on a ministerial structure that distributed the whole of the Spanish territory in provincial areas of provision and their autonomy of decision was limited. Alongside these public high schools, there was a multitude of private high schools, mostly within the property and management of Catholic orders, although there were also private secular high schools that were owned by individuals or cooperatives. However, the majority of these private schools belonged to religious orders. The territorial distribution of private schools was uneven across the provinces. Very roughly, it could be claimed that private establishments were concentrated in urban areas, and more in the North of Spain than in the South.

With the 1978 Constitution, which is still in place, the first post-authoritarian government (headed by Adolfo Suárez) aimed to adapt the Spanish educational system to the new political regime. For that purpose, the Parliament approved a new legal text, the *Organic Law that Regulates the Statute of Schools* (LOECE). This 1980 Act generated a strong confrontation with the PSOE, the main opposition party at that time. The lack of agreement between the parties

finally led PSOE to contest the law at the Constitutional Court, which in its 1981 judgment invalidated many of the law's provisions. Due to the political instability of that time, which included and attempted coup, the issue lost its place on the governmental agenda due to its potential for conflict, and the Act was never enforced.

The next opportunity came in 1985, with the government of Felipe González. Its *Organic Law of the Right to Education* (LODE) meant a restructuring of all educational establishments at all levels, including high schools. The most important aspect of this law was related to the management of schools. First, public high schools were required to have each a school council, composed of associations of parents of students (AMPAS), representatives of the students and of the teacher's staff. The high school's teaching staff elected the school's CEO from their ranks. Second, many private schools, though not all, were integrated into the public education system, through services contracts. This meant that these private schools were the target for outsourcing public services.

Although in theory public high schools adopted a more democratic management within the LODE framework, in practice the implementation of the legal rules and the budget allocation and control was still in the hands of the Ministry of Education and Science; therefore, the management of public schools was little autonomous. In fact, the school councils within the LODE setting could not choose an educational project for their establishment. The educational project, for example, the type of teaching, or the specialization of contents and subjects was still decided at ministerial level.

Private schools which signed the contracts with the Ministry of Education (or the respective regional government department when a transfer of education jurisdiction was operated) took responsibility for the contents of subject. In theory, a private school should also enroll the students who reside in the area assigned by the Ministry, or by regional department, and who applied to study at it. The outsourced schools should also establish their school councils, although their role was less visible in reality.

With respect to the selection of personnel, public schools had to recruit their teachers through the model of existing civil service, a career model, which is the basic in all Spanish public administrations. The private schools could recruit their teaching staff of education among those who fulfill certain requirements of academic degree and pass an aptitude test at national level. In the case of secondary education, teachers had to be graduates of the related subjects they had to teach, both in public and in private schools.

The basic problem that the government of Felipe Gonzalez tried to resolve in 1985 was the saturation of the network of public high schools, because at that time children born between the mid-1960s and the mid-1970s, when Spain had increased birth rate, reached school-age. This birth rate has dropped ever since,

therefore the option to build new schools in direct management was finally left out, since by the end of the century these would not have had enough students.

With its dual network of outsourced and public schools, with its process of teaching staff recruitment, the administrative control over subjects and its contents, and the selection of students in schools according to their residence, the LODE system is, in theory and fundamentally, the one inherited by all the autonomous communities when the central state transferred to them the jurisdiction in education.

During the government of Felipe Gonzalez (1982-1996), another controversial Act, complementing LODE, was also adopted. This was the 1990 *Organic Law on the General Organization of the Educational System* (LOGSE). This law mainly affected students by changing subjects and their content, but leaving the dual network of high schools intact. In terms of the management of public facilities, the LOGSE established that school directors would be elected by the school councils.

Significantly, the LOGSE redefined secondary education, which in the 1970 Act was not mandatory and was intended for students from 14 to 18 years old. In 1990, secondary education acquired a compulsory part for students from 12 to 16 years, a non-compulsory part for students from 16 to 18 years, with the latter oriented towards those wishing to continue their studies at university level. Optional training modules were also oriented towards the direct incorporation into the labour market.

The LOGSE introduced improvements such as the ratio of a maximum of 30 students per classroom, psychological counselors and support teachers for students with difficulties in each high school and under the school's direct management. It also strengthened the agreements with the private schools, understanding that it was the right of parents to choose their children's education, and not so much as a short-term solution to a problem of temporary excess of demand. It also introduced a permanent teacher training program, while the education inspectorate acquired a more significant role.

In 1995, shortly before the end of the period of socialist parliamentary majorities, the *Organic Law of Participation, Evaluation, and Rule of the High Schools* (LOPEG) was also adopted, aiming primarily to modernize the LODE, especially by giving a greater role to the school councils in public schools. On the other hand, this law was preparing for the definitive transfer of educational competences to all autonomous communities. However, this law did not also bring any significant change with respect to the existing situation.

