

# The Political Economy of Regulation: Chile's Educational Reforms since the Return of Democracy

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## Abstract

This paper analyses three key political economy issues in Chile after the return of democracy in 1990: the prioritisation of learning; teacher's career and evaluation (intimately linked in the case of Chile); and quality assurance. The first issue is divided in turn in two subtopics: the identification of learning as the key educational policy objective and whether educational quality is made a priority by the government. The findings suggest a longstanding and sustained effort of successive approximations to better solutions that address the technical limitations and political restrictions that shaped reforms and policies, in a complicated path dependent process that will be analysed throughout this paper. All three issues are addressed in 26 interviews with key actors, the relevant legislation histories' as well as a national database of written media in the period 2007-2018, with special focus in the time span of legislative discussion of relevant initiatives.

## **The Political Economy of Regulation: Chile's Educational Reforms since the Return of Democracy**

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## Executive Summary

### 1. Introduction

Chile offers an interesting case study for understanding the dynamics of institutional change in education reform. The initial setup included a large part of the standard package promoted by international organizations introduced by a right wing dictatorship in 1981: transference of fiscal (state) schools to municipalities and financing through vouchers in similar terms to municipal and private providers. While the reform was rejected by social organizations and (outlawed) political parties that opposed the dictatorship, when these groups conquered power in democratic elections held by the end of 1989, they lacked both the political force as well as the internal consensus to reverse them. Instead, the “Concertación de Partidos por la Democracia” (hereafter Concertación), the coalition of political parties that defeated the dictatorship and ruled the country for two consecutive decades (1990-2010), the most successful period of social and economic development in Chilean history (Bogliaccini, 2020), Sehnbruch and Siavelis, 2013), and successive right and left wing governments afterwards, consolidated the market mechanism correcting market failures, and pursued a consistent educational policy agenda centered around educational quality and equity.

This paper analyzes three key political economy issues after the return of democracy in 1990: the prioritization of learning; teacher’s career and evaluation (intimately linked in the case of Chile); and quality assurance. The first issue is divided in turn in two subtopics: the identification of learning as the key educational policy objective and whether educational quality is made a priority by the government.

Figure 1 shows a timeline of key events since the return to democracy. First, it depicts the name of the President of the Republic followed by the Minister of Education since March 1990. The last part of Figure 1 shows the key events related to the regulation of teachers’ career. Figure 2, presents the same information for the quality assurance system. These figures suggest a longstanding and sustained effort of successive approximations to better solutions that address the technical limitations and political restrictions that shaped reforms and policies, in a complicated path dependent process that will be analyzed throughout this document. All three issues are addressed in 26 interviews to key actors, the relevant legislation histories’ as well as a national data base of written media in the period 2007-2018, with special focus in the time span of legislative discussion of relevant initiatives.

The research question that guide the analysis are:

- RQ1a: Did the ministry of education gave priority to learning? When?
- RQ1b: Did the government and the political elite beyond the Ministry of Education endorsed this priority? When?
- RQ1c: Was this priority sustained through time and was it translated in incremental measures?
- RQ2: What are the key forces and events shaping the evolution of the Teachers’ career?
- RQ3: What are the key forces and events explaining the evolution of accountability and student testing that ultimately led to the establishment of a national Quality Assurance System in school education?

The paper is organized as follows. Section 2 presents a brief context of the situation before and at the beginning of the democratic period. Section 3 answers RQ1a, b and c, explaining why, when and how was learning prioritized after 1990. Section 4 responds to RQ2, tracing the evolution of the legislation ruling teacher labor contracts and wages, which at the beginning of the period were subject to the private labor code. Section 5 accounts for RQ3, summarizing the evolution from student’s testing to a Quality Assurance System. Section 6 concludes.

### 2. Context

Although the period of study is 1990-2017, it is interesting to note that educational quality was mentioned as justification for educational reforms undertaken by the dictatorship that ruled the country between September 1973 until March 1990. These reforms were conducted by economists

influenced by Milton Friedman (so called “Chicago Boys”) and included transference of state schools’ to municipalities (decentralization) and the introduction of competition through demand subsidies (vouchers) on the basis of school’s attendance. These structural changes were accompanied by important reductions in educational expenditure due to the 1982-3 economic crisis (French Davis, 1999, González, 1998, Montt and Serra, 1994, Cox et al 1997). The educational sector was in ruins in 1990: demoralized teachers (real salaries shrunk by 40% as compared to 1980), old infrastructure and absence of textbooks, libraries and other key inputs.<sup>1</sup>

What is clear is that market reforms implemented during the dictatorship had no positive effect to speak out for themselves in face of those critics that claimed for their replacement. What is not clear is the reason explaining this failure: it might be attributable to the reform itself (as suggested, for instance, by Carnoy and McEwan, 1998) or to shirking expenditure.

The dictatorship reforms defined two key cleavages dividing center and left wing political parties that opposed the dictator: first, those favoring a strong public education against those praising choice; and, second, those favoring exit and incentives against those preferring the use of voice and loyalty. It is well established that the *Concertación* had “two souls” (Sehnbruch and Siavelis, 2013, Fuentes, 1999; Montecinos, 1998; Navia, 2006, 2008; Pribble, 2014), one that valued the strengths of markets for growth and innovation and that attempted to better regulate market failures, while the other was more critical of Pinochet’s legacy and demanded more voice and loyalty and less exit in public provision. At the risk of oversimplifying, the first (named the self-complacents or technocrats) emphasized economic growth while the second (labelled self-flagellants) stressed equity and redistribution. This tension was reconciled by the formula “Growth with Equity” endorsed by the “*Concertación*”. The “two souls” have expressed themselves in the events that are analyzed in this document, with a gradual shift of power from self-complacents to self-flagellants.

On the other hand, the right coalition was more united during the period under study.<sup>2</sup> Their preferred scenario was already achieved by the dictatorship, therefore they mostly resisted any change to the status quo. For convincing them to support reforms a pre requisite was that such reforms strengthened the market mechanism. An exception was right wing parties’ opposition (at least until the early 00s) to ending life time employment for municipal school principals, introduced in 1991 with the first Teacher Statute. While this opposition was at odds with free markets ideology, it was based on the fact that most principals had been appointed by the dictatorship (interviews and Elacqua and González, 2013).

### 3. The priority of learning

Many within the *Concertación* shared the belief that education – as human capital – was crucial to a growth with equity development strategy. Within the Ministry of Education, the consensus was unanimous. Almost every initiative since 1991 was framed in terms of contributing to educational quality and equity (Cox and González, 1997). A sense of urgency was introduced in 1994 by educational expert Ernesto Schiefelbein, although he lasted only six months as Minister of Education: “40% of 4<sup>th</sup> grade students do not understand what they read”. The strategy was supported by the Office in charge of government communications and created public awareness about the problem of quality and the inequality of its distribution.

Contrary to the undisputable need to provide teachers and classrooms to expand enrolments, there is no universal consensus on how to achieve system alignment for learning, not even on what educational quality means (see Schiefelbein and McGinn, 2017). As described above, a key disagreement within the “*Concertación*” referred to the role of markets in education. Therefore, to

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<sup>1</sup> In the light of these antecedents, it is possible to suspect other possible motivations behind the dictatorship reforms. For instance, privatization ensures the reduction of union power (especially if accompanied by the prohibition of collective bargaining above the firm level); together with marketization, the shaping of supply by individual (as opposed to collective) preferences and the consolidation of a buffer sector of private and religious entrepreneurs owning schools, preventing (or making more difficult) new attempts by potential future left wing governments to spread more radical ideas using the National (centralized) curriculum. However, reforms during this non-democratic period is not the subject of inquiry in this document, and these possible reasons are left for future research by historians.

<sup>2</sup> Some cleavages are starting to appear more recently, after 2017, with the emergence of younger actors more sympathetic to voice and market regulation.

avoid internal conflict, the consensus about quality was translated, at least during the 90s, into “non-conflictive policies” (Navarro, 2006). This was the case of the P-900 and MECE<sup>3</sup> programs and the gradual shift to a full school day since 1996. These initiatives provided more inputs to schools (textbooks, computers, libraries, time, teacher training, etc.).

At the same time, there was an effort to modernize and democratize the curriculum. This is the key tool that the government has, in an otherwise decentralized and autonomous system, to operationalize what educational quality meant. It defines what pupils are expected to learn in each grade. It is true that schools have the possibility of applying another curriculum, but this possibility is seldom used, aside international private schools that do not receive (Chilean) government funding. The curriculum is a contested area that is not analysed in this document but it is still criticized today on the grounds that it is overloaded by subject content and does not include key capabilities for the XXI Century (Meller, 2018).

To advance in these non-conflictive policies, the key challenge was, at the beginning of the period, lack of resources. While the support of donors was required in the early 90s (the Swedish government financed the first program, known as P-900, and the World Bank financed the MECE for Basic education), funds were made available gradually due to strong economic growth and an increase in taxation. To secure higher resources for education, those within the Ministry of Education had to convince the rest of the government that it was worthwhile above other social priorities. Our interviews identify this occurred between 1994 and 1996, and went far beyond the conviction of the Ministry of Finance (a key coordinating actor in the case of Chile) to personally involve the head of state since at least 1994. It was translated into the shift to a single school day as the signature policy of Frei Ruiz-Tagle’s administration. Our interviews consider this is the turning point in the prioritization of learning, as the coordinating ministries and the President articulated a discourse highlighting its importance, since his second presidential address in 1995.

Nonetheless, in terms of resources, education was prioritized slightly before that initiative. Figure 3 presents the evolution of public education expenditure in both school and preschool, on one side, as well as higher education, on the other. Figure 4 reports the evolution of total and education public expenditure. During the 90s, preschool and school education augmented above 10% each year in real terms, starting 1991 (first democratic budget) and even above 15% in 1994, 1995 and 1996 (Figure 3).<sup>4</sup> Although total government expenditure also grew at a high rate during the decade, education outpaced that rate every year between 1992 and 2000 (Figure 4). Thereafter, education lost its priority, except for 2004 and 2008-2009, with 2009 being the highest annual increment during the thirty years period (21%).<sup>5</sup> The total educational budget expanded again above government expenditure in every year since 2012, although at a slower pace, associated with much moderated growth. School and preschool education outpaced higher education in most years between 1992 and 2004, while the reverse tends to be true thereafter (except in four years), especially in 2006-2007 and since 2015.

A closer look to the line items associated with these increases in expenditure reveals different uses of resources. Up until 1993, it was linked to the obligations derived from the enactment of the first Teacher Statute and ensuing salary obligations. In 1994-95, increases were associated with corrections to the voucher design and to the Teacher Statute. During the rest of the decade, budget increases were associated with improvement of teacher wages, the shift to a single school day and the different programs constituting what was labelled Frei’s education reform, especially those directed at improving teacher quality and motivation. More than starting a process of prioritizing funds to education, it seems that the shift to a full school day helped to sustain it and projected it through time at least until 2000, when Lagos took office. The rises in 2008-2009 are associated with the introduction of means tested vouchers and an increase in the value of the voucher.

Most extra resources financed higher teacher wages; some corrected differences in costs of provision (rural provisions and later means tested vouchers); a few corresponded to earmarked

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<sup>3</sup> MECE was in fact the acronym for Mejoramiento de Calidad y Equidad (Improvement of Quality and Equity) and included several programs.

<sup>4</sup> Note that although 1994 budget was decided in 1993 but its execution was affected by laws approved that very same year.

<sup>5</sup> Although Chile was affected by the sub-prime crisis, the implementation of counter-cyclical fiscal policies enabled the government to reduce its impact in the economy, using accumulated reserves in a (Copper Price) Stabilization Fund.

inputs, such as textbooks and computers delivered directly to schools, circumventing the *Sostenedores*; and a little in the form of a higher voucher to use at “*Sostenedores*” will. The full school day reform was a combination of the last two, as schools had more time (a particular input) but had freedom of choice to use it. While the extra time provided by the shift to a full school day was left as free time for schools to decide how to fill it, it is suggested that the national curriculum was so overloaded that little choice for other activities was left.

#### 4. Teacher’s career and evaluation

##### 4.1 The Teacher Statute

With the transference of state schools to the municipalities, teachers lost their public servant status. Their labor contract was thereafter regulated by a flexible private labor code. One of the political priorities after the return of democracy was to deal with teacher’s discontent, although there was no consensus on how. Four key events were identified (see Figure 1) and analyzed:

- The *Estatuto Docente* (Teacher Statute), enacted in July 1991.
- The reforms made to the *Estatuto Docente* in 1994, liberalizing the *Estatuto Docente* and introducing a collective incentive mechanism (National System of Evaluation of School Performance, hereafter SNED).
- The individual teacher evaluation system introduced in 2004 as part of the *Estatuto Docente*.
- The replacement of the *Estatuto Docente* by a more proper “teachers’ career”, approved in 2017.

A key demand of the TA, sustained throughout the years, was the reversion of decentralization: the return of municipal schools to the Ministry of Education. With the majority of the Senate controlled by the right wing coalition, there was no question of discussing this possibility, but many in the ruling coalition were also not keen to it. In exchange, Aylwin’s administration offered changes in labor regulation for teachers. The *Estatuto Docente* created a national pay scale for municipal teachers, optional for private subsidized schools. The legislative process of the *Estatuto Docente* created a conflict within the ruling coalition between “self-complacents”, opposing the legislation, and “self-flagellants”, led by the minister of education, Ricardo Lagos, although himself would be, most of the time, a pivot between the two groups. Finally approved in 1991 due to Aylwin’s endorsement of Lagos, the *Estatuto Docente* had two key problems: the impossibility to dismiss or reallocate a municipal teacher and its financing through vouchers. A discretionary fund was set up to help municipalities that applied providing evidence of a mismatch between salary obligations and income from vouchers. The fund was transitory on the expectation that the municipality gradually would be able to reduce its educational expenditures in accordance with its income. However, this adjustment was impossible given that the same *Estatuto* closed the possibility to fire or to reallocate teachers.

In addition, the *Estatuto Docente* almost imposed de facto centralized wage bargaining between the TA and the Ministry of Education. Although it was legally forbidden, the very existence of the national wage scale for teachers made this negotiation inevitable. If teachers had been ascribed to the public servant salary scale, their salaries might have been negotiated along with all other public servants. Instead, the later was considered an additional source of salary increase by the TA. They negotiated first with the Ministry of Education, then they sat again at the table with the Ministry of Finance, together with the association of public sector employees (ANEF). This was possible due to the general agreement that teachers’ wages were low compared to other professions. The real employers, mayors - not to mention owners of private subsidized schools -, were not included in any negotiation until the early 00s, when they participated in the discussion of the evaluation of municipal teachers.

In 1994, the new administration faced the imminent end of the transitory fund while several municipalities were underfinanced, demanding the return of schools to the state. Costs models for efficient provision were estimated for the first time by the Ministry of Education, revealing a massive underfinancing of rural schools (about 2/3 of the municipalities but representing less than 16% of the population). On this basis, several corrections resulted in tripling rural resources between 1994 and 1996. The voucher for special education was also increased on the basis of similar arguments. More importantly, the burden imposed on the urban municipal education system by the *Estatuto* was estimated to require an additional general increase of the value of the voucher of around 3%. This

major change of financing (one of the largest in the period) was mostly the result of technical arguments raised by the ministry of education that were acceptable to the Ministry of Finance. The possibility of reallocating or even dismissing teachers was introduced once a year in the framework of a new planning instrument that was compulsory for municipalities (named PADEM).

In addition, the Ministry of Education reached an agreement with the TA to seat at the bargaining table every other year instead of each year; a new minimum teacher wage decoupled from the national scale was created, absorbing in practice the first 4-5 years of experience allowances but deactivating the political discourse of very low starting salaries for teachers; and a collective incentive mechanism named SNED, based partly on students results corrected by their socioeconomic status was introduced.

The agreements of 1994 were costly to the leadership of the TA. They exhausted their political capital convincing TA's national assembly to accept the above proposals. Incentives and more labor flexibility, even if collective the former and necessary for the survival of the municipal system the later, are difficult to sell for union leaders and to swallow for union members. As a result, the communist party (excluded from the ruling coalition) gained control of the TA in November 1995. The Concertación never regained control of the TA, which will move to the left through time, as will be described later.

In 1996, as part of the Educational Reform, the professionalization of teachers was promoted, through different programs, including an initiative to improve the faculties of education, scholarships for good candidates to finance their initial teacher training and the creation of the "Teaching Excellence Award", which publicly rewards those teachers that their peers recognize of outstanding professional performance in each Province. According to our interviews most of these initiatives were discontinued, leaving the social status of teachers unchanged and the faculties of education with little improvement.

#### 4.2 Teacher's evaluation

The National Congress of Education of 1997 (summoned by the TA) formally rejected the qualifications system precluded in the Estatuto Docente and assumed teacher evaluation as a responsibility of the TA. A set of criteria was defined: an evaluation should be remedial and formative; participatory; made up of realistic and objective instruments, for which a national technical commission had to be created to design them; and be validated nationally, which required a national consultation of the proposal amongst teachers. This event was extremely important, as it defined the conditions for teachers' acceptance of an evaluation system and provided the possibility of bargaining about its specific content.

After Lagos became President in 2000, the TA and the Association of Municipalities were invited by the Ministry of Education to form a tripartite technical commission that later produced standards of performance expected from teachers – which produced the "Marco para la Buena Enseñanza" (Good Teaching Framework, hereafter MBE)<sup>6</sup> published in 2003 – and an evaluation system to assess whether those standards were met by each teacher. As part of the latter, in 2002, the Assignment of Pedagogical Excellence (AEP)<sup>7</sup> and the Teachers of Teachers Network (RMM)<sup>8</sup> were created, alongside a new teacher evaluation system, which was piloted in a few municipalities in 2002, and, as proposed in the TA's 1997 National Congress, was subject to a National Consultation of teachers in July 2003. A total of 65,846 teachers (80% of municipal teachers) participated and a majority approved the proposal. During the process, the leadership of the TA was active in promoting acceptance by the teachers.

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<sup>6</sup> The MBE was based in the Framework for Teaching led by Charlotte Danielson (<https://danielsongroup.org/framework>) "that identifies those aspects of a teacher's responsibilities that have been documented through empirical studies and theoretical research as promoting improved student learning." (<http://www.tpep-wa.org/the-model/framework-and-rubrics/instructional-frameworks/danielson-framework/>).

<sup>7</sup> Voluntary program for teachers of municipal and subsidized private institutions, which, through a disciplinary and pedagogical knowledge test, and a portfolio, evaluate different areas of teaching: knowledge of the disciplines, didactics and curricular content, as well as skills and competences exercised by teachers in the classroom. Those teachers recognized as teachers of excellence received a financial retribution, along with the possibility of applying to the Red Maestros de Maestros (RMM).

<sup>8</sup> Teachers accredited with the Assignment of Pedagogical Excellence (AEP) might apply. Later, with Law 20,903, all teachers in the advanced section who apply and are selected, and teachers in expert section I and expert II, are part of the network. Modalities of participation and / or benefits: National Meeting of New Teachers of Teachers; Portal for each member of the Network; and Active Participation Projects (members develop a pedagogical advisory proposal to improve pedagogical practices of classroom teachers that would be remunerated).

The first national Teacher Evaluation was carried out in 2003. A total of 3,673 teachers from 63 municipalities in the country participated (Manzi, González & Sun, 2011). Law 19,961, enacted 14th August 2004, established a compulsory evaluation of teachers in municipal schools. Its objective was “strengthening the teaching profession and contributing to improve educational quality” (Docentemás, 2020). The evaluation is compulsory for classroom teachers. According to the regulation, the system had a “formative character”, oriented to improve the pedagogical work of teachers and to promote their continuous professional development. Teachers are evaluated using four instruments: Portfolio, composed of a self-recorded video of one class and written evidence about his/her performance; self-evaluation; evaluative interview by a peer of another school; and a “reference report from third party”, completed by the school director or the teacher in charge of pedagogical coordination. The results determined the allocation of each individual teacher to one out of four levels of performance: outstanding, competent, basic and unsatisfactory. The competent level meets the requirements to exercise the professional role according to the MBE.

In general, the evaluation is taken every four years by every teacher, except those classified as basic that must do it in two years after this result, and those classified as unsatisfactory that must repeat it in one year. These teachers might participate in free training sessions offered by the municipalities. If the teacher does not improve in two consecutive evaluations from the basic level or obtains an unsatisfactory level twice in a row, he or she must leave teaching.

In addition, AVDI (Variable Allowance for Individual Performance) was awarded to municipal classroom teachers with an Outstanding or Competent level who voluntarily take a disciplinary and pedagogical knowledge test. Depending on their results, they receive a quarterly payment for a period of 2 to 4 years.

According to our interviews, two issues appear to be key to explain TA’s acceptance of the evaluation system: a joint international trip to visit and observe high performing educational systems (that included Cuba, at the request of the communist president of the TA), and the conviction of some of them that all professions are, one way or another, subject to some sort of evaluation by their employers or by the market. The fact that Cuba had a strong system of evaluation of teachers, with class observations by Ministry officials and with the possibility of contract termination (or at least reallocation to other sector or activity) weighted heavily on leaders that were close to the Communist party, as Cuba is a reference for them.

The implementation was in charge of the CPEIP (the Ministry of Education Centre for pedagogical research, experimentation and training) and the expert support of MIDE-UC, a specialized center of the Pontifical University of Chile that inherited the experience of developing and applying the national standardized tests for quality assessment of students learning (SIMCE) since the 80’s. Sabotage, in the form of non-compliance with the evaluation, as proclaimed by dissident leaders of the TA, led to classification in the lowest rank and therefore risked separation from teaching. This prospect soon led to full compliance as suggested by Table 1 that presents the number of municipal teachers evaluated in each category each year, those refusing to participate and the number of teachers that were separated from teaching. The agreement with the TA and the democratic support of teachers were a key and valuable asset.

Nevertheless, a sector of the TA, led by Jaime Gajardo and Mario Aguilar, opposed the evaluation system and were against the agreement. Both leaders will become president of the Association later on. According to interviews, Gajardo opposed the evaluation system because it was not part of a proper teacher career. Several symbolic and communicational actions for gaining visibility were undertaken. Jaime Gajardo called for teachers to sabotage and not to participate in the evaluation. Although he did not succeed in stopping the process, again, the hard line and the strong critique to the leadership for not serving well the interest of teachers propelled Gajardo to the Presidency. Elected treasurer in 2004 (third most voted), he later won the presidency of the TA in 2007, and was reelected in 2010 and 2013.

#### 4.3 Prelude to the teacher’s career

A task force of Ministry and TA representatives produced a report in 2008 on the teacher career. The report suggested the “purpose of the career should be to have the teachers Chile needs to guarantee a quality education to the entire population”. It is stated that the career should have a “formative character”, with focus on “teacher’s personal and professional development”, and will impact the

“quality of education”. As in other initiatives, it is remarkable the ultimate justification on educational quality, being attraction of good teachers and teachers personal and professional development means to that end. Specific measures proposed included reduction of the proportion of teaching time to 60%.

However, the TA interrupted any collaboration with the Ministry after the latter included in the project of the (new constitutional) General Law of Education the possibility that any graduate of a career of 8 or more semesters became a high school teacher in an area related to his specialty. This provision was also opposed by the faculties of education on the grounds that it does not respect pedagogical knowledge assuming anyone can teach provided she/he masters the knowledge of the discipline. The General Law of Education was approved in 17 August 2009 including this provision in its Article 46 g.

In 2010, the right wing coalition succeeded in electing Sebastian Piñera as President. He’s government program included a new teacher career. One of his first measures was appointing an “expert panel on educational quality” that after a few months formulated proposals regarding initial teacher training and a teacher career in 9 July 2010. Excluded from this process the TA presented its own proposal while reiterating their demand to derogate article 46 g. Their proposal included most of what contained the previous agreement with Bachelet’s cabinet. A reduction of the proportion of time in front of classroom to 60%, gradually descending to 50%, induction for novel teachers, increase of allowance for teacher training, and derogation of AEP and AEVI for being individualistic and competitive incentives. Concerning initial teacher training, the TA asked for compulsory accreditation of education careers, closure of those failing after a second chance, and request to remove private accreditation agencies from the process. The national assessment INICIA for students of education was requested to be part of the evaluation before graduation. The extension of the career to the private voucher sector was also an important demand.

In parallel, Law 20.501 of Quality and Equity in Education, to improve the quality of municipal managers of education, school directors, teachers and to increase school subsidies, was approved in 2011. With this law, school directors might be, finally, removed. Higher entry requirements, higher performance demands and higher salaries were provided to end this tenure. For selection of school directors and municipal education directors, a system introduced for senior public management in 2003 was extended. For classroom teachers the legislation modified the consequences of the Teacher Evaluation, in terms of reevaluation and abandonment of the teaching staff with repeated bad results. A bad evaluation implied being first in order of priority for plant adjustment and entering the 5% that the director might dismiss annually. Retirement age became a factor to consider when adjusting plants. The retirement of teachers near pension age is incentivized through a bonus. In addition, a bonus for retired teachers with low pensions was created. The incentives for good teachers to perform in vulnerable schools were increased with a higher value of the AEP.

On February 29, 2012, Harald Beyer, third Minister of Education of the first Piñera administration, presented a project of teacher career. Its stated purpose was to attract and retain the best teachers to produce quality of education. The project included a “mixed evaluation system”. A first evaluation was proposed to be conducted by the ministry to measure the level of knowledge and skills”, every four years, ranking each teacher into one of four categories: initial, prepared, advanced or expert. Each of these stages has a different salary profile. A second evaluation of classroom performance was suggested, to be conducted annually by the school principal, the municipality education director and the technical team of the school. This evaluation will lead to annual mandatory performance bonuses for teachers who achieved good qualifications while those with low performance might be dismissed. Hours in front of the classroom were reduced to a maximum of 70% (still far from what teachers demanded but less than the 75% established by the Estatuto Docente in 1991). More autonomy was given to school directors in the selection process of new teachers.

The TA complained that they were notified about the project at 10 AM, March 1, and had an extraordinary assembly that same afternoon. They rejected the mixed evaluation system, as this might lead to having “as many evaluations as school directors”. The emphasis on limiting the autonomy or discretion of school principals has been a leitmotif of the TA and might also explain their openness to a centralized evaluation.