With the change of the parliamentary majority in 1996, and the establishment of a new government headed by José María Aznar, the application of the LOGSE was constantly questioned. However, the PP did not have absolute majority in the Spanish Parliament and it did not get support to amend this framework State Law. After PP got an absolute majority in 2000, the

government of Aznar adopted in 2002 the *Organic Law of Education Quality* (LOCE). This Law generated a public controversy about the role of the subject of Catholic religion and its contents, as well as a change in the procedure for the promotion of subjects, considered at that time by the PP and several social stakeholders involved in education policies as very flexible and too tolerant to students, which would have produced indiscipline, lack of respect for teachers and little assessment of the effort.

The LOCE did not come into force, since the first year in which it had to be applied, the 2004/2005 course, coincided with another change of parliamentary majority and the nomination of José Luis Rodríguez Zapatero as head of the executive. His government adopted the *Organic Law of Education* (LOE), which is still in force. Since the PSOE had no absolute majority in the Spanish Parliament, it needed the support of other parties, getting this with the help of left and nationalist parties from Catalonia, the Basque Country, the Canaries and Galicia.

This new change of national framework occurred after the transfer of jurisdiction to all autonomous communities in 2001, but it affected all these communities alike. However, the LOE and the Socialist Party governments that implemented it did not tangle with the field of autonomous decision, which in practice meant a window of opportunity open for the definition of different regional models of secondary education. This law did not alter the management of public schools, or the agreements concluded with private establishments, and left these matters to the autonomous communities. As innovation, it reinforced the contracts system, financing them through payroll payment of the teacher of accredited education, although this payment was done by the autonomous communities. Notwithstanding, the LOE generated an important public debate, particularly given that it did not consider evaluable for students the subject of religion (Catholic or other) and inserted instead as compulsory the subject of “civic education”, which was attacked by the more conservative stakeholders and even by the Spanish Episcopal Conference, for its content which was considered an ideological indoctrination with progressive values.

For the autonomous communities which had received jurisdiction in the 1980s, the LOE was an opportunity to confirm or not its educational model, rethink the old public problems within the regional public agenda, or introduce new topics and issues. For the autonomous communities, the LOE was an opportunity to develop their own educational model, beyond what they had inherited from the central state. In this sense, it triggered a need to define their public problem related to secondary education, problems defining other stakeholders involved, the priority of the issue on the government agenda and the management model to implement it.

Several years since the law entered into force, one can identify several educational models within the autonomous communities, and particularly in

secondary education, with definitions of issues and problems, different objectives and different management models. Among all the autonomous communities, the most clearly-defined models are those of the Region of Madrid, the Basque Country and Andalusia. Each one of them responds to different circumstances in terms of ruling parties and types of majorities at regional level, networks of social stakeholders, period of transfer and financing.

The Basque Country

The Basque Country autonomous community received jurisdiction in non-university education in 1980⁶. In the early years of the autonomous exercise of the jurisdiction of secondary education, the main concern of the Basque government was, on the one hand, the management of material resources and, on the other hand, the staff. Both issues were treated in the context of the creation of the structures and rules of operation of the set of government and administration of the Basque autonomous community.

The initial situation inherited from the central state in the Basque Country in secondary education had peculiarities compared to the rest of Spain. The services were provided through two different models, one public and the other private, splitting students in a half-half proportion. The public model based its service delivery on a network of public high schools managed directly by the public administration, in a centralized, hierarchical and bureaucratic manner. The private model consisted of a set of self-run private schools, of two different types. On the one hand, there were the private schools of Catholic religious orders. On the other hand, there were schools formed by parents of students, cooperatives called 'Ikastolas'. These parents' cooperatives had been formed to provide a different education, different from the public education of Franco's regime and his 1970 Act, and they were linked in many cases to Basque nationalist ideology. These Ikastolas were extended also to Navarre and the French Basque country, and tried to develop their own educational project in each of these three cases.

From 1985 onwards, the LODE provided an opportunity for the stakeholders of the Basque autonomous community to develop their own model, and the LOGSE in 1990 consolidated this opportunity. One should note that 1985 was also the moment at which there was an important internal conflict within the Basque Nationalist Party (PNV), which held the majority party of the Basque Parliament and which had shaped the government since the autonomous region was established. The conflict caused a governmental instability which resulted in a regional election in 1987, and the issue of the Basque educational

⁶ Basic jurisdiction was expanded to match the state frameworks in 1985, 1996 and even in 2011 on the recognition of qualifications.

model was not discussed in depth. A government coalition between PNV and PSE, the PSOE Basque section, was formed following the 1987 elections. This coalition left to the PSE the Ministry of Education, and the features of the current Basque educational model date from that time, characterized by political agreements between the nationalists of the PNV and the socialists of the PSE.

The basis of this model was consolidated after the 1991 autonomous elections in the Basque Country and later, with different compositions of the government. The PSE remained a minority partner of the government until 1998, holding the regional Ministry of Education. Afterwards, this regional ministry was taken over by Eusko Alkartasuna (EA), a nationalist political party which split from the PNV in 1985, and which could be considered more progressive and secular than the PNV itself. In 2006, when the LOE was adopted, it was EA⁷ the party that held the portfolio of the Ministry of Education of the Basque government. However, the key moment to redefine the Basque educational model elements arise later, between 2009 and 2012, when the PNV has remained outside of the Basque government, and it was shaped only by the PSE. The PNV has not occupied the regional Ministry of Education from 1987 to 2012, but his presence as a major force in the governmental coalition has been a very important element.

In short, from 1987 to 1991, several main features of the Basque case were set, though this is subject to controversy. Practically all private schools, *Ikastolas* or other types of private schools, were hired as external providers of the public system, and today this settlement continues. There is almost no private education without contract, and there are agreements to maintain a stable ratio around 50%. The public network of schools is concentrated in large urban agglomerations, particularly in industrial areas, although it is also present in the rest of the territory. Zoning and assigning students by their residence is higher among public schools, and, while there is much more freedom of choice among private high schools with contracts, the assignation is done by territorial delegates from the respective Ministry of Education. Educational establishments, whether in direct management or with contract, have to offer three models of teaching, according to the language in which subjects are taught, based on the parents' demands. These three models are so-called A (in Spanish, except for the Basque language course), B (mixed, with prevalence of the Basque language) and D (in Basque language except Spanish subjects).

Schools have some autonomy, because they choose what models to offer, and they take charge of training their teachers in the Basque language, so that they can teach the subjects in one or another language, taking into account that the initial situation in which teachers did not speak Spanish was exceptional.

⁷ Currently EA is integrated into the Bildu coalition, alongside the Basque nationalist left formations, after this group was declared legal, since a part of the nationalist left was linked to the terrorist organization ETA.

This type of training has been provided more in public schools. This autonomy to adjust to demand has been also used to enhance the processes of quality management, introducing quality models in some cases or standardizing processes in others. The main public issue defined in the Basque educational system has been and still is the language: the use of Basque or Spanish language in teaching. The evolution of the demand for this model has led to the relegation of the A model only to certain urban areas of the provincial capitals. The parental demand is aimed at models B and D, but there is a chance to study within the A model framework too.

Model building is based on a pact between socialists and the Basque nationalists, and this triple offer clearly illustrates this pact, as it seeks to accommodate opposing options. The public issue which at the time was introduced on the agenda was not clearly formulated in an educational policy subsystem, but it was more in the sector of culture, a sector of special interest for the PNV. It is considered that the main issue is the use of the Basque language in society, and the educational system has been considered the means to achieve this extension. The triple model has developed from this use of languages. Therefore, for the PNV, education and particularly secondary education is not a priority policy area. However, it was for EA, which was also a nationalist group

In 2006, after the adoption of the LOE, the Basque government of that time consisted of a coalition between PNV, EA and EB (Ezker Batua)⁸. EA held the regional portfolio of education. The new law was used to place again on the agenda the continuity of the model. The reason was that, although models B and D were dominating in secondary education, the level of use of the Basque language in society was considered insufficient, particularly in the three provincial capitals and certain areas, as the industrial zone near Bilbao or the South of the province of Alava. Political leaders of the regional ministry noted that the fact of having studied in Basque language with the model D did not imply necessarily its use in other daily activities of young people, nor they used it as main language in the rest of the daily activities elsewhere. However, politicians also noticed that most of the citizens who had studied since the jurisdiction was transferred were bilingual and knew both Basque and Spanish. As an alternative of choice, the political Basque nationalists proposed the Catalan model, known as “immersion”, but this option was finally rejected and they continued with the existing triple model.

After the 2009 elections there was a change of government in the Basque Country, and the PSE formed a government with the parliamentary support of its members and those of the PP. For the PSE, as for AE, education, both primary and secondary, was a matter of priority on its agenda. As a result,

⁸ Section Basque United Left, political organization to the left of the PSOE.

education at all levels became one of the priority issues on the agenda of the government of the PSE. Taking into account that the PSE had been a protagonist of the design and implementation of the current educational model, it is understandable if they were reluctant to change it. However, the Socialist Basque government introduced some modifications in the model. It is true that they did not provide a fully-fledged reformulation of the policy but they rather added to the traditional triple model. They did not reformulate the public issue that gave rise to the model but they just introduced one timely program, along with others, as an upgrade or update of the same model. Therefore, an incremental solution appeared.