#### 4.4. The teacher’s career

Michelle Bachelet was elected president with a promise to introduce deep changes in the Chilean development model, and, together with the votes of the “Frente Amplio”, formed mostly by young professionals that participated in the 2006 and 2011 student movements, she had the majority of votes required to pass any legislation except constitutional amendments. She used this majority to introduce deep changes in education.

A consortium of civil society organisations including universities, research centres, parent and student organisations and the TA worked side-by-side to produce the Carrera Docente, a bill that introduced probation and promotion tied to evaluations. The TA rejected a first version of the bill, raising 11 issues related with certification and evaluation of teachers. This multidimensional disagreement despite the benefits proposed was translated in a 57-day strike, from June 1<sup>st</sup> to July 28 2015, which is the longest since the return of democracy. While teachers were on strike, in 23 July, the Chamber approved in general the “idea to legislate”, which means it accepted to discuss the project presented by the Ministry of Education, with 65 votes in favor, 11 against and 30 abstentions (Table 2). This put pressure on the TA, commanded at that time by Jaime Gajardo, a communist party member, which was part of the ruling coalition. The TA finally deposed the strike and their communist leaders claimed the movement succeeded in many of their demands, while the more radical opposition leaders that will later replace Gajardo pointed at his “betrayal” (as suggested in interviews by a former government authority, using half-truths and plain lies).

In the final legislative step, the Chamber approved in general with 87 in favor and 1 abstention. Law 20.903, enacted April 2016, created the “Teacher Professional Development System” known as the Teacher Career. A key issue is that progress was linked to teachers’ evaluation and proceeded to well regulated stages. The Teaching Career structured a wage scale that was more ambitious in terms of the commitment of future resources, as it established a higher entrance and a steeper progression. At the top of the scale, teachers would earn 80% more than with the previous system, along with a steeper progression that is no longer automatic.

The Teaching Career has five stages where teachers can progress,<sup>9</sup> starting with the access stage.<sup>10</sup> Progression occurs on the basis of their skills and knowledge as indicated by the teacher evaluation system, and each progression is associated with salary improvements. The stages after access are: initial, early, advanced, and expert, in turn divided in expert I and expert II.<sup>11</sup> To determine the stage when entering the career, the score from the Teaching Evaluation Portfolio is used, together with the result of a new evaluation of specific and pedagogical knowledge. The advanced stage certifies that teachers have the expected level of knowledge and professional skills, according to the criteria of the MBE; and that, in addition, they possess the skills necessary for teaching in the classroom, and are capable of reflecting deeply on their practice and gradually assuming new professional responsibilities related to pedagogical mentoring and to school improvement plans. The Teaching Career links contract termination to consecutive poor evaluations.<sup>12</sup> As for hours in front of the classroom, they were reduced to 70% in 2017 and 65% in 2019. For schools with over 80% of priority students (see below) this is reduced to 60% since 2019.

While all municipal teachers were immediately subject to the provisions of Law 20.903, employers of teachers working in private schools receiving public subsidies (voucher or DL 3166) might apply to enter with one or more schools. The Ministry of Education establishes annual quotas for this purpose.

Note that the evaluation introduced by Law 20,903 did not replaced the evaluation established by Law 19,961 (Teachers’ evaluation system) enacted in 2004 but uses one of its instruments: the “portfolio of

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<sup>9</sup> Stage progression is subject to three requirements: first, progress is linear, that is, it is possible to advance one stage per process (except in particular cases of a combination of results plus years of experience); second, years of experience, for each section it is necessary to have certain defined years, thus, for example, for the Early section the minimum is 4 years of experience; and third, results in the Recognition System, made up of two evaluations: the Portfolio, with achievement categories from A to E, and the Knowledge Test, with results from A to D (each of these categories correspond to a score between 1 and 4).

<sup>10</sup> Teachers with more than four years of experience, but who do not have results in evaluations from the Ministry of Education are classified in this stage.

<sup>11</sup> The last two stages are voluntary.

<sup>12</sup> Those teachers entering before 2025 that belong to the initial section and obtain results that do not allow them to advance one section in two consecutive recognition processes, are required to quit teaching. Teachers entering after 2025 will have two recognition processes to advance from the Early to the Advanced section. If they fail, they must exit the system and after two years, they will be able to return to the Initial section, but with the obligation to move to the Advanced section within two years.

pedagogical competences” that includes the recording of a class performed by the teacher. The coexistence of two evaluations systems is an anomaly attributed to the fact that merging or rationalizing them required new legislation and therefore would open the door for unpredictable outcomes. In addition, it is argued that both evaluation systems contribute to different aspects of good teaching and therefore none should be eliminated. On the negative side, each evaluation instrument is expensive to administer and it is possible to question whether its results are worth the price. Finding and encouraging more uses of each evaluation instrument, especially for improving teaching, should be an important priority for those defending the permanence of these instruments. This is also true for the Quality Assurance System that we turn to look in the following chapter.

#### 4.5 Further developments

Law 21.040, approved in November 2017, created the Public Education System addressing TA’s longstanding and most important demand: municipalization was finally reversed. A gradual chronogram for the transference of municipal schools to newly created Local Services of Education, dependent on the National Public Education Agency, a new autonomous agency of the Ministry of Education, was established between 2018 and 2025, with an intermediate evaluation that might defer the process longer. This was a more divisive issue as it was rejected unanimously by the right wing opposition. Financing, however, was left untouched. In fact, concern was expressed, during the interviews, about the unfairness that might be produced by the direct financing of these new public services through direct line items of the national budget, which is inaccessible to private subsidized schools. The opposite was also expressed: how will these services be able to compete with the private subsidized sector without the resources already committed to education by the municipalities, and given the obligations they must fulfill that are not enforced to the private sector.

The success of Gajardo’s administration on many historical demands of the TA was not enough to preclude what was the tendency after each major negotiation where agreement between the leadership and the government was reached. A radical to the left became President in January 2017, ending more than twenty years of pro-communist leadership. The actual demands of the TA are large and extensive, making negotiation extremely difficult. They include revision of the poor concept of quality, suppression of SIMCE and its consequences, while maintaining its application to a much smaller sample of students; revision of the curriculum (too encyclopedic and based on subjects); end of double evaluation systems; extension of labor norms to the private sector; “democratization” of schools (such as giving the teacher council resolving power on pedagogical issues and the school council on administrative issues); more diverse approaches to teaching and learning as acceptable in the evaluation (the word used for describing the actual evaluation system is “totalitarian”); transparency in evaluation and corrections to wrong classification of teachers. Some demands lack specificity and any alternative might be judged insufficient as occurred with the reduction of the share of hours in front of classrooms already granted in the Teacher career.

## 5. Quality Assurance System

### 5.1. From standardized testing to means tested vouchers

Chile implemented national standardized tests to assess what students learn as early as 1982. It was introduced as a “thermometer” of the quality of education and gradually evolved from a sample of schools to encompass all schools above a certain size. With the return to democracy, the responsibility over SIMCE (the acronym for Quality of Education Measurement System) was moved from the Pontifical Catholic University to the Ministry of Education and later to the Quality Agency of Education created in 2012. The number of SIMCE tests has increased dramatically over the period (Table 9). Chile has also participated in different international testing initiatives such as TIMSS, PISA, CIVIC, PISRL, and IALS in different moments during the period since the mid 90s.

At the beginning of the democratic period, scores were showing improvements that were spurious, because tests were not comparable. Nevertheless, they might have been interpreted as sign of positive impact of educational policies and that improvement of results was an easy task. Equating and other methodological changes were introduced in 1997 with the explicit purpose of

making results comparable through time. This was important, as it made possible to assess the impact of different policies from that year onwards.

The Ministry of Education published scores by school since 1995, an obligation stated in the constitutional law ruling education provision since 1990, mostly in response to publications made by the press. Despite the Ministry's effort to explain the correlation between scores and socioeconomic level of students, the press kept using the raw results as a sort of benchmarking between schools.

A first sign of interest in addressing the unfairness of the comparison between schools was the already mentioned SNED, introduced as part of the 1994 salary negotiations with the TA.<sup>13</sup> A more direct policy – impossible during the 90s due to lack of resources - was the introduction of means tested vouchers (SEP), with correction for peer effects, in January 2008. The intention was equalizing educational opportunities, and its design was based on quantitative and qualitative research. The legislation was accompanied by a large increase of the general value of vouchers which further reinforced the bet on autonomy and freedom of choice, while at the same time the SEP classified schools according to their SIMCE results in three categories. Schools belonging to the lowest category had closer Ministry oversight over their use of these extra resources. This restriction in school's autonomy and the complicated procedure to account for SEP resources deterred some schools from joining the system and reflected distrust of poor performing school's managerial capacities to improve by their own and, in this sense, of the market mechanism by the administration at that time (although they were presented as an improvement of accountability). Some of these constraints were in fact lifted during Piñera's administration following his coalition bias for less government direction. Early in that administration, means tested vouchers were extended to secondary and the amount of correction for peer effects was increased, illustrating the transversal support that means tested vouchers enjoyed at that time. The voucher value was also increased.

Extreme market logic was reinstated by Piñera's administration with Minister Lavin's "traffic lights" system. All schools were assigned a color: green for good results in SIMCE; yellow for average; and red for bad. It only compared raw SIMCE scores, without any correction for the characteristics of the population. A letter signed both by the President and the Minister of Education was sent to parents along with the map for their area of residence suggesting parents were responsible for improving the chances of their children through school choice." (López, Madrid, & Sisto, 2012), p. 57-59). However, this possibility was limited due to spatial segregation, and it conveyed a message of inequality of opportunities for those families not able to commute, not accepted in green schools or who cannot afford to pay them if they had shared financing.

The role of citizens as consumers of education is anchored in neoclassical economics. The difference between economists during the dictatorship and during the democratic period varies from the absolute (and perhaps naïve) belief in unregulated markets and those attempting to regulate market failures. None were interested in voice, as incentives are the force of governance emphasized in economics. A key market failure was imperfect information, and the emphasis on the SIMCE and its publication made sense for economists. So did means tested vouchers. These developments suggest that citizens were conceived by public policy makers mostly as consumers, and therefore they mostly required better information to exercise rational choice.

## 5.2. Voice and protests

Although some regional ministry authorities conducted participation exercises and legislative procedures involved the consultation of different stakeholders, there was no much room for voice in education policies during the 90s, and was sparse afterwards. Interviews and secondary sources suggest decision making at the Ministry level was mostly top down during the period, relying on experts, although there were consultations to teachers, regarding issues such as the curriculum during the 90s

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<sup>13</sup> The mechanism was designed more as a fair incentive for teachers rather than as a correction to the SIMCE, but the latter was necessary for the former: a proportion of the wage increase negotiated with the TA benefited only teachers working in the 25% schools with the best results in an index composed of six dimensions (introduced in legislation, with variable weighting) that included SIMCE scores corrected by socioeconomic status, progress in SIMCE scores and "equality of opportunities" (non-selection of students). Unfortunately, the correction was limited in practice to forming homogenous groups and therefore did not account for the full extent of socioeconomic disadvantage within groups.

and later the evaluation system and the MBE. In issues such as teacher evaluation or collective incentives, the endorsement of teachers and TA members was regarded as crucial, and it is unlikely that advances had been endorsed by Congress without this approval. It seems that the Minister of Education communicated directly with teachers informing them by letter of relevant issues, and less often with parents, although it is not clear how often this happened.

A short lived experience worth mentioning was the Citizen Dialogues (2003-04), a national deliberation process about quality of education that did not survive its precursor (Sergio Bitar) tenure as Minister. The experience did not permeate the structure of the ministry, which was reluctant to voice. Nevertheless, the experience influenced both the legislation that made mandatory School Councils, giving school communities voice in school's administration and the right to request information as well as the creation of four national commissions including experts and stakeholders. One of them, the Commission "for the development and use of the system of measurement of educational quality" (2003) endorsed the measurement of educational quality through instruments like SIMCE, which was already accepted by the public and helped to focus attention of public opinion and teachers on learning results, but emphasized the need to take account of context and family characteristics when comparing students or schools' performance. Moreover, it was recommended that results at the individual level should not be released because SIMCE was not designed for that purpose and might generate undesirable effects. It also registered testimonies of undesired consequences of the application of SIMCE such as teaching for the test and exclusion and selection of students. The commission noted that SIMCE was mostly used for public policy and research, rather than by teachers or school administrators to improve pedagogical practices or by parents. The former was attributed to limitations of the information provided and the test design, and the preparation of these users to take advantage of such instruments, and the latter was explained by the lack of communication strategies and of relevance for parent's needs.

The lack of continuity of the Dialogues and other consultation mechanisms opened during Lagos' administration is considered key by some interviews in explaining the lack of Ministry of education capacity to politically account for student protests that followed two years later at the beginning of Bachelet's first government. The bridge with social actors, specially student unions, was lost short after Bitar left office.

The first strong student movement in Autumn-Winter 2006 was called the "Penguin Revolution" due to secondary student white and black or grey uniforms. In the first trimester of Bachelet's administration, many secondary schools were taken over by students. The press estimated about half of Santiago secondary schools participated in the movement and 400,000 students paralyzed classes at some point in time between 25 April and 9 June.

Education was not a priority at the beginning of Bachelet first term. A low profile minister was installed, with little national political experience nor expertise in the field, which might have contributed to the extension of the student movement. The force of the 2006 student movement led Bachelet to replace the Minister and later to appoint the Presidential Commission of Education integrated by 87 representatives of different stakeholders with ample participation of secondary and university students' leaders, experts, rectors, Sostenedores, members of TA and non-teacher staff association, Churches, parent associations, unions, and minorities, including indigenous people. If its objective, as suggested by interviews, was to put an end to the political unrest caused by secondary students, it was fulfilled.

The commissioners reached some consensus and recognized some disagreements, which were explicitly written down in the report. Although all agreed on a multidimensional purpose of education (equality of opportunity, human capital, citizenship, transmission of values and culture; integral development; critical thinking; etc.) broader and more explicit than the one proposed by the Brunner commission in 1994, the commission suggested only four types of indicators for the educational system: coverage, educational attainment, quality of educational processes, and financing. The commission's report stated that the "objective of a higher quality and more equitable education is possible if it is assumed as a national endeavor maintained over time". It suggested more demanding entry requirements for educational activity and the creation of a Public Agency for Quality Assurance, including the possibility of school closure if not meeting the standards; and the development of a

teaching professional career that attracts and retains competent teachers. Measures to prevent discrimination, reduce income inequalities across schools and incentivize social inclusion were also demanded. Disagreements included the end of for profit education, the reversion of decentralization and the termination of shared financing. The later demands will be revamped by the 2011 Student movement, then will be incorporated in Bachelet's second term government program, and, finally, will be approved by her government majority in both Chambers between 2015 and 2017.

At the end of the process some members of the Commission, so called "Social Block for Education", including students, teachers, non-teaching staff members, and parents, expressed their disagreement with the report or "its confusing style", and presented an alternative shorter document suggesting changes that included reversion of municipalisation; changes in financing away from a voucher system, towards some form of mixed financing for public education; professionalization of supervision and technical support from the Ministry of Education and elimination of political patronage; a deliberation process about the kind of human being education is supposed to produce; reduction of the maximum number of students per class; reduction of the teacher's share of time in front of a classroom; and improvement of salaries and working conditions of teachers and non-teaching staff. More importantly, the document questioned the SIMCE and the definition of quality it is supposed to operationalize.

### 5.3. Quality Assurance and more protests

The Report of the Presidential Commission of Education was a key precedent to the Quality Assurance System, as the idea (although not its specific content) emerged as a consensus in that report. A project was sent to Congress in May 2007, justified on the basis of "improving educational quality as an instrument for the development of each individual", highlighting the high consensus achieved on the matter (Congreso Nacional de Chile, 2011). Although the idea of the legislation was approved in general by all Senate members except one abstention, this was in exchange of a compromise on the part of the Ministry to take account of several observations formulated during the hearings process. For this purpose, teams of experts, first, then members of Congress, of both coalitions, negotiated an agreement. This agreement proposed two separate institutions: A Quality Agency, in charge of defining quality of education and how it should be measured, classifying each school according to its results, visiting schools and formulating recommendations to improve their processes, and national and international evaluations; and a Superintendence, responsible for supervising and controlling the system and applying sanctions, including the designation of a trustee or closure (a comparison of both projects is presented in Table 9). Law 20.529 was approved in April 2011, during Piñera's first term. Law 20.248 that created means tested vouchers complemented the Quality Assurance System, creating private agencies (ATEs) to support one or more schools that might be hired by Sostenedores with funds from the means tested vouchers. That law made also possible to use these funds for hiring teams of psychologists or social workers to support vulnerable children and promote a better school climate.

While the major political coalitions of the time and their technical cadres worked the agreement, it was criticized from the left that suggested it was the result of the alliance of the governing economic elite, conservative media and the (Catholic) Church that disregarded "social demands". An even stronger student mobilization started in 2011, led by university students grouped in the CONFECH (the assembly of Federations of traditional universities that were joined by a few federations of universities created after 1981), with a more political platform than the one raised by the "Penguins", very much in line with what the "social block" that separated from the National Commission on Education proposed by the end of 2006. They included favoring public over private education, reversing decentralization, ending for profit education, and prioritizing the right to education over choice and teaching freedom.<sup>14</sup>

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<sup>14</sup> As interpreted in Chile, teaching freedom does not refer to teachers' autonomy but establishes that any entrepreneur, for any reason (religious, for profit, etc.), is entitled to set up a new school provided it has the qualified teachers and facilities and applies the national curriculum. The principle of teaching freedom also was interpreted to allow private schools (voucher or not) excluding students on religious, socioeconomic or other basis. For instance, pregnancy was a reason for girls' expulsion. Many schools with excess demand implemented evaluations of prospective students and parental interviews to select among applicants (Contreras, Sepulveda, & Bustos, 2010). Instead of solving behavioral problems, many

#### 5.4. Further developments

Bachelet's government program included most 2011 student demands. For the first time, a coalition ("Nueva Mayoría") moved to the left to include the Communist party (while retaining the Christian Democrats) did not required to bargain, as the control of both Chambers was granted by its own votes, reinforced, in the Lower Chamber, by leftwing former student leaders outside the coalition (the "Frente Amplio"). Several students' and TA demands were legislated.

A centralized model of student (fair) selection on the basis of preferences that respected freedom of choice by parents but eliminating the possibility of selection by schools, was introduced in 2015. Other measures in Bachelet second term included the end of for-profit education, the teacher's career and the reversal of decentralization. Except for the latter, none of Bachelet's second period reforms was a big radical change "dismantling the model" as suggested by some of her acolytes, but its fine tuning: parents' choice without selection by schools, a proper career for teachers based on evaluation, and an absurd extension of vouchers to higher education, despite a discourse against vouchers and competition in school education.

The right wing coalition returned to power in 2018, but without a clear agenda in education, overloaded by the implementation of Bachelet reforms, which precluded a gradual creation of local educational services (districts), student admissions system starting in the less populated region in the far South and finishing in the most populated Metropolitan Region and free higher education starting with first year students enrolled in 2017.

#### 6. Conclusion: The forces behind change

What are the key factors explaining the evolution of education reform since the return of democracy? On the prioritization of learning, the fact that educational quality is a key component of a growth with equity strategy was important. An elite/expert consensus was established in early 90s and at different key junctures was more precisely elaborated in the form of "representative" "expert" commissions that were appointed by the executive branch to produce proposals on particular issues, starting by the "Brunner commission". The Ministry of Education was successful in generating political and public support during the 90s. Projects also made sense to economists in the Ministry of Finance, not only due to the congruence in general terms with the strategy, but its actual content made sense in terms of economic (neoclassical) theory. Another important element were citizen's beliefs and expectations and the media, which sustained the political priority through time. Although the government has gradually allocated less incremental resources, it has been always very active in the legislative front.

On the more divisive issue of how to achieve a higher quality of education, political forces aligned according to three positions: defending the status quo of unregulated markets (the right); regulation of markets ("self-complacents"); and full replacement of the "neoliberal model" ("self-flagellants"). The first had their opportunity during the dictatorship and resisted changes thereafter, favoring always school autonomy or "teaching freedom". The second attempted to regulate markets recognizing a plethora of market failures,<sup>15</sup> especially asymmetric (or plainly imperfect) information. The third rejected the use of markets and neoclassical economics reasoning, which was labelled "neo-liberal" regardless of the extent of regulation. These "ideological coalitions" have active politicians and experts that are, of course, not always identically aligned on all the relevant issues.

During the 90s, educational policies were non-conflictive: raising inputs appeared reasonable for both self-complacents and self-flagellants, and although the right might have preferred more school autonomy on the use of the extra resources, it didn't oppose those policies, and granted, in exchange of

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schools simply resorted to eject troublesome students (Zancajo, 2019; Bellei & Pérez, 2000). When parents or civil society organizations complained about such actions violated children's right to education (also part of the constitution), the answer was that ruling against them would violate the principle of teaching freedom that had the same constitutional value. Expelled students usually do not have other alternative than municipal education (which is forced to accept every child in order to ensure the "right to education"), but even that possibility might not come true if places are not available (Bellei & Pérez, 2000).

<sup>15</sup> Following standard microeconomics textbooks or Hahn (1990).

incentives for private donations and for topping-up vouchers, the extra funding required to finance them (which required, for fiscal discipline, to make permanent a transitory tax increase).

After reaching a certain standard of inputs, things get more complicated. Both policies examined in this document are conflictive and were opposed by different groups. In this trajectory, the Ministry of Education has followed a vision of market fixing rather than market shaping (Mazzucato, 2021) and of market failure rather than public value failure (Bozeman, 2007). The government provides public resources and produces the rules of the game that other agents, private or municipal, play. As OECD (2004) suggested, the institutional design produces a “weak link” between government policies and the classroom. A transient exception to this vision of regulator or financial provider, was Schiefelbein’s attempt to change pedagogical practices, with the provision of booklets to teachers and self-learning guides to students. In his own words: “Train the pianists and give them partitures made by great composers for them to select according to their public” (Schiefelbein, 1995: p. 27). Since the early 00s, the “movement to the classroom” produced teachers’ development plans, the framework for good teaching and teachers’ evaluation that included one recorded classroom by the teacher. More recently, the Quality Agency visits schools and classrooms, to elaborate a report with recommendations to improve teaching and students’ outcomes. This is limited in scope and still puts the actual responsibility of learning in decentralized agents. The newly created National Agency of Public Education has a privileged position to enter the classroom and create management and support systems for classroom interactions but seem to be completely focused in solving administrative and financial problems.<sup>16</sup>

Collaborating with the Ministry and legislators, experts have been key actor shaping the evolution of institutional design in education.<sup>17</sup> Educators have had a limited influence on design but more on actual content of the national curriculum and the framework for good teaching. In contrast, economists seem to have had paramount importance in institutional design. The use of neoclassical theory, specially the role of incentives, is clear in the teacher’s career, means tested vouchers, student admission, teacher evaluation, and quality assurance.<sup>18</sup> This is clear in the policies examined in this document: Confronted with stagnating results and persistent inequalities, authorities published standardized tests scores averages by school, agreed on an evaluation system of teachers with (positive and negative) consequences, then a quality assurance system of schools around standardized tests scores with negative consequences,<sup>19</sup> and, finally, a teacher career linked to evaluation, without replacing the former evaluation system.<sup>20</sup> Exceptions are the Estatuto Docente (1991) and the reversion of decentralization (2017). Experts in other fields have been increasingly important in shaping institutional

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<sup>16</sup> [https://politicaspUBLICAS.uc.cl/wp-content/uploads/2021/04/Resumen-ejecutivo\\_Implementacio%CC%81n-ley-21040\\_VF.pdf](https://politicaspUBLICAS.uc.cl/wp-content/uploads/2021/04/Resumen-ejecutivo_Implementacio%CC%81n-ley-21040_VF.pdf). See González, Fernández and Leyton (2017) for a proposal of institutional design of the Chilean educational system applying service engineering and public value approaches.

<sup>17</sup> Technical capacities in educational policy design were strengthened gradually with the creation of a strong research unit in the Ministry, its demand for research and consultancy, the creation of advanced research centers and a national fund of R&D.

<sup>18</sup> Of course, it inspired Pinochet’s reforms.

<sup>19</sup> “Children’s right to learn” was not granted by the prevailing institutional setting, and the market mechanism was slow, at best, to respond, as children were not “moving from bad to good schools”. Learning opportunities were unevenly distributed. Besides, in some places with sparse population, there was no possibility of choice as there is space for only one provider. The Quality Assurance System provided resources to failing schools while putting pressure on them with the perspective of closure if they did not improve. The logic is similar to the No Child Left Behind Act.

<sup>20</sup> The idea of universal evaluation of teachers with important potential negative consequences in case of failure to meet the standard (and rewards if they are positive) and, later, on career progression, is in line with neoclassical economic theory and constitutes the counterpart of the possibility of school closure. It is true that this theory would prefer to leave the evaluation of teachers in the hands of school directors, as the right preferred, but this was not viable because TA’s acceptance of evaluation was conditional on a centralized mechanism.<sup>20</sup> In this scenario, the second best for economics would be to evaluate teachers considering their students’ results, but it is difficult to isolate the impact of the performance of one teacher on student achievements, and Chile already installed (in 1995) a collective incentive mechanism correcting for students’ background (SNED). This collective evaluation established only a positive incentive for the best teams, the negative counterpart (school closure) was established by the Quality Assurance System. The individual evaluation systems put in place in 2004 and 2017 are third best alternatives to solve the asymmetric information about quality, not the moral hazard problem, which requires incentives linked to results. It is fine to detect who has the potential to be a good teacher but this does not guarantee they will perform well in everyday work. It is similar to the policies during the 90s: they provided a minimum level of inputs, but they did not guarantee that they will be effectively used.

design, specially psychology and sociology, but the paramount use of incentives is exclusive to economics, as they are looked with suspicion by psychologists (where behaviorism is mostly out of date, except for specific problems) and sociologists (who play down individual behavior in favor of social classes or structures and systems).