The update of the model raised the concern that the model had weaknesses, produced in time, in the use of new technologies in education and training in foreign languages, particularly English. For this last weakness, the Basque Ministry of Education of the PSE government presented a trilingual program, so instead of dividing each model in two languages, the separations were in three languages, Spanish, Basque and English. Although initially on the public agenda there were discussions about the options of percentages of teaching fixed in time, eventually it was established that public and private high schools with contracts could decide to introduce English in each of the models that they were already offering, leaving at least 20% to each of the three languages in the case that they did. In short, the decision to introduce or not the program remains in the hands of the high schools, as well as the means for using new technologies. The 110 public high schools that use this program receive economic incentives, through training of teachers in English, media materials and grants for activities in English.

The impact of the program of trilingualism on the model is much bigger than it seems at first sight, because if it gets 20% of Spanish and English in a model D, this would in fact be a model B. Officially it does not happen, but there is the traditional D and a new model D, trilingual, although it is not clear what would be the difference when a B trilingual model introduces English at the expense of teaching hours in Spanish. It should be noted that this distinction would be a formality, and that such formality does not seem to be of much concern for the socialist leaders in education policies within the Basque Country. It seems that the ultimate goal, though not declared, is to reform the triple model and replace it with a unique trilingual model, starting from values of more integrated and egalitarian society and an educational system in which the secondary education is more focused on career opportunities to graduates. However, the lack of consensus on the issue and the lack of the PSE parliamentary strength did not lead to the formulation of the problem and its solution in these terms. At the end of the term of the government of the PSE in 2012, the result of this program was a blurring of the original model of triple offer. However, as an optional program which leaves the final decision in the

hands of the high schools, its implementation has been limited. For this reason, the continuation of the program with the new PNV government is not guaranteed.

We may consider the Basque case as an attempt to change the policy, which apparently failed after the 2012 elections. The consensus was created when the educational model from the mid-1980s made a stable network with specialized stakeholders in this policy. These stakeholders include trade unions, CC.OO. and UGT, left-wing national unions; and the nationalist unions LAB, ELA and STE-EILAS⁹. Associations of parents of students, such as EHIGE and UFEPA, both aimed at moderate Basque nationalism, while employers such as Kristau Eskola and EHIK also aimed to support nationalism. The whole context makes this network rather favorable to nationalism and to prioritize the Basque language as the main problem of secondary education in the Basque country, keeping stable as a solution the A-B-D model, at least until 2009, compared to a central state that continually changed the model, supporting thus the theory put forward by True, Jones and Baumgartner (1999).

The challenges to this policy brought forward by the Basque Socialists between 2009 and 2012 was an attempt to shift the model on a larger scale, but the result has been the restoration of balance with the possibility that this might be again broken in the future, since the balance between stakeholders has already been questioned. It should be noted that the trilingual program generated protests and social mobilizations, led by the social organizations of nationalist ideology, such as trade unions, associations of parents and students. This network of stakeholders obtained that the program would not apply in general but only in schools that request it, which reduced its application to 110 schools managed publicly that have finally implemented it.

In this sense, the Basque nationalist ideology stakeholders that have supported the policy would be likely to disrupt the equilibrium that existed prior to 2009 and try to put again on the agenda the Basque educational model, which creates a conflict of interests in the Basque political subsystem, as True, Jones and Baumgarten argue. However, a window of opportunity has not been opened yet for this, because at central state level there is still a discussion about new changes in the general framework. Studies and opinion experts that cause the mainstream policy to shift in favor of promoting studies in English gave credibility to the option adopted by the Socialist government in the Basque country in 2009. At the same time, as Zahariadis¹⁰ also argues, the ideology of the party in government is decisive for the selection of alternatives to mainstream policy.

⁹ There are more trade unions in secondary education within the Basque country, but these are the most representative. Historically speaking, the STE-EILAS has been a minority trade union, and it is currently a minority in the Basque educational system UGT.

¹⁰ Nikolaus Zahariadis, *op.cit.*

Andalusia

The Community of Andalusia received basic jurisdiction in non-university education in 1982 and 1984¹¹, shortly before the central government adopted the LODE in 1985. Thereafter, the main objective of the successive leaders of the regional Ministry of Education in Andalusia was to manage the material and human resources that this law transferred to regional level, while taking into account that most of these resources were in the hands of public schools (i.e. the possibility for Andalusia to get education through outsourcing contracts with private high schools was limited by the low amount of these in comparison with other autonomous communities).

The main objective of the autonomous community of Andalusia from 1985 and practically until 2006 has been to expand the offer of educational services. First, this grew out of need, as there was an increase of students in the 1980s. Secondly, the age of compulsory education was also extended and there was also an increase of services for students with disabilities, while taking into account the diversity of the 1990s, as with the LOGSE the fundamental objective was quantitative, that is to build more public schools and to increase teaching staff and resources.