In contrast to incentives, voice has had little application, which have been reviewed in the main document (Citizen dialogues, school councils, Bachelet more deliberative political style). The need to strengthen voice has been realized by several experts and policymakers on different grounds and in all social policies.<sup>21</sup> Other more managerial perspectives, such as public value, public governance, service engineering or system sciences have not been applied. In fact, “self-flagellants” seem to lack an alternative paradigm that plays the role of economics for the other groups. So far, they unite more on their rejection of what it is, rather than on how the alternative should work, in line with Foucault’s resistance and sabotage or Polanyi’s counter movements.<sup>22</sup> However, there are infinite alternatives to the status quo and most of them might produce poorest results. Reversing decentralization, privileging public education or abandoning testing is unlikely to magically improve quality.<sup>23</sup> This is apparent in the design and implementation of the reversion of municipalization, which is perhaps the sole reform “outside the model”.<sup>24</sup> This does not devalue the critiques to the prevailing arrangements or to the individualistic economic logic, but good intentions alone are unlikely to make things better. Public value, as formulated by Moore (1995), Bennington and Moore (2011) and Bozeman (2007) might provide good alternatives, the first two for managers, the latter for policymakers.

Aside experts and political actors, the TA exerted an influence on educational policies, especially regarding regulation of teacher wages and labor contracts. On the subjective side, teachers felt maltreated by the dictatorship and had high expectations with the return of democracy. Public opinion and at least part of the Concertación within the Executive and Legislative branches were sympathetic with their situation. While many teachers were not affiliated, the TA was an effective organization for representing municipal teacher’s interests and, in some cases, even teachers working in the private subsidized sector. The TA has exerted great influence since the return to democracy, both due to public opinion and politicians’ sympathies towards teachers’ as well as its capacity of mobilization and proposition. In addition, government authorities, at least when a center left coalition was in power, were conscious that improving educational quality without the cooperation and involvement of teachers was impossible. They recognized legitimacy to the TA and negotiated with it, despite not being legally obliged, while at the same time attempting to relate directly to each teacher including email contact by the Minister.

Improving teachers’ wages was a sustained priority throughout the period, even at the beginning, when resources were more scarce, it was the first important measure after democracy was regained. In that process of wage improvement, the TA and its affiliates accepted incentives based on students’ results (SNED) in 1994, then the MBE and its evaluation system in 2003-4, and later a career with steep progression based on another evaluation in 2017. While a continuum can be traced in teachers’ demands through time, Mizala & Schneider (2014) highlighted that, during the 2011 students’ movement, teachers joined and protested many aspects of the system but not against salary incentives. They have also gained

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<sup>21</sup> [https://www.desarrollosocialyfamilia.gob.cl/storage/docs/Informe\\_Final\\_Consejo\\_Cohesion\\_Social.pdf](https://www.desarrollosocialyfamilia.gob.cl/storage/docs/Informe_Final_Consejo_Cohesion_Social.pdf)

<sup>22</sup> For instance, Polanyi’s predicted counter movements are reactions to the destabilization caused by free markets, which generates spontaneous attempts to restrict market forces and to politically control the economy. Nevertheless, this political reaction might well make things worse (Polanyi, 1938).

<sup>23</sup> Unless the objective is different from quality as unfortunately framed by the Minister of Education of Bachelet’s second term (a former IMF economist), who implemented these measures: “some students have high speed skates and others are barefoot. The latter is public education. Then they tell me to train better and give more food to this one. First, I need to get out the high speed skates of the other one.” Although he later apologized for that “metaphor”, the trade-off between efficiency and equality is an old dilemma in economics. In education it seems possible to achieve both simultaneously.

<sup>24</sup> This was the key demand of the TA since the 80s, shared by radical student leaders, implemented in Bachelet’s second term. It defined a transition period without defining the resources that would replace the contribution of municipalities to their schools. As a result, local education services created by law, lacking the revenues of municipalities through local taxes, seem currently underfinanced. They have struggled with problems to pay salaries on time. Many units and their functions were defined in the law but no system design on how the whole will work was produced.

a reduction in the proportion of classroom time, the reversal of municipalization and a commitment of political actors to improve public education.

Despite their success, TA's leaders were not able to capitalize these advancements, as TA associates have gradually favored more radical antagonistic positions (Interviews and Cox, 2015). Osvaldo Verdugo, a Christian Democrat, was replaced by Jorge Pávez, initially a communist, who accused the former of not defending teachers' interest strongly enough due to his militancy in the governing party. Then Gajardo replaced Pávez with the support of the communist party, questioning his agreements with Lagos' administration about an evaluation system without a proper career. He promoted a logic of "fight and conflict". However, Gajardo was in turn replaced by Mario Aguilar in 2017 (elected by the end of 2016), on a similar basis, the communist party being a member of the ruling coalition at the time, and Gajardo agreeing with the government about the teachers' career.

Concertación and communist's TA leaders have negotiated with the government and have arrived to agreement. To reach agreement, both parties must concede something. These concessions are used by more radical candidates to denounce the actual leadership in order to replace them. The context of increasing loss of trust of political parties and Congress and a gradually growing social discontent (González, Güell, & al., 2012) transformed into anger (Araujo 2021) is especially favorable for more radical leaders. Communists were more radical in the past than the Concertación but later negotiated and committed with the institutional order. The actual leadership is more confrontational and appears to aspire to contribute to a deeper societal change rather than only improving the situation of teachers, nor to say educational quality. Our interviews suggested also a decline in the capacity of the TA to raise challenging issues and be a constructive counterpart for policy design through time. This constructive capacity during the period under study might be exceptional for Latin American standards.

The student movement of 2006 mobilized public opinion in favor of prioritizing education, pointed to inequality of educational opportunities and the lack of progress with educational quality. Nevertheless, some of our interviews deny the importance of this particular student movement. They are also right, as they point to the fact that later decisions are not inspired by student proposals. Besides, their first proposals were, in fact, very limited in content (section 5.3) and even its protagonists considered it a failure (Berríos & Tobar, 2018). Nonetheless, they succeeded in putting pressure on the government to prioritize education and are credited for inducing the decision to form the Education Presidential commission, which paved the way for replacing the Constitutional law of education, and served to support other policy measures such as the means tested voucher or the Quality Assurance System. However, students or their representatives had no influence in these processes, they were in motion before the student movement, and their final design was not aligned with what student leaders would have done if they had the power to take decisions. Later, in 2011, student associations started a social movement with a more political discourse of overall rejection of "the neoliberal model" constituted by markets, for-profit schools, segregation and decentralization. They also demanded free higher public education. This movement was stronger and more political in its demands, and many of them were part of the platform of the coalition that won the next election. These demands were in line with the proposal of the so called "social block" that produced an alternative short report in the Presidential Education Commission in 2006.<sup>25</sup> It is precisely this dialogue between different mobilized groups within this commission (high school students, university students, teachers and non-teachers, and parents) what survived in the form of alternative proposals that were up in 2011 and later in Bachelet's program.

Institutional educational reform not only has been produced with experts' inputs but also with wide political support. This produced "state policies" instead of "government policies". The latter are more unstable than the former, as they are more likely to be abandoned after changes of the ruling coalition. Even when the requisite of agreement with the right was no longer needed during Bachelet's second term, the changes were also shaped by experts and, except for the reversion of decentralization, had wide agreement, at least within the Center left coalition beforehand. Experts from the right supported centralized admission and were included in the design of the teacher career. In fact, an attempt to create support for the elimination of the centralized system of admissions (returning the decisions to schools) by an extreme right Minister of Education during Piñera's second term failed, as the selection

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<sup>25</sup> [http://www.opech.cl/bibliografico/calidad\\_equidad/Documento\\_Bloque\\_Social\\_Noviembre.pdf](http://www.opech.cl/bibliografico/calidad_equidad/Documento_Bloque_Social_Noviembre.pdf)

model was defended even by influential experts from the right. This shows cleavages within the right, with some, more liberals, open to scientific evidence and change, while others, more conservative, opposed to all sorts of government intervention.

A key lesson from this document is that the government cannot delegate its responsibility over learning and blame teachers, school administrators or parents, although some Ministers of education of the right wing coalition have attempted to do so. As SIMCE scores continued to stagnate<sup>26</sup> and the standardized test to enter university education is stably skewed in favor of fully private schools enrolling 8% of students, social and political pressure on the government mounts. Given the large array of reforms that have been attempted this poses a problem for policymakers, and munitions to those demanding bigger changes.

Perhaps the big question that emerges from the Chilean experience is precisely why educational quality has not improved despite the huge investment in resources and the many approaches that have been used. Although this is not the question addressed by this document, and is left for future research, it is interesting to note the compare with the huge success in the movement to green and cheaper electricity. In contrast to learning, electricity is a homogenous good with clearly specified production processes. All what was required was good economics and engineering. Things are more complicated in education, as the production function has very low specificity (Israel, 1987). In contrast to solar electricity, making education a priority was not enough. As in many other settings, more inputs have failed to deliver educational quality, but the same applies to incentives. As suggested by Gershberg, González and Meade (2012), economic inspired reforms operating only through incentives might not be sufficient to move the system beyond marginal improvements. Competition between schools is with peers, not with South Korea. Markets in education, as well as in other social sectors, have produced discontent and mobilization. However, meeting social demands is unlikely to produce large improvements.

After all, what is the source of legitimacy of demands by radicalized students or TA leaders? The role of democratic politics is to process subjective demands, not only the most vociferous, and to channel them towards the common good. The Chilean experience suggests that consensus needs to be built beyond political and economic elites to endure, especially when, as suggested by North, Wallis and Weingast (2009), countries achieve a certain development threshold.

For succeeding, something must change in the classroom.

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<sup>26</sup> Little attention has been given to some improvement on PISA (Figure 7) larger than the LA and the OECD average (actually the latter deteriorated during the same period). There is also some evidence of a positive effect of the introduction of means-tested vouchers, especially on disadvantaged groups (Valenzuela, Villarroel, & Villalobos, 2013) (Neilson, 2013) (Mizala & Torche, 2012; Fernández, 2018). In PISA, Chile has reported a slight reduction in the gap between low and high income groups (OECD, 2019a, OECD, 2019b).

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## 0. Introduction

Chile offers an interesting case study for understanding the dynamics of institutional change in education reform. The initial setup included a large part of the standard package promoted by international organizations (World Bank, 2003, Paul, 1991, Bruns et al, 2011): decentralization of public education with the transference of state schools to the municipalities and competition with private providers (even for profit) through vouchers. Both were introduced as part of a larger effort to transform society by a military dictatorship that ruled the country from 1973 to 1990, after 143 years of almost uninterrupted liberal democracy (Fisher, González and Serra, 2006). While the reform was rejected by social organizations (such as teacher organizations) and (outlawed) political parties that opposed the dictatorship, when these groups acquired power in democratic elections held by the end of 1989, they lacked both the political force as well as the internal consensus to reverse them. At the same time, Chile experienced, for the first time since the 50s, two decades of sustained economic growth (above 5% annual average) and political stability ruled by successive governments of the center-left coalition that defeated the dictatorship named “Concertación de partidos por la democracia” (Sehnbruch and Siavelis, 2013). More resources gave the possibility to undertake more ambitious social projects, including investing in education. Did the government prioritize education? If so, how? What educational policies were pursued by the Concertación? What was the agenda of the different stakeholders? How did they influence educational policies?

This paper describes the actors involved in educational reforms, their positions, alliances, and movements related to three key issues: the prioritization of student learning; teacher’s career paths and evaluation; and quality assurance systems. Following our understanding of PET-A terms of reference (Gershberg, 2019), we refer to student learning as the objective of ensuring that students develop their maximum potential and acquire the skills and knowledge required by society as opposed to other objectives that governments might pursue, such as national cohesion or ideological indoctrination.<sup>27</sup>

The first issue – the prioritization of student learning – might be divided in turn in two subtopics: the identification of learning as the key educational policy objective and whether educational quality is made a priority by the (whole of) government. There might be different moments in which both occur and objectives and priorities might change over time. Of course, the government is not a creature with one single objective, but many organizations and political figures and groups, each with their own agenda, crossed by conflicts and agreements. Making learning a whole-government priority requires not only the commitment of the Ministry of Education (hereafter MoE), perhaps a necessary condition under democratic circumstances<sup>28</sup>, but also the endorsement of key figures such as the head of state (President of the Republic, in the case of Chile) or coordinating ministries (notably Ministries of Finance and Secretary General of the Presidency).

As for the other last two issues, the key moments were identified using secondary sources. For the sake of future reference, Figure 1 shows a timeline of key events since the return to democracy. First, it depicts the name of the President of the Republic followed by the Minister of Education<sup>29</sup> since March 1990. The last part of Figure 1 shows the key events related to the regulation of teachers’ career. Figure 2, presents the same information for the quality assurance system. These figures suggest a longstanding and sustained effort of successive approximations to better solutions that address the technical limitations and political restrictions that shaped reforms and policies, in a complicated path dependent process that will be analyzed throughout this document.

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<sup>27</sup> Paglayan (2017) documents historical cases where governing elites had an objective different from learning in mind when organizing the educational system: nation building. This is confirmed by the expansion of educational systems following periods of civil war, specially in defeated regions.

<sup>28</sup> It is not clear that reform of 1981 involved the MoE or if it was prepared in the Ministry of Finance and ODEPLAN (the planning agency). What is clear is that it was a very top down decision by powerful unelected individuals, whether the dictator himself or other top government officials.

<sup>29</sup> Chile’s presidential system does not require that the ministers be elected members of Parliament. On the contrary, they are designated by the President and if they happen to be members of Congress, they are required to resign to that position and are replaced by the second most voted candidate of the same coalition for the same district.

All three issues are addressed in 26 interviews with key actors of the period, the complete history of the relevant legislation and a national database of written media in the period 2007-2018, with a special focus on the time span of legislative discussion around relevant initiatives.

The paper is organized as follows. Chapter 1 presents the key questions and the methodology used. Chapter 2 describes the basic institutional and educational context inherited from the dictatorship and the key political actors at the beginning of the period. Chapter 3 discusses the prioritization of learning as the key objective of the school system and of education as the key political priority of government. Chapter 4 presents the long route from a traditional teacher career, based mostly on experience, to a teacher career based mostly on individual teachers' evaluation. Chapter 5 describes the route from students' testing using random samples to a Quality Assurance System. Chapter 6 presents a 5x5 governance matrix that follows Pritchett (2015) and Gershberg (2020) characterizing the different accountability relationships in the Chilean context. The document is closed with discussion and conclusions.

## 1. Questions and method

This section provides a summary of the questions addressed and the data and methods used to address them. The theoretical background, given by Pritchett (2015), Gershberg (2020) and Spivak (2021), is not elaborated upon in this document, however, this paper does mention the key elements used in their work. We also use the framework of public value and complex systems integrated in education (González, P; Leyton, C; Fernández, A, 2019)<sup>30</sup>.

The three research questions for this study lead to a descriptive narration on how the political stage in Chile allowed for particular decisions to be taken and laws to be passed. An important first question to answer is about the objectives of educational policy. The first research question (RQ1) is if the government makes, at some point, the decision to improve students learning a political priority. We separate this question in three because the government is neither a single entity that takes fully consistent decisions nor does it necessarily sustain a decision through time:

- RQ1a: Did the ministry of education gave priority to learning? When?
- RQ1b: Did the government and the political elite beyond the Ministry of Education endorse this priority? When?
- RQ1c: Was this priority sustained through time and was it translated in incremental measures?

Our hypotheses are a positive answer to the first two questions. Concerning the third, we have a more descriptive approach; we posit that priorities might rise or fade away according to the rise of new ideas or events. We will attempt to identify the ideas and events that determined the rise of education as a political priority during the period and if these are related to learning or not. For doing so, we look at the succession of political events after the return to democracy in 1990.

The two other research questions ask how the different positions shaped the Quality Assurance System (RQ2) and the Teachers' Career (RQ3):

- RQ2: What are the key forces and events explaining the evolution of accountability and student testing that ultimately led to the establishment of a national Quality Assurance System in school education?
- RQ3: What are the key forces and events shaping the evolution of the Teachers' career?

To answer these questions, we interviewed 26 key stakeholders who were selected because of their involvement in key positions during the period. The complete list of actors interviewed and their roles are presented in Table 1 and a summary of the positions held by them is presented in Table 0. A secondary position is included as many interviewees served different positions during the period. 17 served in the Ministry of Education at different moments, including 5 ministers and 3 undersecretaries, 7 served as key advisors or directors of programs (9 if other roles played during the period are included, as some of them were in charge of diverse key initiatives at different moments), including coordinating the legislative efforts that are under scrutiny or the technical commissions that produced the basis for political agreement.

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<sup>30</sup> See in particular Figure 2, p.14.

In addition, 2 teacher association and 1 nonteacher association leaders that served during most of the period were interviewed. Although we attempted to interview more leaders of the teacher association, union leaders participated in different positions during the whole period and therefore had an informed perspective of what happened even if they didn't command the organization during the whole period. Nevertheless, both government officials and union leaders interviewed had a negative evaluation of the actual leadership, and it was not possible to obtain an interview with a member of this group. In any case, none of the members of the actual leadership had positions of power during the period ending in 2017 (which is the year of approval of the last piece of legislation under study).

To further balance our interviews, a leader of the main parent association and one member of the chamber of deputies that also served as regional secretary of education and as major, as well as 4 teachers were interviewed. The latter were well informed about the relevant political events and gave a balanced view on the effects of the policy changes during the period and, more importantly, how they affected teachers, schools and classrooms, but did not have details of the negotiations under study and therefore these last four interviews were of less value to the analysis that follows.

Overall, the interviews gave a complete coverage of all the key events analyzed in this document and after 17 interviews, it was observed that many interviewees repeated information for the same subject. For each key event analyzed at least 5 key protagonists were interviewed, and at least two had opposing views.

Semi-structured interviews were conducted, repeating the structure of questions for all of them, but also allowing for emerging information and narratives. Some interviews took much longer than expected. When it was not possible to cover all the questions in one interview, a second interview was scheduled.<sup>31</sup> The interviews were recorded, with previous consent, and later analyzed using the software NVivo. A set of preliminary codes were established by the research team and then semi-inductively the final codes emerged from the interviews in relation with the first ones, so as to assure the reliability of the research process. These codes were used to build a narrative and argumentative account of the events that are of interest for this research.

In addition, we used two sources of data that allowed us to differ from the narrative of the interviews. The first one is the historical budget of the Ministry of Education (from 1990 to 2020), which shows how the budget was allocated among different sectors and line items every year. This is used to identify whether the whole government was prioritizing education in relation to other sectors, and serves to identify inflection points in terms of resource allocation. Later the line items that explain the changes of interest are detected and matched to the political discourse of that time. The second one is a database containing all press releases of Chilean (national and regional) media between 2007-2017 that was filtered using keywords (in Spanish) such as "educational reform", "educational quality", "quality assurance", "SIMCE", "teacher's career", and "teachers' evaluation". This produced a smaller database of over 70,000 press releases that was used for two purposes: i) to identify qualitatively the public position of actors (president, ministers, politicians from different positions, etc.), and ii) quantitatively measure the extent to which certain actors positioned themselves in discussions regarding Quality Assurance or Teachers' Career. The actors were classified in categories according to their institutional affiliation.

Triangulation of the different sources was used to develop a comprehensive understanding of the key events. The information obtained from these different sources was analyzed separately, by means of coding. Then, what was obtained was compared in order to validate the findings. Two situations arose in this process: on the one hand, concordance in the data, which leads to reaffirming the results; on the other hand, discrepancy: in this case the discordant information was highlighted and was subject to a new study process, resorting again to information sources, either by incorporating more specific questions on the subject for other interviewees, and in the case of the press, resorting to other press media to corroborate the information. Calibration meetings were held with the multiple observers who participated in the development of the research, where criteria for the analysis of the evidence collected were reviewed and adjusted. The triangulation of observers made it possible to remove the potential bias

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<sup>31</sup> For instance, Pedro Montt held key government positions during the whole period and his interviews exceeded three hours of recording.

obtained by confronting a single subject with the data, thus ensuring greater reliability. Specifically, in the analysis of both the interviews and the press data, in order to elaborate the primary codes, the researchers were divided by topic (teachers, quality of education), and an initial battery of codes was elaborated. Subsequently this battery was submitted for review by the rest of the team. Then, when the codes were applied to the interviews and to ensure agreement among all the researchers, common interviews were analyzed by all the researchers and the concordance of codes was discussed, which ensured having base criteria for the analysis. Finally, each code tree generated was discussed and reviewed with the entire team.

In what follows, events have been described chronologically according to the relationship they had with the issue(s) analyzed in each Chapter. As suggested for PET-A research projects, the findings are summarized in a more comprehensive perspective of institutional change using the 4x5 Matrix which was completed on the basis of the main author's understanding of the evidence described in the document, secondary sources, interviews and press analysis, and his experience as policymaker, consultant and researcher. For the case of Chile a 5x5 version of the Matrix is more suitable as discussed in Chapter 6.

The study has some limitations worth identifying. The list of interviews is not comprehensive or representative of all people involved in the decisions or with an opinion on the matter. Moreover, some actors were difficult to reach due to overloaded agendas, including electoral processes or current leadership positions. Nevertheless, as stated above, for each key event analyzed at least 5 key protagonists were interviewed including at least two with opposing views. Moreover, if important actors did not respond, and their opinion was relevant, other secondary sources were available, such as media, official documents, history of the laws, and published research, which allowed us to clarify their positions and participation. The interviews included a section of references to other actors (snow ball method) and about the role and positions of other relevant actors according to the interviewee. In addition, the public policy coordinator of the Research Center on Inclusive Education, José Saul, facilitated contact with actors belonging to the teacher association and the Parliament. Overall, our assessment is that no key actor was left out completely of the interviews, except the actual leadership of the Teacher Association, which was the radical left opposition within the organization at the time the events analyzed took place, and therefore were not key actors of any negotiation process under scrutiny.

Another possible source of bias in the information given by the interviewees is the fact that the main author was involved in educational and other public policies during the period, as a policymaker, consultant and researcher. For this reason, other members of the team conducted the interviews, except in special occasions where the opposite was required during the development of the interview, which sometimes happens in elite and expert interviews.

## **2. Basic context**

### **2.1 Political, institutional and educational context prior to the return of democracy**

Although we restrict our attention to the last 30 years elapsing since Chile returned to democracy in March 1990, our framework recognizes that institutional change is path dependent (North, Wallis and Weingast, 1990) and therefore it is important to revise the institutional, political and economic setting that Chile inherited from the dictatorship.<sup>32</sup> During that period, education was not a priority. On the contrary, structural adjustment after the 1982-83 economic crisis was mostly performed through reductions in real spending in social sectors (French-Davis, 1999). Education spending was cut by 25% in real terms, however, growth was high in the final years of the dictatorship (González, 1998). At the end of the dictatorship, per capita education expenditure declined by 41.2% when compared to 1970 (French-Davis, 1999). Teachers' experience of the 80s was close to traumatic with teachers' average salary declining by 40% in real terms while an estimated 10% lost their jobs mostly because of political reasons (Cox, et al, 1997) and Montt and Serra(1994). Moreover, while enrolment of 6-14 years old increased gradually from 65% in 1952 to 100% in 1973, it declined slightly during the dictatorship era to 95%, suggesting a small drop out effect due to the crisis, not apparent when looking at the enrolment of 15-18 years in secondary: 10% in 1952, 51% in 1973 and 75% in 1989 (French-Davis, 1999).

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<sup>32</sup> It is also important to acknowledge that the dictatorship lost the 1988 referendum by a narrow margin 44,01% against 55,99%. This means that a large fraction of the population voted for extending Pinochet as President for 8 additional years.

The financial and administrative reforms introduced by the dictatorship in the educational sector in 1981 included competition, decentralization and privatization, with the transference of public education to the municipalities and the introduction of a voucher system that created an unregulated market for private subsidized schools to compete with municipal schools in favorable terms (see González, 1998; Fischer, González and Serra, 2006). Even though Catholic schools and private charities received state subsidies called “Subvenciones educacionales” at least since the beginning of the 20<sup>th</sup> Century (Cox et al., 1997) up to 1981, it was not intended to cover the full costs of provision but to complement private contributions. The “subvención” (hereafter voucher) system revamped in 1981 provided the same per student financing to municipal and private subsidized schools.<sup>33</sup> Voucher values varied marginally between basic (1<sup>st</sup> to 8<sup>th</sup> grade) and secondary (9<sup>th</sup> to 12<sup>th</sup> grade), and were slightly higher in vocational secondary than general secondary (named scientific-humanistic, intended for those pursuing tertiary education).

As for the transference of fiscal schools to the municipalities, a new legal figure, entitled to administer a school, was created and named “Sostenedor”, which might be a municipality or a private individual owning one or more schools. The municipal education director<sup>34</sup> is the person responsible for all the public schools in the municipality. The creation of this entity allowed for diversified state provision, and competition in similar terms as teachers lost their civil servant status and the ministry was no longer obliged to pay their salaries. Each municipality was made responsible for hiring and firing teachers and determining and paying their salaries.<sup>35</sup> Fiscal schools represented 78% of enrolment in 1981, when the gradual transference to municipalities began, in a process that culminated in 1985. Although marginal in terms of enrolment, some renowned fiscal vocational schools were not transferred to municipalities but to business associations under special administration contracts (Administración Delegada DL 3.166) that provided funding well above the voucher for vocational education without any procurement process while retaining state property of the infrastructure. By the end of the dictatorship, municipal schools accounted for 58% of enrolment and DL 3.166 for 1.9%.

The fact that a military government dismantled the central state capacity to reach the population by transferring schools to municipalities and to private businesses might sound strange to informed observers. Pritchett (2015), for instance, has hypothesised that state elites in developing countries have been more interested in using education systems to promote nation-building objectives such as use of a national language and commitment to a prescribed national identity than economic or social objectives. This objective might sound more aligned with a military government. Paglayan (2017) has argued that state elites in Western Europe and Latin America established or expanded national education systems primarily in order to enhance their political control over populations, noting that educational expansion typically occurred in the wake of periods of widespread violence. Chile matched the last condition of violence, and a dictatorship, naturally, wanted to enhance political control over populations, while the military might be particularly interested in nation-building and commitment to a national identity. As we will discuss briefly in the rest of this section, the reform was not contradictory to this objective due to the particularly exceptional circumstances of basic freedoms suspended by the military dictatorship.