One should keep in mind that the Andalusian government from the creation of the autonomous community in 1982 until 2012 has been ruled continuously by the Andalusian section of the PSOE (PSOE-A). Since 2012 it rules for the first time in coalition with IU-CA¹², because the Socialists did not win the absolute majority in the Andalusian Parliament, a situation that had only happened once before, between 1994 and 1996, a period in which it governed with relative majority. This political context meant that there was a continuity in policy, with stability and permanence in terms of the definition of the public issues and their solutions, as well as an almost absolute control of the government agenda by the PSOE-A. The definition of objectives has reflected the PSOE-A predominant values and ideology. For instance, before 2006 the Andalusian leaders preferred to direct public management through contracts with private schools, particularly Catholic¹³, as a way of securing a right of free choice of values by parents, beyond the temporary increase in demand posed by the LODE in 1985.

To comply with the legal framework established by the central state ruled by PSOE in 1990, the PSOE-A signed contracts with private schools, integrating them in the public system as outsourced services. Since the first such contracts with the regional administration at the beginning of the 1990s, around 25% more

¹¹ The core jurisdiction was expanded in specific areas, such as professional training or specific situations of certain schools, in 1985, 1990, 1993, 2004, 2005, 2008.

¹² Andalusian Section of the United Left.

¹³ One should remember that the LOGSE establishes that the main objective of these agreements is aimed at funding the salaries of teachers in schools with contracts.

students were integrated into the educational public system. Thus, the ratio led to a proportion of 80/20 percent among schools of direct management and outsourced management. This balance has remained unchanged until 2006. It is necessary to notice that these schools have mainly covered the demand of urban high level of income, although they are also present in ancient or historic urban areas with lower levels of income. However, it should be also noted that it was mostly the direct public sector that has been responsible to reach to the most deprived, even marginal areas, and that the LOGSE required more additional resources for reinforcing these goals.

A second major objective of secondary education in Andalusia before 2006 was equity. This objective arises as an ideological value of the PSOE-A, which aims to provide opportunities for young people from areas with lower income through their promotion in the education system. The conjunction of the predilection for the direct management, and in areas of lower income equity, have led to covering the accredited school funding with only little more than salary agreed for their teachers. It should take into account that the government of Andalusia has also favored wage demands of the teachers of schools, which brings them closer to the direct management schools. In addition, the regional ministry of education has maintained control over direct management schools, through a continuous contact with the directors, as well as through the transfer of economic resources, materials and personnel, and the presence of inspectors of education in schools. This has not suppressed the role of the school councils, but these councils were rather associations of parents of students (AMPAS) joined to the staff of teachers and students. The majority of AMPAS in public schools have been relatively close to the PSOE-A, or, at least, shared leftist values and strategic objectives. Neither public sector teachers nor their unions seem to having challenged the bases of the Andalusian educational model, or the control of the regional Ministry of Education over public schools, therefore the school councils have not been forums to vindicate particular educational projects for the schools.

To sum up, the autonomous community of Andalusia has set up an educational model with a predominance of the direct management, administrative centralization of the management and control of schools in secondary education, in which students are selected preferably by their place of residence. Along with this model there is also a network of accredited schools which have more capacity to select their students, although the regional Ministry of Education also maintains control over these aspects, forcing them to meet certain zonal criteria or preventing gender segregation, for example.

The key elements of this model remained in place after the publication in 2006 of the LOE. However, the Andalusian government took the opportunity to redefine the education policy, particularly the compulsory part of secondary education. The extension of the high school network had equipped them with staff and media. However, both the Andalusian government and the most relevant stakeholders,

such as parents associations, trade unions and political parties, agreed that Andalusia had two public issues in secondary education, which are potentially interconnected: the drop-out rate and the school failure rate of students.

The drop-out was a phenomenon that happened in Andalusia before the transfer of this jurisdiction, since traditionally in rural areas parents claimed their children back at an early age so that they work, in many cases by moving to different areas depending on the needs for collecting agricultural products. In this way, many young Andalusian could not end their studies. With the economic growth experienced from the second half of the 1990s until 2008, the phenomenon of school drop-out has been linked to the ease that young people had in finding employment in the construction sector, leaving the educational system without ending their period of compulsory secondary education, like their parents. Alongside this phenomenon of drop-out is the student failure rate, i.e. the lack of improvement to meet the requirements to remain in the educational system. The LOGSE had eased the criteria so that the students pass the courses, although they had to pass all the subjects to be able to make the transition from one educational cycle to another. In fact, the teaching staff of each high school decides if the students can pass from a course to another one or from a cycle to another, and therefore whether they can be granted the respective academic degrees. For this purpose, the teaching staff of each high school usually includes in some way or another education inspectors. Most of the cases of school failure in Andalusia often end in drop-out, so this issue is related to the previously mentioned phenomenon, although stakeholders indicate that there is a high level of students with poor academic performance, who repeat courses before they leave the educational system.