Although this topic exceeds the objective of this essay, it is interesting to consider possible explanations for this phenomenon, to check whether they are present in the political discourse during the period. At the beginning of the dictatorship a view of controlling teachers and national

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<sup>33</sup> By design, this was assumed to exclude capital costs, as municipalities had access to regional competitive funds for infrastructure investment that excluded private schools (González, 1998). However, municipalities were required to present a well-designed project that required cumbersome processes of justification, technical quality and complete primary or secondary schools. Private schools were allowed to open for only one grade in a building with little standards while opening new grades as their pupils were promoted.

<sup>34</sup> Taking advantage of some legal voids, 53 municipalities created the figure of “Corporaciones” that administered simultaneously education and health (including cemeteries), a possibility later closed by the Contraloría General de la República (the public entity in charge of auditing and supervising the legality of decisions made by public organizations).

<sup>35</sup> Moreover, the transference process occurred at the same time of an improvement in civil service salaries that the government refused to extend to teachers, in coherence with their new contractual status. This gave rise to the vindication of an “historical debt” by teachers, which was strengthened by several judiciary settlements lost by different municipalities that did not attempt a proper defense in the mid 90s, expecting to endorse its payment, well above municipal budget possibilities, to the central government. With this precedent, and behind the scene, the Ministry organized a better defense and won all the cases in the mid and late 90s (Arellano, 2000). This “historical” debt has been resurrected recently as a vindication of the more radical directive of the teacher association.

security prevailed (see references in (Cox, 2003)). Schools and Education Faculties were infiltrated by the secret police and the work of teachers was closely supervised by the regime (Jorquera, 2020) (Garrido, 2017). The possibility of maintaining this control was not altered by the reform. Even fully private schools were subject to this unofficial control. However, the possibility of continuing to exert that control was possible only if the dictatorship continued and there was no long-run guarantee for that.

The official justification in favor of vouchers was educational quality through competition following Friedman (1962) (see González, 1998, 2003; Mizala, 2007). For making competition possible, public education had to be decentralized. In fact, there is a key antecedent that suggests this is the key rationale behind the administrative reform of 1981: (Centro de Estudios Públicos, 1985), a reprint of the alternative strategy published by the so called “Chicago Boys” a few months before the Coup d’État in 1973 suggested that schools should be decentralized and administered by local communities and that this should improve quality and reduce costs associated with the centralized bureaucracy. The authors of this manifesto held key ministerial positions during the dictatorship, specially between 1976 and 1981 when most reforms were implemented, including the Ministry of Finance and the powerful ODEPLAN (the planning office, transformed in Ministry after the return of democracy). No doubt then the argument of quality improvement by fixing incentives through vouchers was important for economists in top positions of the dictatorship.

Other analysts suggested that economic arguments alone were not enough to convince Pinochet and “the Junta” (the legislative power composed by the generals of the different branches of the armed forces). A more political hidden motivation was the possibility of dismantling union power, including opening the economy to replace the inefficient import substituting sector to destroy the industrial base with powerful unions (Campero y Frías, 1984, Coloma and González, 1987). This was also the case of education, where decentralization and privatization undermined the potential power of the Teacher Association (hereafter TA), one of the few associations that counted a large number of affiliates in the public sector (PIIE, 1984) and (González L. &, 1993).<sup>36 37</sup>

In the same line, the reform was coherent with a more ambitious transformation towards a more individualistic, market-oriented society. Communism through democratic or other means was a real menace in Chile until 1973. Prior to the coup, Christian Democrats and socialist governments succeeded in redistributing income and land (Palma, 2019). Just returning to the previous democratic game under the same institutional rules that led to the election of Allende was not an interesting prospect for the military and its supporters. They required new rules of the game, both in terms of formal as well as informal institutions.

The big educational project under Allende was the ENU, “Escuela Nacional Unificada” (National Unified School), which was the result of a nationwide deliberation process that involved teachers, students, parents and social organizations. It proposed the creation of broad participation mechanisms, the integration of the different levels into a single system, more government control of private education and the elimination of differences between vocational and humanistic (general) education. The project generated resistance as the objective of indoctrination of socialism was suspected.<sup>38</sup> A coalition of opposition parties (the right wing National Party and the Christian Democrats) suggested an imminent brain-wash through indoctrination of communism and class fight, and an attack on freedom, specially religious freedom.<sup>39</sup> The (Catholic) Church also reacted highlighting the absence of reference to humanistic and Christian values.<sup>40</sup> It is possible to speculate that Pinochet’s administrative and financial

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<sup>36</sup> A similar reasoning was applied to the strategy of open trade that dismantled the powerful unions associated to the import substituting sector (Campero y Frías, 1987). After all, Pinochet was a lecturer on Macchiavello in the War Academy before the coup.

<sup>37</sup> Nevertheless, the TA was an association created by the dictatorship by DL 678, 16 October 1974, as after the coup all pre-existing unions, united in the SUTE (Single Union of Education Workers), were dissolved. The dictatorship designed its representatives among members of the Union until December 1985, where, after pressure of a Command for Democratization united all anti-fascist forces including the communist party, its first democratic elections took place (<https://www.colegiodeprofesores.cl/historia/>). Osvaldo Verdugo, a Christian Democrat, was elected president. In parallel, Jorge Pavez presided over the Association of Educators of Chile (AGECH) created in 1982 to resist the neoliberal educational reforms, and dissolved it when Verdugo won the election, to join forces against the dictatorship within the TA.

<sup>38</sup> <http://www.memoriachilena.gob.cl/602/w3-article-93514.html>

<sup>39</sup> Galleguillos (1990).

<sup>40</sup> Conferencia Episcopal de Chile (1973).

reform might have been designed to provide a buffer against the risk of future attempts by the left of reinstating a new ENU.

Retaining public schools under unified state control represented a potential future risk as the left could regain control of the Executive branch after an eventual return to democracy. By promoting privatization of schools and competition, the control about what happens in schools moves from the public sector to private entrepreneurs or the Church. Individual rather than collective preferences shape supply, as schools are expected to respond to market incentives. The more disseminated or atomized control, the most difficult it becomes to use the school system to spread any “revolutionary” ideology, even despite the centralized curriculum. Therefore, this is not at odds with Paglayan (2017) or Pritchett (2015) as ideological control by infiltrated agents in schools could be retained only as long as the dictatorship endured. However, this is just one possibility among many, and this document will not explore this issue further.

This suggests two key ideological issues that are likely to be divisive across and within broad political coalitions:

- The strengthening of public education, whether in the hands of municipalities or, preferably, the central state; or its opposite, i.e. granting equal treatment to public and private providers by paying similar vouchers to both sectors;
- “Voice” (see Hirschman, 1970; Paul, 1991), specially in the form of participation and protest, is associated, in Chile, historically, both with the left and with social demands that are conducive to changes of the status quo towards redistribution and greater equality (Palma, 2019). Social pressures were also associated with hyper-inflation, followed by economic collapse, during the Allende period (and also a similar process experienced by Argentina, Chile’s neighbor, after the return of democracy in the 80s), and unfair outcomes, such as a pay-as-you-go pension system favoring powerful organized groups until its replacement with an individually funded privatized scheme (Arellano, 1988).

## 2.2 The many colors of the rainbow

The center-left coalition named “Concertación (de Partidos por la democracia)”<sup>41</sup> won four consecutive presidential elections until it lost to the right wing coalition in 2010. These twenty years have been extensively studied and prized as the most successful economic, social and political period in Chilean history (Bogliaccini, 2020), (Sehnbruch and Siavelis, 2013).

Concertación’s economic policies were very much in line with the so called Washington consensus and mainstream thinking in international financial organizations, combining fiscal balance with a mix of social policies targeted towards the poor as well as more expenditure on human capital. The so-called “growth with equity” strategic consensus was favorable to education, as human capital was believed to be the engine of growth in a globalized economy. This consensus is well articulated in two books by ECLAC: “Equity and productive transformation: an integrated approach” published in August 1992, and “Education and Knowledge: axis of the productive transformation with equity”, produced in collaboration with UNESCO (both organization’s regional headquarters are located in Santiago), in January 1992. It is argued that growth and equity were both dependent on education quality and had been accessible to all in a context of equality of opportunities. Three externalities are mentioned to justify public investment in education: network; non-market and endogenous growth (see also González, 1998).

The lack of resources in 1990 to attend to the many social needs led to a strategy in Aylwin’s administration to control social demands and deter participation (Sehnbruch and Siavelis, 2013) (Solimano, 2012). As we will see, this led, until the middle 00s, to a policy making process reserved for experts and legislators and extremely top down (more detail in section 5.2). An additional fear at the

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<sup>41</sup> The name of the coalition of political parties that defeated Pinochet first in the 1988 Plebiscite, then his candidate in the 1989 election. Its symbol was a rainbow suggesting that after the rain the sun will shine again and its diversity. It included the Christian Democrats, Radical and Social democracy, the Party for Democracy (an instrumental party to facilitate the inscription of independents), the Socialist Party (which was Allende’s party) and small groups such as the Humanist party that later exited to the left. It excluded the communist party and other groups that preferred an armed based solution to overthrow the dictator and in fact attempted to kill him in 1986.

beginning of the period was the possibility of a military backlash, as Pinochet remained chief of the army.

It is well established that the Concertación had “two souls”, one that valued the strengths of markets for growth and innovation and that attempted to better regulate market failures, while the other was more critical of Pinochet’s legacy of decentralization, privatization and competition, and demanded more voice and less exit in public provision (Sehnbruch and Siavelis, 2013; Fuentes 1999; Montecinos 1998; Navia 2006, 2008; Pribble 2014). This division was formalized by two documents. The first labelled the ‘self-complacent manifesto,’ ‘Renewing the Concertación’: The Strength of Our Ideas’ (Renovar la Concertación: la fuerza de nuestras ideas) was signed in May 1998 by 59 Concertación party members. The second one, the ‘self-flagellant’ manifesto, ‘The People Are Right: Thoughts on the Concertación’s Responsibilities during Current Times’ (La gente tiene razón: Reflexiones sobre las responsabilidades de la Concertación en los tiempos presentes), was signed in June of the same year by 146 party authorities and significant figures from academia, unions and civil society.

In an important contribution that highlights this divide in shaping legislative outcomes, Bogliaccini (2020), used the methodology of process tracing to conclude that the divide between the two groups – “self-complacent” (hereafter technocrats) and self-flagellant political cadres (and not lobbying by the business sector or political action by opposition parties) – was responsible for President Lagos administration failure to pass a progressive bill strengthening collective labor rights. President Lagos decided to retire the bill fearing divisions within the ruling coalition with the prospect of the “technocrats” voting against it.

As confirmed by our interviews, these two positions within the Concertación expressed themselves within the education sector, one favoring better regulation of the market and the other valuing public education at the symbolic level, but without a clear proposal at the beginning of the period besides the reversion of the 1981 reform. Both emphasized equity but disagreed on the extent concessions could be made in exchange of efficiency. An example of this intra-Concertación political divide referred by our interviews and other secondary sources (González, 1998) is the reform that strengthened “shared financing” (which allowed publicly-funded schools to charge a fee to families in order to “better fund” their education). The reform, enacted in law 19.247 of 1993, accepted jeopardizing equity in exchange of more private resources for education, allowing better targeting of fiscal resources as the value of the voucher was reduced *pari pasu* with the level of fee charged to parents. This measure was favored by the right-wing coalition, as it furthered their agenda of strengthening parental choice and providing more resources to private voucher schools, and was a concession in exchange of right-wing representatives approving making a transitory tax increase (agreed in 1990) permanent from 1993 onwards. Almost the next day, the Concertación members of Congress’ educational commission, who at that time were working closely with the educational authorities (meeting every Monday to coordinate the political agenda), requested the immediate suppression of this measure, considering that it was causing harmful effects such as the exclusion of students who could not pay the fee. In response, the Ministry of Education, in collaboration with the Budget Office, instead offered, a compulsory scholarship mechanism, increasing with the level of fees charged to parents, which reduced the incentives to exclude students from families unable to pay (see Arellano, 2000). This mechanism, together with the obligation of school administrations to inform parents of the projected maximum tuition readjustment for the next three years, was translated into law 19.532 enacted in 1997.

### 2.3 The right wing coalition

In education, during most of the period 1990-2010, the right-wing parties were mostly reactive to the initiatives of the executive branch that for twenty years was controlled by the Concertación. Their preferred educational and social institutional arrangements were already established by the dictatorship. Therefore, right wing political parties mostly assumed a defense of the status quo, resisting regulations and any initiative interfering with what has been labelled “libertad de enseñanza” (Elacqua and González, 2013)).<sup>42</sup> This concept literal translation would be teaching freedom or freedom

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<sup>42</sup> Privatization and mostly unregulated markets in education (both school and higher), extended also to health and children protection; as well as, although with some regulation, to pensions, electricity, communications, water and sanitation, along with tax reforms favoring the well off, and traditional cash transfers targeted to the individual.

of education but its meaning is closer to freedom of enterprise.<sup>43</sup> As interpreted in Chile, teaching freedom does not refer to teachers' autonomy but establishes that any entrepreneur, for any reason (religious, for profit, etc.), is entitled to set up a new school provided it has the qualified teachers and facilities and applies the national curriculum. The principle of teaching freedom also was interpreted to allow private schools (voucher or not) to exclude students for religious, socioeconomic or other reasons. For instance, pregnancy was a reason for expulsion of girls. Many schools with excess demand implemented prospective student screenings and parental interviews to screen applicants (Contreras, Sepulveda, & Bustos, 2010). Instead of fixing behavior problems, many schools simply resorted to expelling disruptive students (Zancajo, 2019; Bellei & Pérez, 2000). When parents or civil society organizations denounced that such actions violated children's right to education (which is also part of the constitution), the response was that ruling against them would violate the principle of teaching freedom that had the same constitutional value. Expelled students often have no alternative other than municipal education (which is forced to take in all children to guarantee the "right to education"), but even that possibility might not be a reality if there are no places available (Bellei & Pérez, 2000). The possibility that religious congregations and other charities running schools is shared beyond the right wing coalition, especially within the Christian Democrats, but also from more left wing parties (interviews). During Bachelet second term, for-profit education and the possibility of school selection of students were forbidden (see footnote 43). It was also arranged that shared financing would be gradually extinguished, in proportion to the increases in voucher's value.

This emphasis in teaching freedom has also taken the form of an emphasis on school autonomy, coherent with a view that markets should ideally be unregulated. In general, right wing parties opposed policies perceived as restrictive of managerial freedom. However, at the same time, right wing politicians attempted to protect their constituency employment (school directors and municipal education directors appointed during the dictatorship), by opposing three times the possibility of mandatory free public competition for the position of school director or even the director of municipal education until 2011, which was difficult to reconcile with their official discourse (interviews and Elacqua and González, 2013).

### **3. The priority of learning**

#### **3.1 Educational quality as a policy objective**

PET-A projects pay particular attention to the political prioritization of learning. The availability of teachers and classrooms to accommodate students was the key challenge of the period of expansion of educational systems. In Chile, this spanned most of the XX Century, specially between 1938 and 1973. However, some educational systems produce learning while others do not (Pritchett, 2015) and, despite recent progress (Santiago et al., 2017), Chile remains one of the lowest performers OECD countries in PISA or TIMSS. As suggested by Panglayan (2017) and PET A Indonesia, some educational systems are not intended to secure this objective. On paper, this is not the case of Chile. Even the dictatorship justified its administrative and financial reform of 1981 on the basis of improving quality, although, as argued in section 2.1, other hidden reasons might also explain its adoption. While it failed in attaining this objective, the blame might well be attributed to the reduction of resources rather than the failure of unregulated markets. At least, the market reforms implemented during the dictatorship did not have a positive effect to speak for themselves in the face of critics who called for their replacement (such as the TA).

As mentioned in section 2.2, the spectrum within the Concertación diverged on their degree of antipathy for markets, ranging from a skeptic acceptance of them but regulating market failures (technocratic or "self-complacent" approach) to an absolute rejection of decentralization and vouchers (a 'self-flagellant' alternative). While the first group structured a more or less clear agenda and had a theoretical framework to build it (neoclassical economics), which, as we will see, was implemented through time, the 'self-flagellant' side never defined an alternative approach in this issue, aside returning, in general terms, to the past, or, as suggested by the "self-flagellant"

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<sup>43</sup> This was true at least until the enactment of Law 20.845 enacted in 2015, which forbade selection of students by schools receiving public funding.

manifesto, a vaguely defined people's voice (interviews). For the first group, the institutional design might have positive effects: incentives for costs reductions, efficiency; innovation; and increasing enrolments; equalization of resources; diversity of supply. It also recognized problems: S-competition (S for segregation) and its negative externality effects on excluded children; cognitive and noncognitive costs in children arising from deterioration of schools losing students or from translation to new schools; differences in costs of provision according to location and family characteristics (see González, 1998). The "self-flagellants" emphasized these deleterious effects, specially of competition in a system that should foster collaboration. "Self-complacents" emphasized market regulation, while "self-flagellants" the elimination of markets. For the latter, municipal schools should return to the central state. Although this demand was clearly formulated from the beginning of the period, its complement, the reversion of the voucher mechanism – for instance, to its pre 1981 reform formula of partial subsidy for non-profit private schools – was not. Therefore, the Concertación shared a disbelief about unregulated markets to produce educational quality but, within the coalition, differed on the extent of the corrections required for markets to work properly. It is easier to disagree about something than it is to agree about how it should be fixed.

Despite this disagreement on the role of decentralization and competition within the ruling coalition, there was agreement on the importance on educational quality. As explained above, many shared the belief that education – as human capital – was crucial to a growth with equity strategy. In fact, after the return of democracy, almost every educational policy or program was framed in terms of improving educational quality, adding equity as an additional concern (Cox and González, 1997). For instance, World Bank (hereafter WB) financed programs were named MECE básica (1991-2) and then MECE media (1994). MECE is the acronym for Improvement of Educational Quality and Equity. The objective of the first program after the return to democracy (called P900, as it was directed for the 900 most vulnerable schools) was to improve educational quality of the worst performing schools (addressing one of the failures of markets to improve bad functioning schools – and recognizing the fact that changing schools for students was not as easy as changing soap brand - González, 1998).

It was difficult to confront the disagreement about the roles of markets and there was no point to do so, as the institutional setting defined by the dictatorship would be any way preserved by an over represented minority due to the constraints imposed by the binomial electoral system<sup>44</sup>. The most practical alternative was to ignore the issue, while attempting to improve quality by other means. Moreover, these other means could be non-conflictive (as suggested by Navarro, 2006) and therefore generate an overall consensus. This was the case of the MECE program.

To advance these non-conflictive policies the key challenge, at the beginning, was the lack of resources. The dictatorship reduced taxes and depleted social sectors' budget as a strategy to promote growth following trickle-down economics and as required by structural adjustment programs. The P900 program was the first initiative of the Aylwin administration, launched in 1991, financed with a million dollars donated by the Swedish government. The MECE programs followed. This technical support mostly was a peer review of project design and implementation rather than imposing an external agenda. After high growth rates during the first half of the 90s, the government no longer needed financial support from the WB for the secondary MECE program but retained the minimum co-financing to access this technical support.

At the time, it was not a matter of disputing the objective of the education system – educational quality was consensual – but of specifying its content. In other words, the question was not about purpose, but about specifying what and how. Moreover, a distinctive Concertación concern was explicitly adding equity to the purpose, as reflected by the name of the WB programs or official discourse. A discourse invoking quality of education with a concern for equity (coherent with the overall growth with equity strategy) was present from the beginning of the period and translated into non-conflictive policies. Both groups within the Concertación supported those policies. What

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<sup>44</sup> This system was introduced by the dictatorship with the purpose of over representing the right after the return of democracy. The second elected representative (of the two prescribed for any district) required half plus one the votes of the most voted coalition. For instance, if each district had elected one representative as in Britain, the Concertación would have had more than 75%-80% of the legislature instead of a narrow majority during the first decade.

quality meant and the relative weights of quality and equity were left ambiguous and were realized as events unfolded. But these initial non-conflictive policies necessarily mobilized small amounts of resources and were limited by the coordinating capacities within the Ministry of Education that were soon strained by WB programs. The message of these initiatives was clear: the state was reassuming a more active role in education, although within the constraints of the institutional setting defined by the Dictatorship. Still a “subsidiary state”, in the sense of non-entrepreneurial, but a stronger state. Steering, not rowing.

The truth is that, contrary to the undisputable need to provide teachers and classrooms to expand enrolments, there is no universal consensus on how to achieve system alignment for learning, not even on what educational quality means (see Schiefelbein and McGinn, 2017). At a minimum, establishing learning as the key objective requires agreeing what learning is and defining mechanisms to produce this learning. The key instrument that the Ministry has to define expected learning is the curriculum. A key objective of the 90s was modernizing and democratizing the curriculum. However, the Dictatorship defined the rules of the game under which any change to the curriculum could take place. The Ministry could propose but a semi autonomous agency – the Superior Education Council – must vote to accept or reject the proposal. It was not an easy task. A participatory process with consultation to experts and teachers was conducted, but a first proposal was rejected by the Council. Although our study and interviews do not concentrate on this issue, it is clear that it was a controversial issue both within and between political coalitions. Moreover, the “prescribed” curriculum might differ from the “implemented” curriculum. The “stronger” state devoted resources to teacher training in the new curriculum and a new “constructivist” pedagogical approach. Ministry supervisors were trained so they can advice teachers while at the same time ensure that the new programs reached the school. Textbooks, libraries, ICT, and other inputs were provided to schools.

These policies in the early 90s were expected to improve learning insofar schools will have better inputs and methods to work with. The agenda was also consistent with neoclassical economics. For instance, the research program initiated with the Coleman report and summarized by Hanushek (2003) investigated on the more effective inputs to raise student learning. Heyneman and Loxley (1983) showed that the “school” effect was more important in LDCs than in developed nations because the variance of inputs per student in the later was smaller: all schools are well resourced. The intention of educational policies during the 90s was to attain a minimum level of inputs on the expectation that school teams will be able to use them to improve learning.

### 3.2 Education as a key government priority

While conviction of purpose in the form of “educational quality with equity” was prevalent since the beginning of the democratic period within the ministry of education, it was not necessarily a whole-government priority, as education competed with many other social needs. We understand by whole-government priority the fact that the President and the coordinating ministers (Finance, Secretary General of the Presidency and Secretary General of Government) emphasize education in their communications and that public resources are directed with preference to education. Our interviews and budget analysis identify this occurred during the Frei administration. The reconstruction of events below is based on interviews and secondary sources.

Before presenting the evidence, note a whole-government priority is not necessary to achieve system alignment for learning, as major institutional changes might take place without this endorsement. For instance, in the Chilean energy sector, with little fanfare, prices have been declining recently along with a strong adoption of clean energy sources thanks to the introduction of institutional reforms during Bachelet’s second term, including a competitive bidding process prioritizing cleaner energy sources.<sup>45</sup> In contrast to learning, electricity is a homogenous good with clearly specified production processes. All what was required was good economics and engineering. Things are more complicated in education, as its production process has very low specificity (Israel, 1987). Nevertheless, the intention of improving educational quality is reinforced if it is also

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<sup>45</sup> See former US VicePresident Al Gore presenting his second documentary about the urgency for action for climate change in <https://investchile.gob.cl/al-gore-reconoce-a-chile-como-ejemplo-a-nivel-global-en-desarrollo-de-energia-solar/>

prioritized by the government as a whole. It might also be necessary (not sufficient) if the problem of quality arises due to lack of resources or strong entrenched interests.

It is difficult to obtain this endorsement without a clear project that specifies how quality of education will be improved. And this is difficult to design if there is no agreement on how educational quality can be improved. This might be called the problem of prioritization of educational quality (and equity) at the government level. As actors with power change, this conviction must be worked out through time and have some legislative translation into long run resource commitment ensuring the implementation of the project. How is it possible to identify the key moments where education quality becomes a “whole-government priority”?

One possibility is identifying inflection points in government expenditure. If government starts prioritizing education, then budget increases must accelerate and exceed variations in other sectors. Figure 3 presents both the evolution of the school and preschool educational budget as well as higher education budget, while Figure 4 reports the evolution of total government expenditure and total educational budget, which reveals the extent of prioritization of education by the government. It is clear that there was an effort during the 90s, where preschool and school education augmented above 10% each year in real terms, starting 1991 (first democratic budget) and even above 15% in 1994, 1995 and 1996 (Figure 3).<sup>46</sup> Although total government expenditure also grew at a high rate during the decade, education outpaced that rate every year between 1992 and 2000 (Figure 4). Next decade, education lost its priority except for 2004, and 2008-2009, the latter above 15%, with 2009 marking the highest annual increment during the thirty years period (21%).<sup>47</sup> The total educational budget expanded again above government expenditure in every year since 2012, although at a slower pace, associated with much moderated growth. School and preschool education outpaced higher education in most years between 1992 and 2004, while the reverse was true thereafter, especially in 2006-2007 and since 2015.

From a historical perspective, the possibility that (the whole of) government made school and preschool education its first priority should be explored in these two key periods: 1994-96 and 2008-9. As we will later see in more detail, both were associated with new resources channeled through the voucher system:<sup>48</sup> section 4.1 will describe the influences on the first while section 5.1 the second. Figure 3 and Figure 4 suggest the priority was maintained during the Frei administration (March 1994-March 2000) while it was a short and specific event later (in 2008-2009).

Let us consider the evolution of the budget in more detail during the whole period. At the beginning of democracy a key expenditure was the Estatuto Docente enacted in 1991 with a gradual implementation until 1994. This is associated with increases above 10% per year in 1991-93. As we will see in section 4.1, this legislation created important salary obligations for the municipal sector financed by the central budget and extended to the private sector without the obligation of private schools to pay them. The budget increments of Aylwin's administration were mostly associated with the gradual implementation of the Estatuto, not with educational quality. The quality and equity programs (P900 and MECE Primary) were small in magnitude. The objective of the Estatuto was to placate the TA and do justice to the municipal teachers that have suffered during the dictatorship.

The 1994-1995 budget increases are explained by two major reasons: a) a general increase of the voucher not tied to wages and correction of its structure, solving financial problems caused by the Estatuto Docente and taking better account of cost differences due to location (see section 4.2);<sup>49</sup> b) the outcome of the wage bargaining process between TA and the government – reinforced by the Estatuto – which introduced a substantial increase in real wages. As part of this wage bargaining, individual and collective incentives were introduced for the first time together with an increase of two more weeks of labor per year, substantially increasing the number of days and hours of instruction (see

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<sup>46</sup> Note that although 1994 budget was decided in 1993 but its execution was affected by laws approved that very same year.

<sup>47</sup> Although Chile was affected by the sub-prime crisis, the implementation of counter-cyclical fiscal policies enabled the government to reduce its impact in the economy, using accumulated reserves in a (Copper Price) Stabilization Fund.

<sup>48</sup> Meanwhile, the peaks in higher education are explained by the introduction of loans for higher education (solving capital market failures) in 2005 – a technocratic measure – and the introduction of a voucher system since 2015 for those in the 60% poorer households (buying market expansion with public money).

<sup>49</sup> The general increase in the voucher incorporated also a new earmarked subsidy for building maintenance.

section 4.2).<sup>50</sup> This was complemented with other non-conflictive policies: upgrading of inputs and the curriculum, establishing constructivist guidelines, teacher training, school improvement programs (MECE Básic a and MECE Media), and school meals, again, all small in magnitude. All were in line with economics' reasoning – unlike the previous budget increases during Aylwin's administration – but had little appeal for mobilizing public opinion. They were too decentralized and better suited for each Sostenedor to take some communicational advantage within their school communities. Our interviews do not identify 1994-95 and the measures that explained that budget increase as particularly relevant. It was not even mentioned. On the contrary, interviews suggest that the key turning point identify the “Jornada Escolar Completa” (hereafter JEC) – shift to a single school day – which was part of the so called “educational reform”. This reform sustained investment in school education increasing above 10% per year since 1996 until 2001.

Let us turn to a second source of evidence: interviews and secondary sources. At the beginning, Frei Ruiz-Tagle appointed an independent internationally recognized educational expert, Ernesto Schiefelbein, Director of UNESCO for the Latin American Region, as Minister, and Gonzalo Undurraga, dean of the Catholic University Faculty of Education, as undersecretary. Although both appointments were short lived, they reflected a serious attempt to install a more technical leadership (in contrast to national political figures that served under Aylwin). It suggests – on the part of the President who decides on these appointments – an intention to be serious about the matter. Our interviews pointed to a communication strategy that was set up to put the attention on student learning that was supported by the Ministry Secretary General of Government. Schiefelbein used SIMCE (the National Quality of Education Assessment System, a standardized test that will be described in more detail in section 4) results to convey the message that “40% of 4<sup>th</sup> grade students did not understand what they read”, to concentrate on the need to improve quality. The focus of the government reforms and policies was not in the correct place which is the classroom (interview and Schiefelbein, 1995). Schiefelbein did not imply that teachers were the ones to blame but rather it was the support that they received. In his own words: “The same that occurs in music: train the pianists and give them partituras of the great composers for them to select according to their public... (Claudio) Arrau never developed a concert that now other pianists are playing. He was a wonderful performer. But together with wonderful performers we need wonderful composers, and we forget that in education.” (Schiefelbein, 1995: p. 27). Schiefelbein's preferred mechanism to reach the classroom was the provision of booklets to teachers (using his own simile: partituras made by great composers), but the experience was short-lived, and reaching the classroom has remained a recurrent issue since then.

Although since 1994, Frei's administration committed to increase government expenditure in education from 4.9% of GDP to 7% by 2000, a key turning point occurred in May 1996, when in its presidential address Frei<sup>51</sup> formulated the promise of equalising educational opportunities for all with the shift of publicly financed schools to a single school day, emulating elite private schools (Elacqua and González, 2013). This implied a strong effort of building public infrastructure that could hold all studentship in simultaneous instruction.<sup>52</sup> The decision to build the necessary infrastructure to function in this way was read by many as a serious attempt to extent higher quality elite private education to the public system and a renewed commitment of the State with public education. Even the government might have been surprised by the massive support to the presidential announcement.<sup>53</sup>

How did the conviction of “pro-education” actors extend to the head of state and become state policy? The issue here is not about the specific content of Frei's education reform but about the priority assigned to improving educational quality at the government level. There are three key antecedents that converged to take advantage of a window of opportunity. First, the consensus

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<sup>50</sup> Since 1993, the TA negotiated with the Ministry the readjustment of wages established at the national level and only for teachers in the Estatuto Docente.

<sup>51</sup> [https://www.camara.cl/camara/doc/archivo\\_historico/21mayo\\_1996.pdf](https://www.camara.cl/camara/doc/archivo_historico/21mayo_1996.pdf)

<sup>52</sup> This movement might be considered emblematic for our conceptual framework as system coherence for enrolment was the epic effort before the coup d'État (during Frei Montalva administration and sustained by Allende) through using buildings in two and even three shifts. The dictatorship maintained the scheme except with less money coupled with decentralisation and privatisation.

<sup>53</sup> According to one of the most prestigious opinion surveys that devoted a special issue to education, 80% believed JEC will have a positive effect on educational quality (CEP, 1996).

about the importance of educational quality (or, in economics, human capital) was hot in the world of ideas. The already reported publications by ECLAC and UNESCO exemplified this techno-political consensus at that time.<sup>54</sup> Endogenous growth models were at its zenith, James Heckman was leading cost-benefit research showing the importance of investing in human capital early in life (from 3 years old to primary school, and to a lesser extent secondary, but not higher education and continuous training) and Hanushek and others were leading a research program to find the most cost-effective school inputs.

Second, the right wing coalition was invited to the educational priority consensus at several points, and publicly endorsed it. A pivotal moment was the Brunner commission of 1994<sup>55</sup> that built a wide elite political consensus on the importance of educational quality, suggesting various non-conflictive policies such as extension of yearly school hours (as they were well below other countries). A leading strategic figure of the right, Cristian Larroulet, director of the influential think tank Libertad & Desarrollo, later Ministry Secretary of the Presidency in Piñera's first term and chief of staff in his second term, participated in this commission and had been keen to endorse educational priority through time. The commission included other figures of the right, and also important figures from the Concertación, including Edgardo Boeninger and Enrique Correa, key figures in Aylwin's government. From the position of Ministry Secretary General of the Presidency, Boeninger was credited with being the strategist of the transition to democracy. José Joaquín Brunner, head of the commission, was later appointed Ministry Secretary General of Government (in practice government speaker), the same position that Correa had in Aylwin's government. The participation of both left and right intellectual and politically influential elites transformed educational policies in "State policies", which offered a longer horizon of stability and legitimacy.

The Brunner Commission's mandate was the modernization of Chilean education, and its main conclusion suggested that the system had achieved results in expanding enrolment rates but quality of education remained poor. The purpose of education was defined as: *"Education is the process by which the community transmits its culture and people train and develop their capacities to fully participate in life together. Throughout history the content of education has always been, at the same time, moral and practical. It is partly in the form of values and commandments; in part it is the cultivation of capacities, knowledge and skills. Subject of education is a person, entirely private, provided with rights and duties; an individual of a generic nature, who shares with his peers, and who is, however, of a complete, unique and unrepeatably nature, with his own vocation and project. The first and priority educator is the family, and no educational decision can avoid the will of the parents."* (First paragraph of introduction, p. 21). The latter is a crucial emphasis on conservative Catholicism and right wing politics, showing how well-mixed the left and right were in this elite consensus. Retrospectively, representatives of the self-flagellants were outnumbered in the Commission, although that division was not formalized at the time.

Third, the capacity of the Ministry of Education to offer a technically sound project was important. Trust was built with the Budget Office of the Ministry of Finance and with the coordination division of the Ministry Secretary General of the Presidency since the beginning of the administration. Both were the key coordinating units of the government at the time. This trust might be exemplified by the negotiations to fix the Estatuto Docente and the corrections to the value of the voucher in 1994 that implied large budget increases. Contrary to the budget increases of 1991-1993, these changes were agreed between both Ministries. And they were much larger in magnitude. Changes of this magnitude were unlikely if trust was not high except if the President intervenes, as occurred during Aylwin's administration, which forced the Ministry of Finance to endorse the initiative (interviews).

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<sup>54</sup> Although this a continental document, both ECLAC and UNESCO had their siege in Santiago.

<sup>55</sup> The presidential commissions will be profusely used afterwards but were more scarce at that time. The antecedent was the Commission for Truth and Reconciliation that investigated human right violations during the dictatorship. It helped to establish the truth in many cases, leading to state reparations but not prosecution. Aylwin's coined the phrase "Justice as far as possible". The non-subordination of the Armed Forces and the police to the democratic government was illustrated by their passive cooperation with the process. Later, the Judiciary convicted most of the military that committed human rights violation despite Pinochet general amnesty law on the grounds that crimes against humanity were not subject to amnesty. Pinochet however escaped justice.

Then came the window of opportunity (Kingdon, 2003). Rapid growth generated a surplus of resources that the government decided to invest in a social project that could be considered Frei's administration legacy. The education reform articulated around the longer single-shift school day served that purpose (several interviews shared this view). Cox (2003) suggested the image of a small road that did not provide enough space for all the traffic already in place with the improvement programs and the forthcoming new curriculum. A high-speed motorway was urgently needed. Time was that new motorway. The negotiation with the TA in 1994 already provided two more weeks per year, but that was not enough. The longer school day was a natural continuation that demanded much more resources. Windows of opportunity are moments when scientific evidence is introduced into the decision making process and helps taking the correct decision. On the specific content of Frei's reform, particularly relevant was the meta-analysis by Fuller & Clarke (1994), adapted in a publication by the WB (see Figure 5), which admitted a positive lecture about extending school time.<sup>56</sup> Inside the government, little reference was made to the evidence accumulated in education that later was systematized in Marzano (2003) and Hattie (2009) or the contemporary debate in the United States that suggested focusing on instruction of core curriculum rather than simply extending the school journey for its own sake.<sup>57</sup>

In summary, education was a budget priority during the 90s for different reasons: compensating teachers for maltreatment during the dictatorship with the Estatuto Docente (1991-94); fixing the voucher system and the problems introduced by the Estatuto (1994-1996); and the educational reform (1996-2001), which consolidated the discourse around educational quality that started with small programs sponsored by international cooperation. There was consensus on its strategic importance and since its inception, Frei's administration committed a huge increase of educational expenditure as a share of GDP, political consensus was built and an attractive project was prepared, endorsed and communicated to the public.

Returning back to our original research questions:

- RQ1a: Did the ministry of education prioritize learning at some point in time? Almost since the return of democracy. This was reflected in discourse and practice.
- RQ1b: Did the government and the political elite beyond the Ministry of Education endorse this priority at some point in time? Budget increases during the 90s were above 10% per year. Inflection points were, in 1994, the Brunner Commission, and 1996, the Frei reform that included JEC, which sustained the effort in terms of resources until 2001.
- RQ1c: Was this priority sustained through time and was translated in incremental measures? Quality remained the key issue through time as we will see in the following sections in more detail. However, education ceased to be a key budget priority during most of the rest of the period, except for a short lived increase by the end of 00s. Nevertheless, there was always legislative activity with the objective of improving quality through institutional reforms.

There is a long way to go from making educational quality a political priority to actually achieving success. This trajectory between prioritisation and implementation and impact includes definitions that might be implicit or explicit and might involve different coalitions. These definitions are: what improving educational quality means; how it should be measured; and what are the selected (not necessarily better) mechanisms to reach the objective. In 1996, the mechanism was defined to be a

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<sup>56</sup> Time of instruction and homework were the main findings of the cost-effective factors. It is true that time of instruction varies within the same school according to teacher's capacities, but an extension of hours was inevitably going to add time for instruction. In addition, there was little space for homework in poor households. The original idea of the Chilean reform was to leave the school open for extracurricular activities and homework, aside extra-school and other community activities, but this possibility dependent on the willingness of the Sostenedor to do so.

<sup>57</sup> Levin, Glass & Meister (1984) suggested that peer tutoring was much more cost effective than extending the school year, while the Report of the National Education Commission on Time and Learning released in April 1994, "Prisoners of Time", had a nuanced view of the subject (see <https://www2.ed.gov/pubs/PrisonersOfTime/index.html>). The later frame the problem as follows: "Our time-bound mentality has fooled us all into believing that schools can educate all of the people all of the time in a school year of 180 six-hour days. The consequence of our self-deception has been to ask the impossible of our students. We expect them to learn as much as their counterparts abroad in only half the time." The comparison referred to core curriculum activities (core academic study-native language and literature, mathematics, science, history, civics, geography, the arts, and second and third language) in the last four years of school where 41 American States averaged 1460 hours as compared to 3170 in Japan, 3260 in France and 3628 in Germany. The comparison in the Brunner report in Chile was 800 total annual hours against 1003 hours in the US, 1073 in France and 1177 in Taiwan.

longer school day. Sostenedores (providers) –the legal figure created by the 1981 reform the administer schools, municipality or private – were not free to decide the best use of the increasing resources but had the freedom to decide on how to use the extra-curricular hours. The curriculum followed a parallel trajectory and the longer instruction time was simply left at the discretion of each school. The complement would be the evaluation of schools through SIMCE (as measurement of learning, skipping a discussion on the complete set of objectives). The implicit assumption is that rational and able Sostenedores and school directors would use the extra time to produce more learning if SIMCE scores were made public. Therefore, as regard the first and second question above, improving educational quality was assimilated to improving learning, measured by SIMCE, and longer time for instruction would make that happen. It was suggested other social problems might diminish as many teenagers would not spend long periods of time alone before (those attending during the afternoon previous to the reform) or after school (those attending only in the morning before the reform). But the focus was improving learning, and a more equal distribution, as the education financed by the state had more resources and time to close the gap with the fully private sector.

#### **4. The long route to a teacher's career**

##### **4.1 The Teachers' Association (TA)**

The “long-way” to the teachers' career (27 years) has four turning points that will be described in detail in the following sections (see Figure 1):

- The Estatuto Docente (Teacher Statute), enacted in July 1991.
- The reforms made to the Estatuto Docente in 1994, liberalizing the Estatuto Docente and introducing a collective incentive mechanism (SNED).
- The individual teacher evaluation system introduced in 2004 as part of the Estatuto Docente.
- The replacement of the Estatuto Docente by a more proper “teachers' career”, approved in 2017.

A key actor in all these events was the TA, the association representing teachers, although, as usual, not all teachers are affiliated or feel represented by the TA leadership.<sup>58</sup> With the return of democracy, the TA became a relevant political actor. In fact, the usual translation (Teacher Union) might misrepresent what the organization was: a professional association – “Colegio de Profesores” – instead of a workers' union, although they also operated, in practice, like a union. The TA is the largest organization in the ANEF (national association of public sector workers).

Our interviews corroborate the feeling of maltreatment and prosecution felt by teachers during the dictatorship, already described through secondary sources in section 2.1. The decline in real wages forced some teachers to seek employments at different schools. The image was of a “taxi-teacher”, as they used this means of transport from one school to the another.<sup>59</sup> TA leaders condemned the dictatorship reform as an attempt to “destroy public education”. They also denounced the introduction of for-profit education and complained about their loss of public servant status and career prospects.

With the coup d'Etat in 1973, the previous representative organization of teachers (SUTE) was dismantled and 1200 of its 2000 delegates were missing, executed or exiled (Jorquera, 2020). In its replacement, the TA was later created by the dictatorship as a mechanism of control rather than representation. However, their appointed representatives lost control of the organization in its first national election in 1985, where the list of the Alianza Democrática (antecedent of the Concertación) won 3 out of 5 members, with the others went to the Movimiento Democrático Popular (Communists

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<sup>58</sup> For instance, around 18,000 teachers voted in the 2020 TA election, of an estimated 50,000 affiliates (including retired teachers). In contrast, the number of active teachers is 249865 in 2019 (Centro de estudios Mineduc, 2019).

<sup>59</sup> This public perception, common at the beginning of the democratic period, was not based on objective data. When one of the authors of this report was head of the division of planning and budget, he asked its statistical unit to use the annual census of teachers – that included the ID number of each teacher in each school – to calculate the number of teachers in this situation and the total number of hours they worked as teachers in each school. Unfortunately, a large fraction of ID numbers reported by schools to the Ministry of Education were wrong numbers (not compatible with the formula used by the National Registry Office to produce a valid ID number). While this anomaly was corrected afterwards, the move to a single shift school day and the improvement of teacher salaries made the situation unlikely.

and other groups to the left) and the right supporting the dictatorship. Osvaldo Verdugo (Christian Democrat) was elected president and Carlos Vásquez (Socialist) became vice-president.

A key demand of the TA, sustained throughout the years, was the reversion of decentralization: the return of municipal schools to the Ministry of Education. With the majority of the Senate controlled by the right wing coalition (thanks to its unelected members), there was no question of discussing this possibility, but, as referred above, it is likely that many in the ruling coalition were not keen on it (this lack of agreement appears also explicitly in our interviews, and implicitly as a concern that the private sector should be treated in equal terms with respect to per capita financing by former Concertación officials). As we will see in this chapter, the “technocrats” or “self-complacent” lost power over time, which made possible the reversion of decentralization by Bachelet (although not exactly in the form envisaged originally by the TA) in her second term.

#### 4.2 The Estatuto Docente and its consequences

Instead of reversing decentralization, Aylwin’s administration offered changes in labor regulation for teachers. Although it did not specify a proper career, the Estatuto Docente, approved as early as 1991, created a national scale starting with a base wage (RBMN, for “Renta Básica Mínima Nacional” or Minimum National Basic Wage for teachers) and allowances for experience, training, “zone”<sup>60</sup>, and “performance under difficult conditions” that were expressed as a percentage of the RBMN. According to Cox (2003) the Estatuto docente is considered “the most controversial policy measure of the entire period.” (p. 52). According to Pedro Montt (Mizala and Schneider, 2014) and our interviews, the Estatuto was also intended to encourage teachers' support for other educational policies implemented by the new government and reduce the possibility of major disruptive conflicts in the education sector.

The legislative process of the Estatuto Docente created a conflict within the ruling coalition. The Minister of Education Ricardo Lagos, a key leader of the left, who later was pre-candidate for president in 1993 (losing in the primaries to Eduardo Frei Ruiz-Tagle) and then president in 2000, confronting Alejandro Foxley (Minister of Finance), Edgardo Boeninger (Minister Secretary General of the Presidency) and René Cortázar (Minister of Labor), all three Christian Democrats, that was defined in favor of the former by Patricio Aylwin, also a Christian Democrat (interview). The last three were in the “technocrat” group, while Lagos is not easy to classify along these lines, establishing himself more as a mediator between them. In this particular case, however, he was more aligned with the self-flagellant group and the TA.

The Estatuto Docente had two key problems (González, 1998). One is that it made impossible to dismiss a municipal teacher.<sup>61</sup> The Estatuto Docente precluded contract termination and any amendment to the terms of the contract (such as moving a teacher to another school or to a different educational level).<sup>62</sup> Although a “qualification” system was established in the law, opening the possibility to dismiss teachers with bad qualification, a proper evaluation was not implemented until 2004 due to the opposition of the TA.

A second problem of the Estatuto Docente was its financing. Although it enforced obligations only to the municipal sector, equal treatment to private subsidized schools was demanded. As a result, new salary obligations imposed upon municipalities were financed by the voucher and therefore benefited the private sector without any obligation besides paying the RBMN. Given the possible mismatch between salary obligations and vouchers for some municipalities with “excess teachers” (meaning voucher income, determined by the number of students attending, falling short of salary obligations imposed by the Estatuto Docente), a transitory discretionary fund to help municipalities that applied on the basis of providing evidence of this mismatch. The fund was transitory on the expectation that the municipality would be able to reduce its educational expenditures gradually. However, this adjustment

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<sup>60</sup> It is a percentage that is supposed to increase according to the costs of living in regions extremely isolated or far away from the capital that already applied to the voucher and the salary of public sector employees.

<sup>61</sup> The fact that the right wing coalition, having majority in the Senate, approved the Estatuto Docente while having a discourse of flexibility and autonomy, with an ideological opposition to this kind of centralization, has been explained by the interest to protect their constituency, notably teachers and especially school directors appointed by Pinochet.

<sup>62</sup> Even if the number of students falls sharply. For instance, after a mine closure, a town was abandoned but the municipality was obliged to pay teacher salaries despite the fact that there were no students, and therefore no voucher income. Reports of teachers been paid sick leave in municipalities while working full time in the private sector were difficult to confirm due to the lack of integrated data bases.

was impossible given that the same Estatuto closed the possibility to fire or reallocate teachers. Moreover, in practice, it was observed that several municipalities hired more teachers on the assumption that the Ministry would have to pay for them with this Fund or other mechanisms (the phenomenon of “soft budget constraints”).<sup>63</sup>

In addition, the Estatuto Docente almost imposed de facto centralized wage bargaining between the TA and the Ministry of Education. Although it was legally forbidden, the very existence of the RBMN and a national wage scale for teachers made this negotiation inevitable. If teachers had been ascribed to the public servant salary scale, their salaries might have been negotiated along with all other public servants. Instead, the latter was considered an additional source of salary increase by the TA. They negotiated first with the Ministry of Education, then they sat again at the table with the Ministry of Finance, together with the association of public sector employees (ANEF), as this settlement affected both the value of the voucher as well as the RBMN. In practice, the real employers – mayors, not to mention owners of private subsidized schools – were never invited to sit at the negotiating table until the early 00s, for discussing the evaluation of municipal teachers.

Just two years after the Estatuto was promulgated, the TA negotiated with the Ministry of Education, despite the Estatuto established gradual wage increases until 1994 and indexed teacher wages to the readjustment of the public sector. The result of this process was the creation of a new bonus paid in 1993, named UMP (Unidad de Mejoramiento Profesional), a fixed amount per teacher. Again, it was financed by an increase in the voucher and therefore generated larger deficits in municipalities with labor costs already above their income from vouchers. The UMP was also made compulsory for private subsidized schools but, as they had less teachers per student in general, income from vouchers entailed a surplus for them.<sup>64</sup>

In 1994, the new administration faced the imminent end of the transitory fund while several municipalities were completely underfinanced. The immersion of ministry officials in the financial reality of several municipalities due to the discretionary (case by case) allocation of the transitory fund (specially the analysis of the cases appealing to the initial allocation) ultimately led to the estimation of costs models to solve the puzzle posed by an enormous educational deficit of rural municipalities (about 2/3 of the total but representing less than 16% of the population) whose mayors demanded to give back municipal schools to the Ministry of Education. Ad hoc models of efficient schools suggested that their sparse population made impossible adequate financing with the current structure. On this basis, several corrections were introduced that tripled rural resources between 1994 and 1996.<sup>65</sup> The voucher for special education was also increased on the basis of similar arguments. More importantly, the burden imposed on the urban municipal education system was estimated to require an additional general increase of the value of the voucher of around 3% that was also extended to the private sector.<sup>66</sup> This major change of financing (reflected in figure 3 and 4 peaks in 1994 to 1996), was mostly the result of technical arguments raised by the ministry of education that were acceptable to the Ministry of Finance.

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<sup>63</sup> Carciofi, Cetrangolo, & Larrañaga (1996).

<sup>64</sup> Most norms of the Estatuto Docente were voluntary for the private sector, except for the RBMN, and only some private subsidized schools extended the full wage package either to avoid collective bargaining or for fairness reasons. In any case wage costs in private subsidized schools have been lower than in the municipal sector mostly due to the fact that its teacher work force was younger and had less experience and the fraction of students per teacher was higher.

<sup>65</sup> See (González P. , 1998). A rural floor that provided a total amount equivalent to seventeen students irrespective of the number of students attending for slightly less than seven hundred rural schools located in border areas. The rationality was that even with three students a school required at least one teacher. Aside a rural special provision that accounted for economies of scales up to 180 students, provided a multiple of the value of the urban voucher that declined with the number of students.

<sup>66</sup> A tricky aspect of the Estatuto Docente was that the RBMN was linked to the USE (Unidad de Subvención Educacional or Educational Subsidy Unit) that was the basis for the determination of the value of the voucher, but as the value of the voucher was different according to level and modality of education, the final value of the voucher was the result of the multiplication of the USE by a factor (1 or above) variable according to level and modality of education. The intention might have been to force that all future increases of the value of the voucher would have a consequence on teacher's wages as it actually occurs almost automatically each year when the government decides the general wage increase for the public sector, which is extensive to municipal teachers and is financed by an increase in the same percentage of the USE. This would have made the problem of underfinancing untreatable. Instead, the government chose, this time, to isolate wages from the voucher increase by increasing the factors and not the USE. Accordingly, the 1994 and part of the 1995 increase in voucher expenditure were not linked to wages. It was interpreted as a clear support to the education sector and an encouragement to the private sector in education that was already benefiting by the possibility of charging fees to parents that was opened in 1993 by the end of the Aylwin administration.

The new government also introduced changes to the Estatuto Docente. The possibility of reallocating or even dismissing teachers was introduced once a year in the framework of a new instrument that was compulsory for municipalities, the PADEM (Annual Development Plan of Municipal Education), where, at the beginning of the year, municipalities had to produce a plan with an explicit strategy that included adjustment of teachers' hours to an estimation of future enrolments. The discussion of the plan should be public and transparent, and was regarded as an attempt to limit discretion on the part of mayors.

Partly the early change of authorities at the Ministry of Education in 1994 (after six months) was attributed to TA's strength: Ernesto Schiefelbein (independent but close to the Christian Democrats) was replaced by Sergio Molina (Christian Democrat), and Gonzalo Undurraga (Christian Democrat) by Jaime Pérez de Arce (Socialist), leading to a more nuanced representation of the multiple colors of the rainbow within the Ministry. Also, Sergio Molina was a highly respected figure among teachers and the public.<sup>67</sup> This political capital gave Molina the strength to negotiate several important changes with the TA. In addition to the modifications to the Estatuto Docente outlined above, these included: an agreement to sit at the bargaining table every other year instead of each year; a new minimum teacher wage that was above the RBMN and unrelated to it, absorbing in practice the first 4-5 years of experience allowances but deactivating the political discourse of very low starting salaries for teachers; this minimum wage was extended to the private sector; aside the minimum wage, the new wage increase was made variable as a new specific subsidy was introduced, paid according to the number of students but earmarked specifically to pay a bonus to teachers (the amount left after paying for the higher minimum wage was required to be divided equally by the number of teachers in the municipality); this earmarking was also applied in the private subsidized sector but this time the bonus would be of a larger amount for teacher's whose Sostenedores had larger surplus and all the new subsidy had to be spent on teachers; and, finally, a collective incentive mechanism was introduced (SNED)<sup>68</sup> that has been highlighted as a pioneering international innovation in this area (Vegas and Umansky, 2005) and has been evaluated to have a positive impact on tests scores (Contreras & Rau, 2012)).