To solve these two issues, the Andalusian government has redesigned its educational policy through an autonomous law published in 2007. This law of education of Andalusia (LEA) establishes as main objectives to diminish the drop-out rate and to improve the performance of Andalusian students. The LEA has been an initiative of the Andalusian government, and its draft submission to the Andalusian Parliament incorporated the perspectives of a majority of trade unions, UGT and CC.OO., with a similar ideology to the PSOE-A, which at that time had reached an agreement through roundtable talks¹⁴. Policymakers also took into account the school councils of Andalusia, where there were represented various students associations, the AMPAS and the entrepreneurs associations of accredited private schools, as well as the Association of Directors of public schools of secondary education. In each sector the PSOE-A took more into consideration the more related organizations, for example, the Association of Cooperatives of Teachers, ACES¹⁵, got more attention compared to “Catholic Schools”, a conservative organization of private Catholic schools

¹⁴ It is a corporate body of negotiation of the working conditions of the staff. Actually, there is a table for teachers of the public sector and another for the teachers of the private sector under contract.

¹⁵ That has most of the accredited private schools.

which has many more accredited schools. The participation of the social stakeholders in the area of secondary education also took place in the parliamentary committee which processed and produced the definitive text. In this committee almost all stakeholders participated, but without voting rights. The Andalusian Parliament finally approved the LEA with the votes of the PSOE-A, which had the absolute majority, and IU, at that time not governing yet with the PSOE-A. PP voted against it.

Although one may claim that the LEA marks a starting point in Andalusian education, programs developed from the LEA to solve public issues in compulsory secondary education may be considered as incremental compared to the situation previous to 2006. Programs that increased the strategies and the means set out in its days by the LOGSE have been developed in matters related to school failure: customization for those students with special difficulties, with support and reinforcement classes; increased availability of curricular pathways, or the encouraged use of new technologies as a means to integrate young people in the education system, for example. It should be also noted that some of the programs are funded and designed by the central state Ministry of Education, such as the program “Classroom 2.0”, which aimed to incorporate digital whiteboards and internet access in classrooms, through basic laptops available in high school¹⁶. The lack of funding from the central state ministry is currently forcing the elimination of some of these programs. To treat the school drop-out rate the Andalusian government has been more innovative, because in addition to the programs aimed at reducing school failure, a new specific program “Scholarship 6000” was developed. This paid 600 Euro per month during the teaching months to students who live in low income areas and whose families claim them to enter the labour market. The LEA also set the status of accredited schools allowing the extension of the existing contracts for four years, but stating that if the demand of students in a certain area goes down, the renewal of service outsourcing would not happen and the students would move to the nearest public school or choose one private outside the public sector. This led in 2012 to a fall in the proportion of private outsourced schools from 20 to 18%, while the rate of direct management schools raised from 80 to 82%.

To sum up, the Andalusian government has used the framework of the LOE to take incremental steps in its educational model. Despite the fact that the process of reformulation addressed all education public policy levels through the development of an autonomous law, the final result has been a reinforcement of the policy made by the Andalusian government. This model has also clearly developed the values of the PSOE-A, reflecting the effects of its position as ruling party in the party system in Andalusia. In this sense one needs to emphasize that education, both primary and secondary, is a growing priority for the PSOE-A. Currently it is one of the areas suffering fewer budget cuts.

¹⁶ These extremely basic computers were delivered at the start of compulsory secondary education and had to be returned at the end of it, or pay their value.

In Andalusia one may observe that the punctuated equilibrium model¹⁷ hides a simple incremental decision¹⁸. The changes produced in the central political system of the Spanish state in education have little affected the Andalusian regional subsystem. The problem of secondary education got into the government agenda at the initiative of the Andalusian government and the PSOE-A, the party that supports it. Around the PSOE-A there are closely related unions, associations of parents of students, the Association of Secondary School Principals, education inspectors etc., and even the current partner of the PSOE-A in the government, IU-CA. All these stakeholders make a stable coalition, an advocacy coalition¹⁹ that, even when having different views or conflicts on specific issues, share values, ideology and priorities, including on policy alternatives. The window of opportunity that opened for the LOE in 2006 on mainstream problems²⁰ coincided in Andalusia with a mainstream policy that limits the incremental alternatives for ideological reasons. On the other hand, the Andalusian mainstream policy comes from the same network environment of stakeholders from think tanks close to the PSOE, which reinforce the Andalusian educational model.