The agreements of 1994 were costly to the leadership of the TA. They exhausted their political capital and convinced TA's national assembly to accept the Minister's proposals despite the innovations introduced, including the collective incentive mechanism. Incentives and more labor flexibility, even if collective for the former and necessary for the survival of the municipal system for the latter, are difficult to sell for union leaders and to swallow for union members everywhere. The communist party gained control of the TA in the November 1995 election, and Jorge Pavez became president. The Concertación never regained control of the TA, which would move to the left through time, as will be described later. Nevertheless Concertación party members remained in a governing body of 15 members (as the organization is legally a collegiate guild).

In 1996, as part of the Educational Reform, the professionalization of teachers was promoted, creating programs and scholarships to strengthen the profession, including an initiative to improve faculties of education, and the creation of the "Teaching Excellence Award" which publicly rewards teachers whose peers recognize their outstanding professional performance in each Province. According to our interviews, most of these initiatives were discontinued, leaving the social status of teachers unchanged and the faculties of education with little improvement.

#### 4.3 Evaluation "within" the Estatuto Docente

The National Congress of Education of 1997 (summoned by the TA) formally rejected the qualifications system precluded in the Estatuto Docente and assumed teacher evaluation as a responsibility of the TA. A set of criteria was defined: an evaluation should be remedial and formative; participatory; made up of realistic and objective instruments, for which a national technical commission had to be created to design them; and be validated nationally, which required a national consultation of the proposal. This event was extremely important, as it defined the conditions for teachers' acceptance of an evaluation system and provided the possibility of bargaining around the specifics of an evaluation system.

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<sup>67</sup> Molina was recognized as the Ministry of Finance of Frei Montalva between 1964 and 1968 that made important advances for teachers and for public education. He was also appointed by the Teacher Union during the 80s as CEO of AFP Magister (a pension fund controlled by the Teacher Union) where he saved the firm from bankruptcy.

<sup>68</sup> For a description see section 5.1 and rationality see Mizala and Romaguera (1997).

In January 2000, the TA and the presidential candidate Ricardo Lagos signed the document “Foundations for a compromise to strengthen education and the teaching profession” that included an agreement to replace the qualifications system of the Estatuto Docente. After Lagos became President, a team was formed within the Ministry of Education to coordinate this issue, establishing a tripartite technical committee with the TA and the Association of Municipalities. This committee agreed to replace the qualification system of the Estatuto Docente, presenting a formative evaluation proposal based on agreed and explicit performance standards. Its work was carried out in two subcommittees, one focused on performance standards for teachers, and the other on the evaluation system. The first was expected to indicate with clarity the standards of performance expected from teachers – which resulted in the “Marco para la Buena Enseñanza” (Good Teaching Framework, hereafter MBE) published in 2003 – and the second was expected to evaluate if those standards were met by each teacher. The MBE was based in the Framework for Teaching led by Charlotte Danielson (<https://danielsongroup.org/framework>) “that identifies those aspects of a teacher’s responsibilities that have been documented through empirical studies and theoretical research as promoting improved student learning.” (<http://www.tpep-wa.org/the-model/framework-and-rubrics/instructional-frameworks/danielson-framework/>)

As a result of the work of the Tripartite Committee, in 2002, with the declared objective of strengthening the teaching profession, the Assignment of Pedagogical Excellence (AEP)<sup>69</sup> and the Teachers of Teachers Network (RMM)<sup>70</sup> were created. In addition, that same year, the new teaching evaluation was piloted, which covered a few municipalities. It showed the behavior of the instruments and actors involved. On June 24, 2003, the Tripartite Technical Commission issued the final Report on the Evaluation of Professional Teacher Performance. And just as the TA had proposed in its National Congress in 1997, a National Consultation of teachers on Teacher Evaluation was held. During the process, the leadership of the TA was active in gaining acceptance by the teachers. The consultation was carried out in July 2003 to 65,846 teachers (80% of municipal teachers), and as a result, the proposal of the new evaluation system was approved.

Given this result, the first Teacher Evaluation was carried out in 2003, with 3,673 teachers from 63 municipalities in the country participating (Manzi, González & Sun, 2011). Afterwards, Law 19,961 of 14th August 2004, established a compulsory evaluation of teachers in municipal schools. Its objective was “strengthening the teaching profession and contributing to improve educational quality” (Docentemás, 2020). The evaluation is compulsory for classroom teachers. According to the regulation, the system has a “formative character”, oriented to improve the pedagogical work of teachers and promote their continuous professional development. Teachers are evaluated using four instruments: Portfolio, composed of a self-recorded video of one class and written evidence about his/her performance; self-evaluation; evaluative interview by a peer of another school; and a “reference report from third party”, completed by the school director or the teacher in charge of pedagogical coordination. There is also a voluntary disciplinary and pedagogical knowledge test linked to additional incentives. According to the results, the teacher is allocated to any of the four levels of performance: outstanding, competent, basic and unsatisfactory. Competent level corresponds to the minimum expected level and indicates an adequate performance that meets the requirements to exercise the professional role according to the criteria established in the MBE.

In general, the evaluation is taken every four years by every teacher, except those classified as basic who must take it in two years’ time, and those classified as unsatisfactory that must repeat it the year following the evaluation. These teachers might attain the Plans of Professional Improvement, which are free training sessions offered by the municipalities. If the teacher does not improve in two consecutive

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<sup>69</sup> Voluntary program for teachers of municipal and subsidized private institutions, which, through a disciplinary and pedagogical knowledge test, and a portfolio, evaluate different areas of teaching: knowledge of the disciplines, didactics and curricular content, as well as skills and competences exercised by teachers in the classroom. Those teachers recognized as teachers of excellence received a financial retribution, along with the possibility of applying to the Red Maestros de Maestros (RMM).

<sup>70</sup> Teachers accredited with the Assignment of Pedagogical Excellence (AEP) might apply. Later, with Law 20,903, all teachers in the advanced section who apply and are selected, and teachers in expert section I and expert II, are part of the network. Modalities of participation and / or benefits: National Meeting of New Teachers of Teachers; Portal for each member of the Network; and Active Participation Projects (members develop a pedagogical advisory proposal to improve pedagogical practices of classroom teachers that would be remunerated).

evaluations from the basic level or obtains an unsatisfactory level two consecutive times, he or she must leave teaching.

In addition, AVDI (Variable Allowance for Individual Performance) was awarded to municipal classroom teachers with an Outstanding or Competent level in the Teacher Evaluation and who voluntarily took the disciplinary and pedagogical knowledge test, and obtained sufficient, competent and outstanding achievements. It consisted of a quarterly payment for a period between 2 to 4 years.

According to our interviews, two issues appear to be key in explaining TA's acceptance of the evaluation system: a joint international trip to visit and observe high performing educational systems (that included Ireland, and Cuba as requested by the president of the Association), and the conviction of some of them that all professions are, in one way or another, subject to some sort of evaluation by their employers or by the market. The fact that Cuba had a strong system of teachers' evaluation, with class observations by Ministry officials and with the possibility of contract termination (or at least reallocation to other sector or activity) weighted heavily on leaders that were close to the Communist party, as Cuba was (and is still) a reference for them.

Nevertheless, a sector of the TA opposed the evaluation system and were against the agreement. These were led by Jaime Gajardo and Mario Aguilar. Both leaders become president of the Association later on. According to interviews, Gajardo opposed the evaluation system because it was not part of a proper teacher career. Several symbolic and communicational actions for gaining visibility were undertaken. Gajardo called for teachers to sabotage and not to participate in the evaluation. Although he did not succeed in stopping the process, again, the hard line and the strong critique to the leadership for not serving the interest of teachers propelled Gajardo to the Presidency, as it did for Jorge Pavez before. Elected treasurer in 2004 (third most voted), he later won the presidency of the TA in 2007, and was reelected in 2010 and 2013.

#### 4.4 Bachelet and Piñera first periods

Bachelet's first term (2006-2010) was a period of implementation of law 19,961, which posed the challenge of administering an evaluation system and its consequences. Those classified in the lowest category were few in number and although they complained, they lacked the political force to nullify the process, which also had beneficiaries in the upper categories. The agreement with the TA and the democratic support of teachers were a key and valuable asset. The implementation was in charge of the CPEIP (the Ministry of Education Centre for pedagogical research, experimentation and training) and the expert support of MIDE-UC, a specialized center of the Pontifical University of Chile that inherited the experience of developing the national standardized tests for quality assessment (SIMCE) since the 80's, was crucial for success. Sabotage, in the form of non-compliance with the evaluation, as proclaimed by dissident leaders of the TA, led to classification in the lowest rank and therefore risked separation from teaching. This prospect soon led to full compliance as suggested by Table 1 that presents the number of municipal teachers evaluated in each category each year, those refusing to participate and the number of teachers that were separated from teaching.

The MBE and the evaluation of teachers based on the MBE was an instrument to influence what happens in the classroom. Without intruding in the interactions occurring in classrooms and schools, and therefore respecting the decentralized nature of the system and acknowledging the lack of capacities to directly supervise classes and schools, the MBE defined what was expected for classroom teachers and the evaluation assessed if each teacher had the capacity to meet this standard. It was the first time educational policies "entered the classroom", although indirectly. This was one of the key "weak links" that OECD (2004) suggested limited the possibilities of policy to reach better results. Our interviews, including those with teachers, suggested both the MBE and its evaluation, led to changes in pedagogical practices. According to our interviews, the MBE formalized what was expected from teachers and knowing the standard that was expected from them, they started to apply it and act accordingly.

The other weak link highlighted by the OECD (2004) report was initial teacher training, left to a higher education market. The measures taken on this front are evaluated by some interviews as rather limited.

In 2008, the INICIA program<sup>71</sup> for initial teacher training introduced a national evaluation of pedagogical knowledge and computational skills of students in the final stage of their initial teacher training. Training institutions voluntarily enrolled their students. In 2010, Teacher Vocation Scholarship relaunched the program introduced in 1998 to attract better students to initial teacher training.<sup>72</sup> On the other hand, the Quality Assurance System of Higher Education was putting pressure on all institutions, including those offering teacher training, to improve on certain indicators, including proportion of faculty with a PhD and research publications in indexed journals.

Both Bachelet's and Piñera's first periods (2006-2014) had little activity on issues related to teacher career or evaluation. As reviewed in chapter 5, they were more active in other areas. Nevertheless, a joint task force for the teacher career with Ministry and TA representatives produced a report on December 22, 2008.<sup>73</sup> The report suggested the "purpose of the career is to have the teachers Chile needs to guarantee a quality education to the entire population." It is stated that the career should have a "formative character", with focus on "teacher's personal and professional development", and will impact the "quality of education." As in other initiatives, it is remarkable that the ultimate justification on educational quality is the attraction of good teachers and teachers personal and professional development.

The objectives of the career proposed by this commission were: 1) recognize the capacities and performance of teachers in relation to educational quality, equity and social integration, considering the context in which the learning process takes place; 2) promote the permanence of the best teachers; 3) attract students with vocation and capacities; 4) recognize and value the responsibility of teachers; 5) recognize and ensure the right to opportunities for professional development and training; 6) recognize the different merits and motivations of teachers to promote they continue teaching. Specific measures include reduction of the proportion of teaching time over total labor time to 60%; career based on merit and responsibility; school directors should teach part time and privilege the relationship with their team.

Soon after the presentation of this report to the Minister of Education, the representatives of the TA abandoned conversations with the Ministry after the latter included in the project of the (new constitutional) General Law of Education the possibility that any graduate of a career of 8 or more semesters in an area related to the specialty he/she teaches in high school (K9-K12). This provision was also opposed by the faculties of education on the grounds that it does not respect pedagogical knowledge assuming anyone can teach and provided she/he masters the knowledge of the discipline.<sup>74</sup> The General Law of Education was approved in 17 August 2009 including this provision in Article 46 g.<sup>75</sup>

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<sup>71</sup> Evaluates knowledge in the disciplinary field; general knowledge of education and pedagogy; pedagogical and general skills (written communication skills and computer skills).

<sup>72</sup> Scholarship that finances tuition and the entire annual fee for the degree, for students with high scores in the test to entry higher education who enroll for the first time in the first year of Pedagogy, Early Childhood Education or Differential Education degrees accredited and eligible. In addition, for those who obtained higher scores, it gives a monthly contribution of CLP\$ 80 thousand. Once the professional title is obtained, the recipient must work for at least 3 years in educational establishments with state funding, where they must complete a teaching workday of 44 hours per week or its equivalent. This program is not new. It was originally introduced in 1998 under the name Scholarship for outstanding students of pedagogy and continued with minor adjustment during the period (Avalos, 2003). The adjustments to the actual version followed the realization that between 2007 and 2010, only a little more than 10% of the students who entered pedagogy came from the upper third in the University Selection Test (PSU) (Alvarado, Duarte & Neilson, 2012). The expert panel of education convened by President Piñera in 2010, proposed a reformulation of this scholarship program, to turn it into the current program (Panel of Experts, 2010). Unlike the previous program, the scholarship does not establish a limit of beneficiaries per year, guaranteeing the delivery of benefits to all students who meet the requirements; it does not include the average of high school grades as a criterion for the assignment of benefits, but it does consider the ranking of high school graduation as an additional criterion for assignment. This, only in the case of students with a PSU score lower than 600 [the points are useless for outside readers: check what % gets more than...] but higher than 580 who are in the top 10% of the ranking of grades in their cohort of high school graduation. It is interesting that the introduction of this graduation ranking also in the admission to universities is associated with an unintended migration from more competitive schools with high PSU scores to lower quality schools by students expecting to obtain a higher ranking.

<sup>73</sup> TA representatives: Olimpia Riveros, Verónica Monsalve, Darío Vásquez, Osvaldo Verdugo, Alejandro Silva, Guillermo Scherping, Roberto Morales, Pedro Aravena. Ministry of Education: Carlos Eugenio Beca, Rodolfo Bonifaz, Jaime Veas, Xavier Vanni, Paulina Peña.

<sup>74</sup> Two core pedagogical issues are neglected that are essential to educators: knowing how to teach; and understanding how to teach a specific knowledge, skill or capacity.

<sup>75</sup> The NGO Enseña Chile (inspired in Teach for America) is devoted to facilitate this while acknowledging that the decision and responsibility rests on the school director. A complete lists of careers according to the likelihood of acceptability can be found [https://www.ensenachile.cl/wp-content/uploads/2019/03/habilitacion\\_2019.pdf](https://www.ensenachile.cl/wp-content/uploads/2019/03/habilitacion_2019.pdf)

The first government program of Sebastian Piñera included a new teacher career. Its first Minister of Education, Joaquín Lavín, appointed an “expert panel on educational quality” that after a few months of its establishment formulated proposals for initial teacher training and a teacher career on 9 July 2010.<sup>76</sup> Excluded from this process, in June the TA presented their own proposal of a teacher career while reiterating their demand to derogate article 46 g. Their proposal included most of what was contained in the previous agreement, with a minimum reduction of the proportion of time in front of classroom to 60% and later gradually to attain 50%, induction for novel teachers, increase of allowance for teacher training, and derogation of AEP and AEVI for being individualistic and competitive incentives. Concerning initial teacher training, the TA asked for compulsory accreditation of education careers, closure of those failing after a second chance, and request to remove private accreditation agencies from the process. The national assessment INICIA for students of education was requested to be part of the evaluation before graduation. The extension of the career to the private voucher sector was also an important demand.

While efforts were concentrated on the Quality Assurance System, the teacher career lost traction. In parallel, Law 20.501 of Quality and Equity in Education was approved on 26 February, 2011. It sought to improve the quality of municipal managers of education, school directors, teachers and, furthermore, to increase school subsidies. With this law, school directors could be, finally, removed. Higher entry requirements, higher performance demands and higher salaries were provided to end this tenure. For selection of directors, the compulsory system, which was introduced for high level civil servants in 2003, was extended. For classroom teachers the legislation modified the consequences of the Teacher Evaluation, in terms of reevaluation and abandonment of the teaching staff with repeated bad results. A bad evaluation implied being first in order of priority for plant adjustment and entering the 5% that the director might dismiss annually. Retirement age became a factor to consider when adjusting plants. The retirement of teachers near pension age was incentivized through a bonus. In addition, a bonus for retired teachers with low pensions was created. The incentives for good teachers to perform in vulnerable schools were increased with a higher value of the AEP.

On February 29, 2012, Harald Beyer, third Minister of Education in the first Piñera administration, presented a project of teacher career. On 1<sup>st</sup> March, the Minister declared that the purpose was to attract and retain the best teachers to produce quality of education. The project included a “mixed evaluation system”: Teachers were to be evaluated by the ministry exclusively around their level of knowledge and skills every four years. According to the performance in these tests and teacher’s experience, they would be classified in four categories: initial, prepared, advanced or expert. Each of these stages had a different salary profile. Another evaluation would be conducted annually in the classroom by the school principal, the municipality education director and the technical team of the school. This evaluation would lead to annual mandatory performance bonuses for teachers who achieved good qualifications. Teachers who did not have a good performance in the classroom could be dismissed. Hours in front of the classroom were reduced to a maximum of 70% (still far from what teachers demanded but less than the 75% established by the Estatuto Docente in 1991). More autonomy was given to school directors in the selection process of new teachers.

The TA complained that they were notified about the project at 10 AM, March 1, and had an extraordinary assembly that same afternoon. They rejected the mixed evaluation system, as this could lead to having “as many evaluations as school directors”.<sup>77</sup>

#### 4.5 Bachelet’s second term: teachers’ career

Michelle Bachelet was elected president with a promise to introduce deep changes in the Chilean development model, including a controversial tax reform that was vehemently opposed by the entrepreneurial sector and right wing political parties. Moreover, the ruling coalition, together with the votes of the “Frente Amplio” formed mostly by young professionals that participated in the 2006 and 2011 student movements, had the majority of votes required to pass any legislation that did not require

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<sup>76</sup> The commission was integrated by three outstanding teachers (former Minister Mariana Aylwin, Julia Alvarado and Andrea Krebs), five economists (including two former and one later Minister of Education), two sociologists, one engineer and one mayor.

<sup>77</sup> <https://radio.uchile.cl/2012/03/01/mineduc-ingresa-proyecto-de-carrera-docente-en-medio-de-cuestionamientos-de-profesores/>

constitutional amendments.<sup>78</sup> Although Bachelet's program was presented as a radical and full scale change of the "neoliberal" model, the government prioritized the educational legislative agenda, changing rules mostly in the school system, where large national and international private conglomerates had less vested interests, while conceding to those interests in higher education by creating a voucher system that benefited 60% poorer students in public or private universities. It also did not touch powerful vested interests in private pensions and health.

A consortium of civil society organisations including universities, research centres, parent and student organisations and the TA worked side-by-side to produce the Carrera Docente, a modern bill that introduced probation and promotion tied to evaluations. According to Mizala and Schneider (2019) this was an exemplary reform as many actors worked together several months to produce a well-elaborated technical proposal that received little opposition or modifications in the course of the legislative process. Even the TA concurred to the agreement after changes were made to the proposal (see below) and the right wing opposition had little manoeuvre as they were a minority group in both Chambers at the time.

The TA rejected a first version of the bill, raising 11 issues related with certification and evaluation of teachers (lack of trust and of consideration of collaborative work; demanded that evaluation stops after reaching the advanced stage and that different mechanisms be used afterwards; elimination of the evaluation system created in 2004 except for those elements considered in this new career; AEP and AVDI were criticized for being competitive and individualistic and no longer necessary); loss of rights (such as wage increases every other year due to experience and labor stability); placement of teachers in each stage; remuneration, exit and retirement mechanism; universality of the career (application to the private subsidized sector); ratio between teaching and non-teaching hours; number of students per classroom; dismissal modalities; and consequences of evaluations. This multidimensional disagreement, despite the benefits proposed, translated into a 57-day strike, from June 1<sup>st</sup> to July 28 2015, which is the longest since the return of democracy.

As for the trajectory of the law, in 23 July 2015, the Chamber approved in general the "idea to legislate", which means it accepted to discuss the project presented by the Ministry of Education, with 65 votes in favor, 11 against and 30 abstentions (Table 2). Most of the latter came from the right wing coalition, although some of them approved while some in the ruling coalition also rejected or abstained. Note that this approval occurred despite teachers' strikes demanding that the government retired the project (which was not conceded).

In the final legislative step, the Chamber voted in general, with 87 in favor and 1 abstention, on 28 January 2016. All the amendments of the Senate were later voted upon separately and approved, although some of them without such an important endorsement. Table 3 shows that some articles were rejected by most representatives of the right wing coalition, sometimes with the support of other parties but never enough to reverse the majority. The socialist party, Bachelet's party, voted unanimously in favor.

Law 20.903, enacted on the 1<sup>st</sup> April 2016, created the "Teacher Professional Development System" known as the Teacher Career. While it established several allowances like the Estatuto Docente of 1991, a key issue was that progress was linked to teachers' evaluation and proceeded to well regulated stages.

The Teaching Career structured a wage scale that was more ambitious in terms of the commitment of future resources, as it established a higher entrance and a steeper progression (see Figure 6, where the lower blue and red lines correspond to the previous Estatuto Docente).<sup>79</sup> At the top of the scale, teachers would earn 80% more than with the previous system, along with a steeper progression that is no longer automatic.

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<sup>78</sup> Which might be blocked by the Constitutional Tribunal where the right wing opposition had half of the votes. Designation to the Tribunal became an increasingly partisan issue.

<sup>79</sup> An exhaustive detail of the allowances established by the Teacher career as well as the allowances that were eliminated, modified or made compatible might be found at [https://www.cpeip.cl/wp-content/uploads/2019/01/Estructura\\_Asignaciones.pdf](https://www.cpeip.cl/wp-content/uploads/2019/01/Estructura_Asignaciones.pdf)

The Teaching Career has five stages where teachers can progress,<sup>80</sup> starting with the access stage.<sup>81</sup> Progression occurs on the basis of their skills and knowledge as indicated by the teacher evaluation system, and each progression is associated with salary improvements. The stages after access are: initial, early, advanced, and expert, in turn divided in expert I and expert II.<sup>82</sup> To determine the stage when entering the career, the score from the Teaching Evaluation Portfolio is used, together with the result of a new evaluation of specific and pedagogical knowledge. The advanced stage certifies that teachers have the expected level of knowledge and professional skills, according to the criteria of the MBE; and that, in addition, they possess the skills necessary for teaching in the classroom, and are capable of reflecting deeply on their practice and gradually assuming new professional responsibilities related to pedagogical mentoring and to school improvement plans. The Teaching Career links contract termination to consecutive poor evaluations.<sup>83</sup> As for hours in front of the classroom, they were reduced to 70% in 2017 and 65% in 2019. For schools with over 80% of priority students (see section see section 5.1) this is reduced to 60% since 2019.

While all municipal (later Local Services of Education) teachers were immediately subject to the provisions of 20.903, employers of teachers working in schools receiving public subsidies (voucher or DL 3166) could apply to enter with one or more schools. The Ministry of Education established annual quotas for this purpose.

Note that the evaluation introduced by Law 20903 (Teachers' career) does not replace the evaluation established by Law 19.961 (Teachers' evaluation system) enacted in 2004 but uses one of its instruments, the "portfolio of pedagogical competences," that includes the recording of a class performed by the teacher. It does not use its other instruments (namely, self-evaluation; interview by a peer; and report of referee by third parties, i.e. his/her hierarchical superior). Both are based on the same framework (MBE) but have certain distinctive features that might contribute to different aspects of the assessment. However, they are not combined. Interviews suggest that the reason for not modifying the contents of Law 19.961 during or after the legislative process of Law 20.903 was political. Ministry officials suggest, "If we opened those chapters, everything could be disarmed because there was a very strong pressure for dismantling teacher's evaluation. And we weren't going to have the political capacity to contain that" (interview 1)... "It would had complicated the parliamentary discussion, super complicated, and an easier way was to leave put teacher evaluation. We are discussing only career" (interview 2).

#### 4.6 Further developments

Later on, law 21.040, approved in November 2017, created the Public Education System addressing TA's longstanding and most important demand: municipalization was finally reversed. A gradual chronogram for the transference of municipal schools to newly created Local Services of Education, dependent on the National Public Education Agency, a new autonomous agency of the Ministry of Education was established between 2018 and 2025, with an intermediate evaluation that could defer the process longer. This was a more divisive issue as shown by the rejection of the right wing opposition in Table 4 and Table 5.

The voucher system, however, remained untouched. In fact, concern was expressed, during the interviews, about the unfairness that might be produced by the direct financing of these new public services through direct line items of the national budget, which is inaccessible to private subsidized schools. The opposite was also expressed: how will these services be able to compete with the private

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<sup>80</sup> Stage progression is subject to three requirements: first, progress is linear, that is, it is possible to advance one stage per process (except in particular cases of a combination of results plus years of experience); second, years of experience, for each section it is necessary to have certain defined years, thus, for example, for the Early section the minimum is 4 years of experience; and third, results in the Recognition System, made up of two evaluations: the Portfolio, with achievement categories from A to E, and the Knowledge Test, with results from A to D (each of these categories correspond to a score between 1 and 4).

<sup>81</sup> Teachers with more than four years of experience, but who do not have results in evaluations from the Ministry of Education are classified in this stage.

<sup>82</sup> The last two stages are voluntary.

<sup>83</sup> Those teachers entering before 2025 that belong to the initial section and obtain results that do not allow them to advance one section in two consecutive recognition processes, are required to quit teaching. Teachers entering after 2025 will have two recognition processes to advance from the Early to the Advanced section. If they fail, they must exit the system and after two years, they will be able to return to the Initial section, but with the obligation to move to the Advanced section within two years.

subsidized sector without the resources already committed to education by the municipalities,<sup>84</sup> and given the obligations they must fulfill that are not enforced on the private sector?

The success of Gajardo's administration on historical demands of the TA was not enough to preclude what was the tendency after each major negotiation where agreement between the leadership and the government was reached. Mario Aguilar became President in January 2017 with a platform suggesting Gajardo betrayed teachers (it was suggested in the interviews that this was based on several half-truths and plain lies), ending more than twenty years of pro-communist leadership (Pávez quitted the communist party while serving as president). In fact, this betrayal discourse against Gajardo was favoured by the fact that the communist party was part of the ruling coalition and therefore put the interest of his party before the interest of teachers. Aguilar had a confrontational attitude towards Gajardo since 2010 – despite being former allies against Pavez in 2007 - and towards Bachelet's administration, despite her educational agenda. His attitude had been even more belligerent against Piñera, where he preceded over a 50 day strike. The government refused to negotiate until day 40.<sup>85</sup>

The actual demands of the TA were large and extensive, making negotiation extremely difficult. They involved major resources and institutional issues, including the already referred "historical debt" contracted by municipalities with little incentives to spend on proper legal defense due to soft budget constraints;<sup>86</sup> burnout (too many hours in front of a classroom; excess bureaucratic work; "illegal" demands for teachers such as surveillance during recess or replacement of absent teachers); respect for the holiday period established in the Estatuto Docente; revision of the poor concept of quality, suppression of SIMCE and its consequences, while maintaining it on a smaller scale as a thermometer of the system to be administered to a sample of students; revision of the curriculum (too encyclopedic and based on subjects); end of double evaluation systems; extension of labor norms to the private sector; "democratization" of schools (such as giving the teacher council resolving power on pedagogical issues and the school council on administrative issues); incorporation of allowance for training in the Teachers career; development of a career for school directors and opening the possibility to younger excellent teachers who might not reach the advanced stage due to lack of experience; more diverse approaches to teaching and learning as acceptable in the evaluation (the word used for describing the actual evaluation system is "totalitarian"); transparency in evaluation and corrections to wrong classification of teachers; critiques to the implementation of the New System of Public Education; delays in implementation of certain benefits.<sup>87</sup> Some demands lack specificity and any alternative might be judged insufficient as occurred with the reduction of the share of hours in front of classrooms already granted in the Teacher career. As underlined above, there is for the first time a demand to eliminate the SIMCE and its consequences, an issue we will examine in Chapter 5. We will return to the other underlines elements in the final Chapter.

To close this period on this issue, it is important to mention that a consultation and review of the Framework for Good Teaching started in 2014 and crawled until 2019. In 2014, based on a recommendation from the OECD, a new updated proposal was prepared that included the contributions of recent research, international experience, reports from teacher discussion groups and the review of national and international experts and specialists in education. In the context of Law 20.903 (2016), a national participation process was opened to update the MBE. To this end, an online platform was launched and included a reflection session among peers in each of the country's teaching communities. Subsequently, the National Council of Education had to approve the proposal. In August 2019, after a 2-year process of reflection sessions with different agents, the "Framework for Good Teaching in Early Childhood Education" was published. The other (primary-secondary) MBE is still under revision up to the date this report was prepared and its 2003 version is still valid.

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<sup>84</sup> Estimated at 10% by Winkler & Rounds (1996).

<sup>85</sup> <https://www.emol.com/noticias/Nacional/2019/07/22/955138/Paro-de-profesores-cumple-50-dias-y-pasa-a-ser-el-segundo-mas-largo-de-las-ultimas-cinco-decadas.html>

<sup>86</sup> When municipalities had a proper legal defense the cases were resolved against teachers, but the fact that many municipalities did not hire a proper legal defense expecting to endorse the debt to the government and be in good terms with their teachers is an interesting coordination failure. The claim is that the government was indebted for not paying severance clauses during the dictatorship when the transference to municipalities was made. According to the same source this historical debt was recognized by Bachelet's administration that even elaborated a cadaster of all teachers affected.

<sup>87</sup> <http://profesormetropolitano.cl/wp-content/uploads/2018/04/PETITORIO.pdf>

The actualization of the MBE was one of the recommendations of OECD 2017 review of the Chilean education system (Santiago et. al., 2017). It is interesting to note that a key recommendation of the OECD report was to “promote the role of the teacher and the profession of teaching and engaging teachers in the ongoing process of education reform.” It notes the urgency of improving teacher status in schools and the community. It is sad to recognize a diagnosis very similar to the problem observed more than two decades earlier that was addressed by one axis of Frei’s educational reform. Santiago et. al. (2017) suggest that law 20.903 provides “an opportunity to reinvigorate and restate the national vision of education reform for Chile. During the implementation process, the Chilean government should foster sustained stakeholder engagement, and craft a communication strategy that articulates Chile’s educational vision. This vision should be shared by all. It should bring together all education stakeholders, including teachers and school leaders, parents, students, owners and administrators, in support of the common cause of a high-quality and relevant education system.” As we will see in section 5.2 this incapacity to lead such processes is a key weakness of the ministry of education.

Another key weakness highlighted by the OECD was initial teacher training. The report recommended that the government should ensure the quality of the Faculties of education and the alignment of the programs of initial teacher training with the MBE; a closer contact between these institutions and the schools where their graduates work, while professors should mentor their graduate students during their first year in front of a classroom. It also pointed to the need to improve in-service teacher training and develop a strong professional cadre of school leaders and principals.

#### 4.7 The forces behind change

The progression from the Estatuto Docente to the Teaching Career shows the incremental and accumulative nature of Chile’s institutional change. The TA is a first actor influencing this trajectory. On the subjective side, teachers felt maltreated by the dictatorship and had high expectations with the return of democracy. Public opinion and at least part of the Concertación within the Executive and Legislative branches were sympathetic with their situation. While many teachers were not affiliated, the TA was an effective organization for representing municipal teacher’s interests and, in some cases, those of teachers working in the private subsidized sector. The TA has exerted great influence since the return to democracy, both for public opinion sympathies towards teachers’ cause as well as its capacity of mobilization and proposition. In addition, government authorities were conscious that improving education quality without the cooperation and involvement of teachers was impossible. They recognized legitimacy to the TA and negotiated with it, despite not being legally obliged, while at the same time attempting to relate directly to each teacher including email contact by the Minister (during the 00s).

At the beginning, there was not much room for change. Few resources, many urgent matters including rampant poverty rates, over representation of the right and institutional constraints, including the treatment of the army under Pinochet’s control. Nevertheless, improving teachers’ wages was a sustained priority throughout the period. In that process, the TA and its affiliates accepted incentives SNED (based on students’ results), then the MBE and the evaluation system and later a career with steep progression based on evaluation. While a continuum can be traced in teachers’ demands through time, Mizala & Schneider (2014) highlighted that for the 2011 students’ movement, teachers joined and protested against many aspects of the system but not against salary incentives. They compromised with evaluation in 2004 and obtained the linkage of this evaluation with advancement in a proper teacher’s career in 2016. They obtained also a reduction in the proportion of classroom time. The TA also obtained the reversal of municipalization in 2017 and a commitment of political actors to improve public education.

Despite their success, TA’s leaders were not able to capitalize on these advancements, as TA associates have gradually tended to vote for more radical antagonistic positions (Interviews and Cox, 2015). Osvaldo Verdugo, a Christian Democrat, was replaced by Jorge Pávez, initially a communist, who accused the former of not defending teachers’ interest strongly enough due to his militancy in the governing party. Then Gajardo replaced Pávez with the support of the communist party, defected by Pávez while in the TA presidency, questioning his agreements with Lagos’ administration about an evaluation system without a proper career. He promoted a logic of “fight and conflict.” However, he was in turn replaced by Mario Aguilar in 2017 (elected by the end of 2016), on a similar basis, the communist party being a

member of the ruling coalition at the time and Gajardo agreeing with the government about teachers' career.

Why? First, Concertación and the communist leaders had negotiated with the government and arrived to an agreement. To reach agreement, both parties had concede something. These concessions were used by more radical candidates to denounce the actual leadership in order to replace them. Second, the context of increased loss of trust in political parties and the Congress and a gradually growing social discontent (González, Güell, & al., 2012) transformed into anger (Araujo 2019) and was especially favorable for the emergence of more radical leaders. Communists were more radical in the past than the Concertación but later negotiated and committed to the institutional order. The actual leadership was more confrontational and appeared to aspire to contribute to a deeper societal change rather than only improving the situation of teachers, nor to say educational quality.

Interviews suggest also a decline in the capacity of the TA to raise challenging issues and be a constructive counterpart for policy design through time. Nevertheless, the TA and many teachers contributed to the MBE and its revision, still pending approval, and an evaluation system based on the capacity to implement this official framework. The Teacher Career was a piece of legislation that involved many stakeholders and accommodated to the demands of the TA after a long strike. Evaluation was finally linked to the teacher career.

Our interviews suggest that a key argument behind teachers' acceptance of evaluation was that other professions were also subject to evaluation. However, acceptance by teachers of the evaluation mechanism was conditional on its centralized character, limiting the possibility of managerial discretion. They preferred a well-established procedural system rather than a discretionary system left at the discretion of each employer and a regulated career with objective criteria for advancement. This preference can be traced back to the painful experience of managerial discretion and authoritarian control exerted against teachers during the dictatorship. There was also the reminiscence of public servant status; current practice in other, more successful, educational systems; and available international evidence that was extensively discussed in the already referred commission under Lagos presidency.

Finally, technical experts have been important actors. They have contributed with their knowledge of their field and integrated the demands of different actors, specially teachers, in sound technical proposals. Their capacities are reflected in pieces of legislation that follow a smooth legislative process, where legislators have little to add or modify because they are not experts in the field. This reflects an improvement with respect to the Estatuto Docente, the first piece of legislation, which had various technical problems as described in section 4.2.

The right wing coalition was (and still is) more aligned with the idea of school autonomy and signaled a preference for a system that weighted both students results as well as school directors assessments as indicators of teachers performance. Despite their opposition to making school and municipal education directors contestable at the beginning of the period to maintain these positions in the hands of Pinochet's appointees, the reform was introduced two decades later by the right wing coalition under Piñera's first term. This reflects the quality of the policy making process, a reform introduced during Lagos administration, the creation of the ADP (Alta Dirección Pública) for Senior Civil Service –with ample support – was extended to the school system by the other coalition. This more technical appointment of school directors on the basis of their credentials rendered more palatable the possibility of giving more autonomy to schools on administrative decisions, including the evaluation of teachers, but was not sufficient to defeat the idea of a centralized evaluation.

The coexistence of two evaluations systems is an anomaly attributed to the fact that merging or rationalizing them required new legislation and therefore would open the door for unpredictable outcomes. In addition, it is argued that both evaluation systems contribute to different aspects of good teaching and therefore none should not be eliminated (see end of section 4.5). On the negative side, each evaluation instrument is expensive to administer and it is possible to question whether its results are worth the price. Finding and encouraging more uses of each evaluation instrument, specially for improving teaching, should be an important priority for those defending the permanence of these instruments. This is also true for the Quality Assurance System that we turn to in the following chapter.

## 5. The route to a Quality Assurance System

### 5.1 The many uses of the SIMCE: 1990-2009:

An important inheritance from the dictatorship was the Quality Measurement System of Educational Quality (SIMCE), initially developed as the School Performance Assessment Program (PER) (1982-84) by the Catholic University under the leadership of the psychologist Erika Himmel and the engineer Nicolás Majluf. Initially it was a test designed as a thermometer of the quality of education applied to a sample of schools. The SIMCE replaced PER and was administered first by the CPEIP (already mentioned in section 4.4) between 1985-86, then again by the Catholic University 1988-91, later Minister Lagos decided to return the control to the Ministry in 1992 and finally was transferred to the Agency of Educational Quality in 2012.

During the first years of democracy, SIMCE scores showed improvement from year to year. This was interpreted as evidence of results of government policies. However, these improvements were spurious, as scores were technically not comparable because there was no equating. In 1997, Minister Arellano introduced equating (establishing the scores that are equivalent on different instruments) for the first time. At the same time, the method of average percentage of correct answers was replaced by Item Response Theory (IRT) and a gradual transition from a norm-reference model to a criterion-reference model was initiated. An explanation was given about these changes and of the possibility to make comparisons, based on equivalent scores, only from that moment onwards. In other words, while the instrument was originally developed during the dictatorship, it was valued by the Concertación as an instrument to measure learning in schools and during the period several technical improvements were made. The changes of dependency (Figure 2) reflected the importance attached to the instrument.

Why the importance on making tests comparable through time? It was necessary to have comparable information about the outcomes of the efforts to improve educational quality. And the renewed SIMCE was a measure considered adequate enough by educational authorities at that time. Educational authorities also engaged Chile in different international testing initiatives such as TIMSS, PISA, CIVIC, PISRL, and IALS in different moments during the period since the mid 90s. The expectation was that the large increases in expenditure in education during the 90s (and beyond) and the wide arrange of policies already described in Chapter 3 would pay off quickly.

Another key political decision was the publication of scores by school in 1995. This obligation was in fact stated in the LOCE (a constitutional law ruling education provision approved in the last day of the dictatorship), but the Ministry of Education ignored it. By that time the tests reached national coverage for medium to large schools. Nevertheless, SIMCE was not designed to compare schools performance in the form the media was doing i.e. simply ranking schools according to their raw average scores. Despite the effort to explain these limitations and the correlation between scores and socioeconomic level of students, the press kept using raw results as a sort of benchmarking between schools.

Since the beginning of the Concertación period, the Ministry of Education was well aware of the problem of unfair comparison between schools, and attempted to take account of the problem in the formula to distribute the SNED (National System of Evaluation of School Performance), introduced as part of the 1994 salary negotiations with the TA. The mechanism was designed more as a fair incentive for teachers rather than as a correction to the SIMCE, but the latter was necessary for the former: a proportion of the wage increase negotiated with the TA benefited only teachers working in the 25% schools with the best results in an index composed of six dimensions (introduced in legislation, with variable weighting) that included SIMCE scores corrected by socioeconomic status, progress in SIMCE scores and equality of opportunities.<sup>88</sup> Unfortunately, the correction was limited in practice to forming homogenous groups and therefore did not account for the full extent of socioeconomic disadvantage within groups, especially in regions with small number of groups.

The issue of socioeconomic disadvantage and equality of opportunity weighted heavily for a political coalition committed to “growth with equity.” SIMCE scores that were made available at the individual level for research purposes provided a concrete measurement for comparing results between different

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<sup>88</sup> For more information see the references quoted in section 4.2 where SNED is first introduced in this essay and <https://www.ayudameduc.cl/ficha/descripcion-general-sned>.

groups, schools, territories and sectors. At the request of the Ministry of Education, González, Mizala and Romaguera (2004) estimated that a 50% reduction of the gap between the poorest quintile and the population average required 50% more resources per disadvantaged student and a correction for peer effects. A means tested voucher, Law 20.248 was introduced in January 2008 during Bachelet's first administration while one of the authors, Pilar Romaguera, was undersecretary of education, with the intention of equalizing educational opportunities. Although the Ministry of Finance did not accept the correction for peer effects in the original version of the law, it was demanded by an independent Senator, close to the right wing opposition, during the legislative process in exchange for his support. The legislation was finally supported by most groups while it reinforced the voucher system (important for the right) correcting for individual and group disadvantage (important for the left). The legislation was accompanied by a large increase of the value of vouchers of about 15% (Darville. P. and Rodríguez, 2007) which further reinforced the bet on autonomy and freedom of choice, while at the same time the SEP classified schools according to their SIMCE results in three categories. The lowest category had closer Ministry oversight over the use of resources. Most Senate amendments were voted unanimously or almost unanimously by the lower Chamber, except for a limitation of the authority of the Ministry to sign agreements with the *Sostenedores* (that limited their autonomy to decide over the use of resource) after three years or until the Quality Assurance System (in discussion at that time) entered into operation. It is possible to appreciate in Table 8 that this amendment was voted unanimously by the right and approved with the votes of 16 out of 18 Christian Democrats, 4 PPD and 1 socialist, suggesting divisions on the ruling coalition on the matter of autonomy and control by the Ministry. Some of these constraints were in fact lifted during Piñera's administration, inspired by those wanting less government direction and intervention. Also in the already referred Law 20.501 (see section 4.4) approved in early 2011 during that administration, the preferential school subsidy by concentration of vulnerability according to the number of "priority children" (those entitled to the SEP) was increased. Likewise, the right to SEP was extended for children up to the last grade of secondary. Regular vouchers were also increased. This shows the transversal support that means tested vouchers enjoyed at that time.

In Piñera's first period, the use of SIMCE as a consumer information device was pushed to extremes with Minister Lavín's "traffic lights" system. All schools were assigned a color: green for good results in SIMCE; yellow for average; and red for bad. It only compared raw SIMCE scores, without any correction for the characteristics of the population. The result, as one analyst concluded, was: "actually a "map of poverty and segregation". The concentration of green and red traffic lights followed a pattern of income level differences... Moreover, a pamphlet explaining the school's scores was designed and delivered to parents that year, comparing schools with similar contextual features, but a decision was made to give more publicity to the SIMCE map... The "Traffic Light Map" was given to all parents along with a letter signed by the recently elected President Sebastián Piñera, and the Minister of Education" (López, Madrid, & Sisto, 2012), p. 57-59. The letter suggested the responsibility for improving the chances of students was on their parents and the instrument for doing this was school choice. However, this possibility was limited due to spatial segregation,<sup>89</sup> and it conveyed a message of inequality of opportunities for those families that are not able to commute or that are not accepted in green schools.

The number of SIMCE tests has increased dramatically over the period (Table 9). In 1990-93 four tests were applied each year for math and language in 4<sup>th</sup> and 8<sup>th</sup> grade. In 1994, a first test of the same areas was added for 10<sup>th</sup> grade, increasing the total to a historic record of 6 tests that year. A new test on comprehension of the natural, social and cultural environment was introduced in 4<sup>th</sup> grade in 1999, and social sciences and natural sciences tests were introduced for 8<sup>th</sup> grade in 2000. But until 2006, aside the exception of 1994, between 2 to 4 tests were taken. 2007 saw all 9 tests administered so far taken at once. A new normal scenario appeared to start in 2012, where the Quality Agency of Education was finally responsible for the issue and a peak of 10 tests was reached. A test of reading comprehension was administered for the first time in 2<sup>nd</sup>, 6<sup>th</sup> and 10<sup>th</sup> grades, along with new social sciences tests and sensory disability tests in 4<sup>th</sup> grade, physical education in 8<sup>th</sup> grade and English in 11<sup>th</sup> grade. In 2013 the number of tests increased to 12 and jumped to an all time high of 17 in 2014. Since

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<sup>89</sup> Although Lavín himself, later, as mayor of Las Condes, the largest affluent municipality in Santiago, started an effort to integrate new social housing to the municipality. Many quality of life indicators related to children in the five most affluent municipalities in the East side of Santiago are above Luxembourg and Scandinavian averages while others in the same region are comparable to the poorest country in South America in relation (UNICEF-MIDEPLAN, 2002).

the Bachelet administration, the number of tests administered were between 8 and 10. Most of the tests are not applied to a sample but to all students in the corresponding grade across all schools (although small distant schools are excluded). The 9 tests programmed for 2020 were not administered due to the pandemic, despite the hard line of the Minister of Education who insisted until the last minute, generating rejection from experts and school communities.

## 5.2 Citizen dialogues: a short lived experience

As already referred in Chapter 2, the first democratic government had reasons to fear an explosion of social demands and preferred to limit participation and the role of civil society organizations. A top-down policy approach was consistent with this objective and with path dependence from the military dictatorship, as Pinochet used to say: “there is no leave that can move in this country without me knowing,” Education was no exception.

There was little room for voice and participation during the 90s. Aside the possibility that the TA and the non-teacher association consulted with their bases, or the parliament invited different stakeholders to express their views, key policies involving resources were a matter of expert decision making. MECE media, for instance, was preceded by expert dialogues about the problems of secondary education. An exception was a consultation to school communities about the curricular reform that was guided by the principle of democratization of the curriculum. Our interviews also indicate that some SEREMI (Secretarios Regionales Ministeriales – the person in charge of the educational sector in each Region, appointed by and representing the Minister) of Education, promoted the creation of student and parent associations in each school.

Input policies and programs were top down, with few choices for schools. Frei Ruiz-Tagle educational reform was a very secretive expert led top down process. Only a few directives at the Ministry of Education knew about its design as a proposal and later worked on its refinement before the Presidential announcement. Interviews suggest that decisionmaking should be in the hands of experts although they differ on the extent that experts should consider stakeholders opinions. For instance, López, Madrid, & Sisto (2012) suggest this vision attained an extreme in Piñera’s first term, where the role of citizens was limited to choose between schools, with direct letters from the President and the Minister in order to exercise that role.

The role of citizens as consumers of education is anchored in neoclassical economics. Economists defined the institutional setting with the financial and administrative reform of 1981 and returned to the Ministry of Education during Frei Ruiz-Tagle’s administration. Contrary to the Chicago boys, the later economists were more inspired by correcting market failures than creating unregulated markets, but not very concerned with voice and participation, as incentives are the force of governance emphasized in economics. A key market failure was imperfect information, and the emphasis on the SIMCE and its publication made sense for economists from this perspective. This was followed later in higher education with an information system directed to applicants<sup>90</sup> and a Quality Assurance System that anticipated the one developed later for the school system. These developments suggest that citizens were conceived by public policy makers mostly as consumers, and therefore they required better information to exercise rational choice.

An interesting exception was the short lived Citizen Dialogues (2003-04), a national deliberation process about quality of education and its challenges promoted by Minister Sergio Bitar.<sup>91</sup> The Citizen Dialogues followed other OECD countries experiences taking care of balanced representation of all stakeholders and devolution of the results and follow up of the process. The elements in the diagnostic that generated more consensus included: difficulties of implementing national policies and adapt to local context; resources that arrived to schools and were not used or were not cost effective; unclear school projects; need for more school autonomy; incorporation of other professionals to school such as

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<sup>90</sup> Futurolaboral.cl later replaced by mifuturo.cl was developed using administrative income data from the Internal Revenue Service crossed by RUT (ID number that all residents in Chile have) with the list of graduates each year in each university by career. Although this web site was based on the examples of South Korea, UK and Canada, the fact that it used tax data rather than a survey of graduates made strong emphasis on income rather than vocation or other relevant data even from homo economicus point of view.

<sup>91</sup> Bitar holds a PhD in economics from Harvard, but his pregraduate studies were on engineering. He had an extensive experience in politics and coordination of multidisciplinary teams. Among other positions, Bitar is also a fellow of the Inter American Dialogue.

psychologists; and need for involving all stakeholders and more team work. Although the exercise was closed with devolution to those participating in the exercise, lack of media coverage and of continuity of the experience reduced its impact: “(Bitar’s) original ambition of creating a permanent people’s panel was aborted because of the failure to assign responsibility and resources... lower rank officials in the Ministry of Education were more critical about the experience, as they did not perceive the need for participation and continued to prefer traditional top-down decision making” (Velásquez and González, 2010, p. 10).

According to Velásquez and González (2010) and Rupin (2012) of the three original objectives of the process: communication, improving educational policy and legitimacy; only the first appears to be achieved as participants were regularly informed about educational policy issues. Bitar indicated that the process influenced the legislation that made mandatory School Councils, giving school communities a voice in school administration and the right to request information. It also influenced his decision to appoint four national commissions including experts and stakeholders: children with special needs, civic education, sexual education, and for the development and use of the system of measurement of educational quality. Some conclusions of the Dialogues are at least congruent with later legislative events and policies but the voice of the people participating in these processes was not referred to justify these other initiatives. The lack of continuity of the Dialogues and other consultation mechanisms which began during Lagos’ administration is considered key by some interviews in explaining the lack of Ministry of Education’s capacity to politically account for student protests that followed two years later.

A final word on one of the four commissions established by Bitar for the development and use of the system of measurement of educational quality (2003). This commission endorsed the measurement of educational quality through instruments like SIMCE that was already accepted by the public and helped to focus attention of public opinion and teachers on learning results, but also emphasized the need to take account of contexts and family characteristics when comparing students or schools performance. Moreover, it was recommended that results at the individual level should not be released because SIMCE was not designed for that purpose, which might generate undesirable consequences. It also registered testimonies of undesired consequences such as teaching for the test and exclusion and selection of students. The commission noted that SIMCE was mostly used for public policy and research, rather than by teachers or school administrators to improve pedagogical practices (by limitations of the information provided and the test design and of the preparation of these users to take advantage of such instruments) or by parents (attributed to the lack of communication strategies and of relevance for parents needs).

### 5.3 The first student movement and the Presidential Commission of Education: 2006

Increasing attention to test scores preceded widespread discomfort when, contrary to reformers expectations, results failed to improve over a long period of time. Important socioeconomic and territorial inequalities remained or increased. These inequalities were at the basis of contestation movements. Dissent with the penetration of market forces in different areas of social life might be expressed as unarticulated attempts of resistance and sabotage (as suggested by French philosophers Michel Foucault and Gilles Deleuze) and, from time to time, might be channelled by disruptive social movements as early predicted by Polanyi (1944), such as the ones conducted by students in Chile in 2006, 2011 and 2019.

The first strong student movement in Autumn-Winter 2006 was called the “Penguin Revolution” due to secondary students white and black or grey uniforms. In the first trimester of Bachelet’s administration, many secondary schools were taken over by students. The press estimated about half of Santiago’s secondary schools participated in the movement and 400,000 students paralyzed classes at some point in time between 25 April and 9 June. Students were not organized by political parties (and many rejected them); instead every school had its own assembly with their own demands. The ACES (the Secondary Students Coordination Assembly), integrated by students centres grouped by region and with equal weight for each region independent on the number of schools represented, managed to put together a 7 points request: free pass for public transport without time regulation all year round (primary and secondary students had the right to apply for a public transport free pass during the school and in school hours); gratuity of the PSU (university

examination tests had a small fee around US\$40 that was waved only for vulnerable students benefiting from a scholarship); replacement of the regulation of student centres; payment of internships of vocational students and inclusion of trade union training workshops in these establishments; improvement of food distributed at schools (breakfast and/or lunch); repeal of the LOCE (Constitutional Law of Education); and modification or repeal of the full school day<sup>92</sup> (students wanted more extracurricular activities) (Berríos & Tapia, 2018). The demands were very limited to the education sphere and did not question the institutional arrangements. They received large attention by the media.