Region of Madrid

In the case of the Region of Madrid, its starting point is clearly different from the other two autonomous communities, since it received jurisdiction in education only much later, in 1999 and 2000²¹. This meant that the development and execution of the framework laws at the central state level, such as the LODE and the LOGSE, has corresponded in the territory of the Region of Madrid to those of the central state Ministry of Education until 2000. This put forward a model of secondary education that we may call neutral, in the sense that neither the central government nor the Spanish Parliament defined any specific public issues for Madrid, or any autonomous community for which the state kept jurisdiction until 2000. Of course, they did not define either specific targets for any of them. Therefore, in the case of the Region of Madrid, the educational model was developed specifically since 2000 onwards, but in the first of exercise of jurisdiction the main concern of regional political officials seemed to assume without much questioning the previous situation. One must remember that the Madrid regional government has been the fiefdom of the PP

¹⁷ True et al., *op. cit.*

¹⁸ Charles E. Lindblom, "Still Muddling, not yet through", in *Public Administration Review*, 39, 6 (Nov.-Dec. 1979), pp. 517-526.

¹⁹ Paul A. Sabatier, Hank C. Jenkins-Smith, "The Advocacy Coalition Framework: An Assessment", in Paul A. Sabatier (ed.), *op. cit.*, pp. 189-223.

²⁰ Nikolaus Zahariadis, *op. cit.*

²¹ It was minimally expanded in 2002, on the teachers of religion.

since 1995, and with absolute majority. In 1999 and 2000, PP also had majority at the central state level, which has kept until 2004.

The main concern of the educational authorities of the Region of Madrid seemed in the early years the change that central government was intended to get to the general educational framework with the LOCE, the law which did not come into force in 2004. This law gave the opportunity to define a model that would develop explicitly the principles and values of the PP in the autonomous community. These postulates are linked to management, in that they give greater weight to schools with outsourcing contracts and set Catholic religion as an evaluable subject, which is a jurisdiction of the central state. However, when LOCE did not enter into force, these provisions were not made explicit in an autonomous law or through a public debate. The opportunity to define the model of secondary education of the Region of Madrid policy came in 2006, with the LOE. This law did not prevent the values of the PP in Madrid to develop fully in the autonomous community.

In practice, the Region of Madrid put forward in education only small changes. These became more significant under the head of the regional government Esperanza Aguirre (2003-2012). From that time the regional Ministry of Education changed the common practice to build new schools in areas that were developing, and which subsequently expected demand would increase for vacancies of teaching, elementary initially and secondary school later. Until 2003, public elementary and secondary schools were built in the newly urbanized areas. Additionally, private centers were also allowed, with which regional government signed outsourcing contracts, but their density was looser than that of public schools. In practice, this allowed some capacity of election in the newly urbanized areas. One must remember that since 1995 the Region of Madrid has been ruled by the PP, and this period coincided with a huge real estate expansion and the development of many new urban areas. Also one has to keep in mind that Madrid experienced a strong population growth, from 5 million in 1995 to 6.5 million by 2012.

Since 2003 the Region of Madrid began to sign contracts of outsourcing educational services for new urban development areas that included the transfer of the terrain for 75 years. This terrain was reserved to build public educational facilities, which are owned by the Region of Madrid. In return, private investors who sign the contract build schools. The government of Madrid did not allow the building of other public or private schools with contract in the area, therefore there was no competition. This public-private partnership²² also included the contract the transfer of the cost of the teaching staff salaries to the private schools. These new schools were added to a wide network of accredited private schools, many in the central areas of the city of Madrid and other major cities in the region. Most of these contracts had been signed by the national Ministry of

²² We may considerer a kind of PFI, Private Finance Investment.

Education before the transfer of jurisdiction, and they covered around one third of the total places in the educational offer. Currently, in all compulsory education, at both primary and secondary levels, more than half of the offer is on outsourced schools compared to those in direct public management.

In the case of Region of Madrid, the teachers' salary (per hour) in accredited private education is smaller than that of teachers in the public sector. If one adds the immediate savings from the construction of buildings, one can understand that there was an implicit objective to save costs, and improve efficiency on the short run, which in turn suggests that the Madrid education leaders have defined a problem of costs or inefficiency in relation to educational services. One should also note that this practice ended in 2009, because within the current economic crisis context the bank loans required by such projects were no longer easily available. This meant that there are very few private investors who would want to pursue such collaborations with the public sector. In addition to this change that shifts the proportion between the different types of schools, there have been other changes from 2006 onwards which were brought by the LOE. These changes were presented as partial programs, but not as a general policy plan. However, if one analyzes them as a whole, one may notice that they have a goal and several common values.

The most outstanding secondary education programs have been: the program of bilingualism, English and Spanish; the program of educational excellence; the separation of secondary education and vocational training schools in non-compulsory secondary education. All of them have a common objective, i.e. they seek to improve the access to the labour market for students in secondary education. Logically, this implies that the inadequacy of students to the needs of companies is pushed higher on the public agenda. It also brought in the attempt to introduce tougher criteria for exam promotion in reverse to what LOGSE did, and in line with what the LOCE predicted.

However, the performance of these programs is being challenged in the media by the social stakeholders opposed to this policy. On the one hand, these programs have suffered cuts in budgets with the economic crisis. On the other hand, it is argued that their outputs are limited. Excellence programs that seek to classify and group students according to their performance and form separate groups in each school (A, B, C, D) and finally attend separate schools of excellence does not yet apply in many schools. The bilingualism program is extended to most direct management schools and many of the accredited private schools, but it is alleged that Spanish teachers in direct management schools are not really teaching their subjects in English. The regional government is trying to incorporate teachers from English spoken countries to teach non-linguistic subjects, which implies a *de facto* recognition of the fact that it failed to achieve its objectives. Nonetheless, for the moment, the national Ministry of Education does not allow this process because it would go against the normal selection criteria of the teachers, both in direct management schools and in the accredited private schools.

Another relevant element is that not only these programs extend equally to the private sector under contract and to the direct management sector, but they have also been extended to private accredited schools, which in principle were those that under the LOGSE were aimed for areas of lower income or for families with fewer resources. At this point, it must be said that schools with outsourcing contracts, particularly those who had contracts previous to 2003, selected the students who came into their establishments. The schools with contracts concluded after 2003 are settled in areas with medium-high and high incomes, therefore they do not need to apply a filter. In conclusion, students from families with lower income usually study in public schools.

In short, the Madrid secondary education model is characterized by the market orientation when it comes to the offer of services, the type of students seeking a place, and it fosters competition among the students themselves. It is a model that seeks economic efficiency over the integration of social stakeholders, and this is seen in the role that is given to the school councils in the Region of Madrid. Also, one should also notice that there is a constant confrontation with the unions, even with some that would not have ideological claims against the political establishment, such as the CSI-F. On the other hand, this model seems to tend to give certain autonomy of management to direct management schools. These may choose to adopt key programs such as bilingualism, or excellence, even if they lose the involved resources. They can also choose to offer certain optional subjects, if they identify a specific demand beyond their area of coverage. In short, the relationship with the regional Ministry of Education gives them some capacity to make decisions, although it seems that the trend preferred by the regional ministry would be to encourage more competitiveness between schools, providing more resources to get best ratios.

It should be noted that secondary education does not seem to be a priority for the government's leaders of the Region of Madrid, facing other issues on agenda, such as urban development or finance. In the case of the Region of Madrid, the change of the central state secondary education with the LOE in 2006 has led to a change in the regional subsystem. The government of the Region of Madrid is closely connected to stakeholders related to certain sectors of the Catholic Church, at the level of associations of parents and employers of accredited schools, leaving in front the trade unions of all kinds of ideologies. The mixture of interests linked to the development of new urbanized areas initially, or the economic crisis lately, have changed the previous equilibrium²³, and the issue appears on the agenda of government in new terms, linked to the economy, both for the cost of secondary education in the regional budget and for the link to the workforce needs of companies²⁴.

²³ True *et al.*, *op. cit.*

²⁴ Antonio Antón, *Políticas educativas ante la crisis*, Madrid, Fundación 1º de mayo, 2009.

If we analyze the case of the Region of Madrid from the point of view of the multiple streams in the approach but forward by Zahariadis²⁵, one may identify the stream of problems addressed by the LOE in 2006, and this was perceived as an opportunity for the regional government, which coincided with a policy stream, because it was an expert knowledge linked to right-wing think tanks and other experts related to the previous legal framework (LOCE). These two streams also coincided with the third, the politics stream, since the solution adopted in secondary education brings forward values and beliefs close to the very identity of the PP in Madrid, and stakeholders of his coalition²⁶, such as the Association of Employers of Madrid (CEIM) or the hierarchy of the Catholic Church, reinforcing the political support of these stakeholders.

Conclusions

Although the research project from which these findings were selected is still in progress and more fieldwork is required, several significant features may be identified. Most importantly, one should notice that each of these cases has developed well-defined models, with different objectives, defined at the regional level by its political leaders. In defining its objectives, the ideological criteria prevailed for each government. In two cases in which the autonomous model of secondary education has been developed by a single party with an absolute majority, these objectives clearly respond to the values of their leaders and their parties at regional level. In the case dominated by coalition governments, it has created a more consensual model, although not free of tensions.

The regional governments also respond to specific situations of their societies and their environments, which are clearly different in each case. The situations and demands were different before the transfer of the jurisdiction. In this sense, the autonomous communities demonstrate their adaptation and proximity to specific problems. The promotion of policies, with the definition of problems and objectives, has started from government leaders in all three cases, and with the changes brought in by each of them. Since the initiative came from government, the place on the government agenda has been also very controlled. That contrasts in Basque and Andalusian cases since the adoption of the LOE in 2006 are also notable. The first is intended to be an incremental model, but hides deep changes or shifts of policy. Andalusia, on the other hand, has developed its own law to consider changes in its policy, but its model is more incremental than it seems.

²⁵ Nikolaus Zahariadis, *op. cit.*

²⁶ Paul A. Sabatier, P. (ed.), *op. cit.*