The force of the 2006 student movement led Bachelet to appoint the Presidential Commission of Education that integrated students' leaders. Immediately after taking office, Bachelet appointed two commissions on the issues she considered more relevant for her term and suggested problems should be discussed within these entities, integrated by experts who should hear the voices of the different stakeholders, draft an accurate diagnosis and propose solutions to the key problems identified. One commission was on pensions and the other on childhood. While the second commission addressed educational issues, such as violations of children rights to education by schools selecting students or expelling due to pregnancy, its focus was more general and particular attention was given to early childhood. Its key recommendation was the endorsement of the program "Chile Crece Contigo" directed for 0-4 years old. Education was not a priority at the beginning of Bachelet's first term, and in fact a low profile minister was installed, with little national political experience nor expertise in the field, characteristics that might have contributed to the extension of the student movement according to some interviews. Things changed with the Penguin movement.

In a context where national commissions were presented as a key solution to complex problems that integrated expertise and voice, a more balanced<sup>93</sup> Presidential Commission of Education was installed, integrated by 87 representatives of different stakeholders with ample participation of secondary and university students' leaders that contributed to canalize and demobilize the strong student movement of 2006. If its objective, as suggested by interviews, was to put an end to the political unrest caused by secondary students, it was fulfilled. However, it was a one shot gun, which afterwards will not be available again for that purpose. Other participants included experts, members of Congress, rectors, TA and non-teacher staff association, Sostenedores, parent associations, and minorities, including indigenous people.

Despite rejection of traditional political parties and political organization, many leaders of the Penguin movement— designated through secondary student assembly meetings and agreements — had sympathy for some of them, even one for the right and a few for the Concertación (Berríos and Tapia, 2020). Student participation was jeopardized by their lack of experience in front of members of Congress, rectors, experts or other adults that had been debating all their life. Recommendations to assist children's voice in deliberation experiences, such as those suggested by UNICEF, were not integrated.

The Presidential education commission had a wide scope on primary and secondary education, and resolved to exclude tertiary education, suggesting later that a different commission should address the issue (which happened later in 2007). The commission's report discussed several contested issues related to the school system, including its mission, management and financing. The commissioners reached some consensus and recognized some disagreements, which were explicitly written down in the report. Although all agreed on a multidimensional purpose of education (equality of opportunity, human capital, citizenship, transmission of values and culture; integral development; critical thinking; etc.) broader and more explicit than the one proposed by the Brunner commission, the commission suggested only four types of indicators for the educational system: coverage, educational attainment, quality of educational processes, and financing.

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<sup>92</sup> Former President Frei attributed students' rejection to the inadequate implementation by the Ministry <https://www.elmostrador.cl/noticias/pais/2006/06/07/la-responsabilidad-de-los-problemas-de-la-jec-la-tiene-el-mineduc/>

<sup>93</sup> Experts were a small minority of this new commission.

The consensus achieved by the Commission – although, as we will see below, part of the members produced later a different document – included what follows: the “objective of a higher quality and more equitable education is possible if it is assumed as a national endeavor maintained over time.” While valuing the “existence of public and private education that should collaborate and receive similar treatment by public policies, an emphasis should be placed on modernizing and technically strengthening the administration and management of public education under responsibility of the municipalities.” Some agreements precluded some policy measures:<sup>94</sup> “replace the LOCE”; “define quality standards, propose more demanding entry requirements for educational activity and create a Public Agency for Quality Assurance, including the possibility of closure if not meeting the standards”; “reinforce the barriers that prevent arbitrary discrimination in educational establishments (later through the Superintendence and beyond, the Student Admission System) and to introduce incentives that reward social inclusion (pending, although remember the SNED, introduced in 1994, considers this dimension in defining those schools benefiting from the incentive)”; “reduce the risk of further segregation, through differentiated financing and also seeking other instruments” (the SEP was dispatched to Congress on 18 October 2005); “reduction of inequalities in funding due to different financial capacities of municipalities and of shared financing (eliminated gradually by one of the reforms in Bachelet second period)”; “development of a teaching professional career that attracts and retains those teachers who show the competencies required for teaching, while job stability and clear dismissal procedures are not incompatible with a professional career (Teacher career linked to evaluation). An urgency identified by the Commission which is still pending is improving initial and continuous teacher training.

Areas that specified disagreement included: the possibility of for-profit education – introduced in 1981 – was morally unacceptable for some, while, for others, the motive was indifferent if there is a good Quality Assurance System (there was none at the time) and parents have an enforceable right to quality education; another group suggested the prohibition of alternative curriculums, while others defended them only for certification, as the opposite would violate freedom of teaching; some suggested reversing decentralization, others allowing a diversity of options including the later but also other solutions such as network of municipalities, regional government or other solutions including the status quo, on a case by case basis; some suggested ending shared financing gradually been replaced by voucher increases. Note that this demands will be revamped by the 2011 Student movement, will be incorporated in Bachelet’s second term program, and, finally, will be approved by a governing majority in both Chambers between 2015 and 2017.

At the end of the process some members of the Commission, so called “Social Block for Education” aimed at uniting “those suffering the daily negative consequences of the mercantile model prevailing” – students, teachers, non-teaching staff members, and parents – expressed their disagreement with the report or its confusing style, and presented a much shorter document<sup>95</sup> suggesting changes that also will be reinstated later by the students’ 2011 movement: changes to LOCE including non-selection of students, non-discrimination, end of for profit education, and mandatory participation of the school community in decision-making; creation of Superintendence of education; reversion of municipalisation; changes in financing away from a voucher system, towards some form of mixed financing for public education; professionalization of supervision and technical support from the Ministry of Education and elimination of political patronage; open national deliberation process about the kind of individuals education is supposed to produce; reduction of the maximum number of students per class to 30; suggestions for improving the implementation of the full school journey (such as democratic decision-making over the extra hours, better infrastructure); reduction of the share of time in front of a classroom; and improvement of salaries and working conditions of teachers and non-teaching staff. It added free higher education for the 40% poorest of the population.<sup>96</sup>

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<sup>94</sup> Other agreements included: educational improvement policies must be centered on educational establishments, conceived as an open and participatory space where students and their families commit to the educational process; principals and teachers are the fundamental actors in the construction of a good education, so there must be a special concern to attract, train and retain good teachers and managers in the educational system.

<sup>95</sup> See [http://www.opech.cl/bibliografico/doc\\_movest/documento\\_propuestas\\_bloque.pdf](http://www.opech.cl/bibliografico/doc_movest/documento_propuestas_bloque.pdf)

<sup>96</sup> Although it was agreed that the commission would not address higher education and proposed to the president a new commission to consider that issue. The document proposed to redirect to education the 10% of copper sales that goes directly

With respect to educational quality, the document indicates: “The quality of education must be comprehensive, considering not only training for work, but also for critical citizenship and personal, affective and social development. According to this definition of quality, evaluation systems cannot focus only in the measurement of performance standards, but fundamentally in pedagogical processes” (page 3 of the document). This is one of the first public documents questioning the SIMCE and the very definition of quality it is supposed to operationalize.

According to (Berríos & Tapia, 2018), from the beginning, the ACES joined the commission with the intention of rejecting its proposals and thereafter abandon it. Nevertheless, new leaders from the “Communist Youth”, more cooperative with the ruling coalition, managed to redirect the key force within the movement, the ANES, and reversed that decision. The other group, CREAR, decided to break with the Presidential Commission, producing also the dissolution of ACES.

#### 5.4 The legislative process: a techno-political agreement

The Report of the Presidential Commission of Education was a key precedent to the Quality Assurance System, as the idea (although not its specific content) was consensual, and served to put pressure on the Executive, and to get approved the modification of the LOCE by the Law general of Education – the most political vindication of the Penguin movement and unanimous in the Commission – and the SEP law – the later emerging as a shared consensus of the Commission only regarding its base diagnostic: inequality of educational opportunities.

A project was sent to Congress on 23 May 2007, justified on the basis of “improving educational quality as an instrument for the development of each individual”, highlighting the high consensus achieved on the matter (Congreso Nacional de Chile, 2011). Although the idea of the legislation was approved in general by all Senate members except for one abstention, this was in exchange of a compromise on the part of the Ministry to take account later of several observations formulated during the audience process.

The trajectory turned out to be much longer than expected and was approved only during Piñera’s first administration in August 11, 2011. Law 20.529 established the responsibility of the State on the assurance of quality and equity in education. Table 9 compares the initial version and the final version of the legislation. A key difference was that the initial project concentrated all the functions in a Superintendence and the last created two separated institutions, adding a Quality Agency, responsible for national and international evaluations and recommendations to the schools, while the Superintendence responsible for supervising and controlling the system and applying sanctions.

In fact, between both versions a techno-political negotiation (first a negotiation between experts, then submitted to consideration of members of the Congress representing both coalitions) took place within a small commission of technical experts and ministry officials that later agreed upon its key contents with political leaders of the two coalitions dominating the Congress. The agreement basically improved the regulation of the market system suggesting a mechanism whereby the state can act against schools exhibiting poor performance. Figure 8. Institutional logic of Quality Assurance System

8 explains the logic of the technical agreement using a similar framework as the one proposed by Williamson (1990) for the governance of contracts in private settings. The system strengthened the capacity of detecting and punishing dishonest behaviour (although the deposit of guarantees by private Sostenedores was rejected as politically non-viable) (Node A). As for honest behaviour, the system defines an expected performance and if it is met, the school enjoys complete autonomy and might decide to have voluntary support (Node B). If the standard is not met, then the school is obliged to receive support. If it improves with the next evaluation and meets the standard (Node C), then support ceases to be compulsory (is equivalent to Node B). However, if the school fails repeatedly it enters a process of intervention (E) – a trustee is designed by the Superintendence with full administrative power – or closure – if there are alternatives for the reallocation of pupils in other schools meeting the standard (D). In the final version of the project approved, the Agency

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to the Armed Forces (that decide its allocation more or less independently of the democratically elected government) established in Pinochet’s constitution. This pointed to other areas beyond education and singled out a political issue that affected powerful interests associated with the dictatorship and that are, still today, insulated from democratic control.

defines quality of education and how it should be measured, and classifies each school according to its results. The Superintendence has the attribution of designing a trustee in charge of a school or closing it (if the school loses the requisites for official recognition). Note that the arguments for school closure when not meeting standards is very similar to the No Child Left Behind Act in the United States.

The Quality Agency also performs visits to schools and formulates recommendations to improve their processes. So far there is little evaluation on the results of these visits and on the overall cost effectiveness of the System. Note that Law 20.248 created private agencies (ATEs) to support one or more schools that might be hired by *Sostenedores* with funds from the means tested vouchers. That law made also possible to use these funds for hiring teams of psychologists or social workers to support children and promote a better school climate.

Against the techno-political agreement, a document dated November 2007 produced by OPECH (“Educational Policy Observatory”), a group within the Faculty of Social Sciences of the University of Chile, pointed to the fact that most proposals of the social movement were neglected and reiterated these demands:<sup>97</sup> *“The agreement was concluded by the large entrepreneurial conglomerates, “Sostenedores”, major columnists of the country's conservative media and the leadership of the church. The main elements of the agreement were already consensual among the great ideologues and defenders of the current educational system, present in the Advisory Presidential Commission... Such actors already had shown their ideological bias against the proposals of the social world, which clearly aimed to end the commodification of education”* (p. 1). Key discrepancies included: equality of treatment between public and private education (a bad thing according to critics of the agreement); non reversion of decentralization and for profit education; and institutional innovations that do not guarantee the right to education.

The techno-political agreement translated in a smooth approval during Piñera’s first term. Table 11 presents the almost unanimous approval in the Senate of norms requiring special quorum on 13<sup>th</sup> April: 32 in favour and 2 against. The latest correspond to the Radical (Social Democratic) party and the Senator from the MAS, who abandoned the Socialist party. Table 12 shows the votation of the results of the mixed commission in 20<sup>th</sup> April 2011, where most deputies of PPD abstaining (14 out of 16); PRSD (3/3), PS (9 out of 10), PC (3/3) and 4 independents voting against. The legislation was approved with all votes of the right (52), 14 out of 16 votes of the Christian Democrats and 8 outside coalitions for a total of 76 of 113 (67%). In a week, voting shifted from unanimous to a division that replicated the same pattern of the period 1970-73, with the shift of PPD and PS to join the position of PRSD and PC. Experts criticizing the system are also to the left of the spectrum, pointing to divisions within the Concertación.

Later that year, an even stronger student mobilization started in 2011, led by university students grouped in the CONFECH (the assembly of Federations of traditional universities that were joined by federations of a few universities created after 1981). Secondary students had two representative bodies: a newly created body named CONES, formed by the most recognized public schools of the country, mostly located in Santiago, and the revived ACES, mostly representing more peripheral high school and with the same assembly style as in 2006 (Berríos & Tapia, 2018). Their demands became more political and very much in line with what the “social block” that separated from the National Commission on Education proposed by the end of 2006.

### 5.5 The forces behind change

This Chapter has delineated the trajectory of key events that culminated with the Quality Assurance System created by Law 20.529. The basic institutional architecture shaped by the dictatorship had several problems even within the neoclassical paradigm. It was an unregulated market full of market failures. A key market failure in education is imperfect information. If the key objective of school education is learning and learning is not observable, then improving it requires measurement instruments. SIMCE played that role. While it was first established as a thermometer for public policy information, the media obtained the information by school and started publishing press rankings. Later on, the Ministry decided to officially publish the information but warning that the rankings published by

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<sup>97</sup> [http://www.opech.cl/comunicaciones/comunicado09\\_2007\\_11\\_22.pdf](http://www.opech.cl/comunicaciones/comunicado09_2007_11_22.pdf)

the press was on raw scores and therefore was not a good measure of school performance due to the relationship between family characteristics and tests scores. The incentive scheme for teachers introduced in the salary negotiations with the TA in 1994 was based on SIMCE but correcting for these characteristics, and considered improvement in tests scores, equality of opportunity and other indicators. Equating and other changes were introduced since 1997 to make scores comparable and to update the instrument to international standards (section 5.1).

Despite a plethora of educational policies (aside from the workings of the market) already revised in Chapters 3 and 4, such as a shift to a single longer school day, input policies, improvement programs, scholarships for retention of at-risk students, means-tested vouchers, real increases of the general voucher, and evaluation of teachers and students, SIMCE results show no improvement over the period. One of the consequences of this lack of improvement was the implementation of the System of Quality Assurance, that, from the perspective of children's rights to education, proposed actions in case schools were below a certain standard. Following economic reasoning and the perspective of market failures, the key "stick" was school closure if it failed to meet the standard after a certain period of time. Nevertheless, scores continued to stagnate even after the establishment of the Quality Assurance System. This poses a problem for policymakers, and munitions to those demanding bigger changes.

On the other hand, results in PISA show some improvement as shown in Figure 7 using language scores. Averages jumped from 410 in 2000 to 459 in 2015, going back slightly to 452 in 2017. Chile's improvement is larger than the LA average, while the OECD average deteriorated during the same period. There is also some evidence of a positive effect of the introduction of means-tested vouchers, especially on disadvantaged groups (Valenzuela, Villarroel, & Villalobos, 2013) (Neilson, 2013) (Mizala & Torche, 2012). In PISA, Chile has reported a slight reduction in the gap between low and high income groups (OECD, 2019a, OECD, 2019b).

A veritable explosion of education research occurred afterwards in the country, as the ministry started to require more evidence and more data became available. The research department of the Ministry of education was revamped by the mid 90s (at the return to democracy it existed formally but only with two teachers dedicated to produce the statistics required by UNESCO) and one of the top technical leaders of the Ministry of Finance was put in charge. By mid 00s the National Fund for R&D in education was created by the Ministry and two large research centers were financed by CONICYT (Consejo Nacional de Ciencia y Tecnología, the national agency for R&D), based on the Pontifical Catholic University and the University of Chile but in collaboration with regional universities. Other large projects followed. International researchers started to use the data. More evidence on Chile became available, and an example of the integration of these results was the legislation on means tested vouchers (section 5.1). Experts had a strong say on educational policy since the establishment of the first programs to improve educational quality in early 90s. In the first twenty years, the integration of regular voice mechanisms was slow and mostly restrained to school councils, while experts commissions and legislative committees invited the public to express their concerns and opinions. Families had a role to play in the institutional design as consumers, which was reinforced by the publication of SIMCE. This role was strongly and explicitly emphasized in Piñera's first period with the information system of traffic lights and communications by authorities. One of the most quoted Piñera's first term phrases used against him by his opponents was his statement: "education is a consumer good". Nonetheless, they succeeded in putting pressure on the government to prioritize education and are credited for inducing the decision to form the Education Presidential commission, which paved the way for replacing the Constitutional law of education, and served to support other policy measures such as the means tested voucher or the Quality Assurance System. However, students or their representatives had no influence in these processes, they were in motion before the student movement, and their final design was not aligned with what student leaders would have done if they had the power to take decisions. Later, in 2011, student associations started a social movement with a more political discourse of overall rejection of "the neoliberal model" constituted by markets, for-profit schools, segregation and decentralization. They also demanded free higher public education. This movement was stronger and more political in its demands. These demands were in line with the proposal of the so called "social block" that produced an alternative short report in the Presidential

Education Commission in 2006.<sup>98</sup> As pointed by one interview, the Presidential Education Commission was probably the first time that the right wing opposition faced a social movement whose demands were to the left of the Concertación. It is precisely this dialogue between different mobilized groups within this commission (high school students, university students, teachers and non-teachers, and parents) what survived in the form of alternative proposals that were up in 2011 and later in Bachelet's second term program.

The common menace to the status quo perhaps accelerated elite agreements "within the model" in the late 00s and early 10s. Technocrats within the Concertación had another window of opportunity, this time real, to introduce regulations, and succeeded, with the support of the right. Even the right, after rejecting three times in the Concertación years, pushed for directors' positions be filled by public contest in early 10s. A means-tested voucher as the one introduced by SEP to equalize educational opportunities and a Quality Assurance System to deal with poorly performing schools should have been essential initial components of a market design if the real purpose would have been quality with equity. For the dictatorship, it probably was not, and, as for health and pensions, equity and inclusion were not important, but on the contrary, the intergenerational preservation of privileges granted by socioeconomic status and assets was a consequence of neglecting these issues during the dictatorship (and as discussed in Chapter 2 might have been intended). Fully private education segregated children from the elite and granted them, in a few of these schools, the most expensive and exclusive, world-class education. But this was also the case before the dictatorship. What was new was the expansion of the voucher system together with, later, shared financing, which paved the way for an intermediate private subsidized education that distributed middle class privileges and status for those willing to pay.

The second student movement of 2011 set the agenda for Bachelet second term, granting her a landslide victory in second round in December 2013. This time, students' demands were more political and were more elaborated, as many came from the dissatisfaction and disagreements with the report of the Presidential commission, where they had time to reflect on the key issues about education (section 5.3). In her second term, Bachelet did not required to bargain as the control of both Chambers was granted with the votes of the Nueva Mayoría Coalition, and those to the left (Frente Amplio, mostly composed by former student leaders that were elected) joined forces. She translated several students' movement and TA demands into legislation. However, these social actors did not endorse or claim victory, instead reserved their forces for new demands and those unmet, including the ones left untouched such as the voucher system itself.

A centralized model of student (fair) selection on the basis of preferences that respected freedom of choice by parents but not selection by schools, was introduced in 2015.<sup>99</sup> In different commissions, some educational experts linked to the right expressed concern over the possibility of limiting the capacity of school administrators and the majority of parents to preserve the school educational project if deprived from the possibility of selecting who is admitted, especially in the case of religious projects. Similar objections were raised in the past to defend the right of schools to expel in case of pregnancy or against locating nurseries close to schools to favor adolescent mothers continuing their education. In addition, the later was argued to incentivize pregnancy while reducing its costs.

Others measures in Bachelet second term included the end of for-profit education and, as has been said, the reversal of decentralization. As already shown in Table 4 all deputies and senators of the ruling coalition voted in favor, and received the support of the Frente Amplio, independents and 2 members of the right-wing coalition in Congress, with 4 abstentions of the later coalition. In contrast, all right-wing Senators voted against (Table 5).

In other words, up to Piñera's first term, the need to reach agreements with the right deferred achieving regulations that were needed beforehand. Social pressure served the purpose of reaching agreements. These technical agreements were successively passed into legislation. This requisite of agreement with the right was not longer needed during Bachelet second term, but the changes were also shaped by experts and except for the reversion of decentralization had wide agreement within the

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<sup>98</sup> [http://www.opech.cl/bibliografico/calidad\\_equidad/Documento\\_Bloque\\_Social\\_Noviembre.pdf](http://www.opech.cl/bibliografico/calidad_equidad/Documento_Bloque_Social_Noviembre.pdf)

<sup>99</sup> The 13 Senators of the right voted against what latter became Law 20.845, while all 17 senators from the ruling coalition and 3 independent voted in favor, for a total of 20. Voting was similar in the lower Chamber.

Concertación beforehand. They were not big radical changes dismantling the model as Jaime Quintana (PPD), once president of the Senate and close to Bachelet, put them, but its fine tuning: parents' choice without selection by schools, vouchers corrected by costs differences for achieving equality of learning opportunities, and a proper career for teachers based on evaluation.

In a sense, the critics from the left are correct. The System of Quality Assurance was, in a sense, a response to the failure of improving scores, despite the large array of policies implemented over twenty years. However, it was model fixing, not model changing. It is true it followed from the realization that "children's rights to learn" was not granted by the prevailing institutional setting, and the market mechanism was slow, at best, to respond. Children were not "moving from bad to good schools", and, learning opportunities were unevenly distributed. Besides, in some places there was no possibility of choice because there was space for only one provider. In this scenario, the Quality Assurance System permitted actions in case schools were below a certain standard. Following economic reasoning and the perspective of market failures, it provided resources to failing schools while putting pressure on them with the perspective of closure if it did not improve.

In another sense, the critics are wrong. They attribute all evils to what they label "the neoliberal model" of the dictatorship and propose measures without content, in line with Polanyi's or Foucault's resistance and sabotage.<sup>100</sup> Reversing to centralization, privileging public education or abandoning testing is unlikely to improve quality simply by decree. Unless the objective is different as unfortunately framed by the Minister of Education of Bachelet's second term, who implemented these measures: "some students have high speed skates and others are barefoot. The latter is public education. Then they tell me to train better and give more food to this one. First, I need to get out the high speed skates of the other one." He later apologized for that "metaphor".

## 6. Accountability relationships

In this document, we have ordered events related to three key issues: the prioritization of educational quality and the priority given to education at a whole government level; the processes related to regulation of a teacher's career; and the processes related to the construction of a quality assurance system. By doing so, we have grouped events according to the relationship they had with these issues. It is worthwhile to summarize these findings and put them in a more comprehensive perspective of institutional change. For this purpose, and as suggested for PET-A research projects, we have completed the 4x5 Matrix on the basis of our understanding of the evidence described in the document, secondary sources, interviews and press analysis, and the experience of the author as policymaker, consultant and researcher. We have separated "exit" (choice) and voice mechanisms converting it into a 5x5 Matrix presented in Table 13. . The analysis spans the period 1990-2020, with emphasis on the key moments presented above. The column of the Matrix illustrates the Principal-Agent relationship (P-A) within the education system as synthesized in Spyvak (2020). P-A is based on neoclassical economics asymmetric information and contract theory. Neoclassical economics assumes that people are rational and selfish, and care only about their own individual self-interest. Principals objectives might be diverse and might not coincide with the objectives of the agent, who is performing certain actions that affect the outcome of interest to the principal. The problem is solved by aligning both parties incentives, which prevent opportunism by both, although most of the literature focus on opportunism by the agent (see Miller, 2008), which is more relevant in our case.

As for the first column of Table 13. , there has been an improvement of the democratic process in terms of transparency of the government program, which is prepared with time by a group close to the candidate and who is likely to assume later, if elected, key ministerial positions. There is no guarantee that the program will be applied nor that it reflects the interests of the voters, but at least it is better than the alternative of discussing only general ideological positions or only sanctioning bad performance in the next general election. Opinion polls are used regularly, but more advanced voice mechanisms have not been well managed or have been discontinued (such as the Education Dialogues

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<sup>100</sup> For instance, Polanyi's predicted counter movements are reactions to the destabilization caused by free markets, which generates spontaneous attempts to restrict market forces and to politically control the economy. Nevertheless, this political reaction might well make things worse (Polanyi, 1944).

of 2003). Purpose, principles and ends of education are not shared by all stakeholders, although there seems to be an agreement on multidimensional objectives as defined in the Presidential Commission of Education, these have not been translated into practice and currently are not measured. Focus is on SIMCE results as a measure of learning in specific subjects, and its distribution, while other objectives such as citizenship, moral and social development, transmission of values and culture, social cohesion or inclusion, are neither considered nor discussed. SIMCE results are published and comparable through time since 1997.

There is a strong discussion on the mechanisms of financing political parties and campaigns, as there is dependence on private funding, which makes the political elite especially responsive to economic elite interests. This is considered a key problem, as it makes economic elite interests count more than people's interests.<sup>101</sup> Education is not an area of dispute and concern for economic elites, and they have not entered directly the debate (Mizala & Schneider, 2017), although this might be due to the fact that freedom of choice has not been disputed. They have been involved more with the definition of competences and skills required in different sectors, in charge of ChileValora (autonomous agency of the Ministry of Labor), but this work has not influenced the Ministry of Education or the curriculum.<sup>102</sup> On the contrary, the later Ministry defines the curriculum in terms of subjects instead of knowledge, skills or abilities, and has avoided a discussion on what is the human being that education is expected to "produce" (interviews and conversations with curriculum specialists).

The information of SIMCE is public for each school since 1995 and comparable through time since 1997. Chile has also participated in different international assessments that allow comparison with other countries. Data bases are linked at the individual and school level and are available for research, local policy decisions and other purposes.<sup>103</sup> In terms of information, citizens are entitled to request any information from the public sector by a Transparency Act since 2009.

Willingness to provide support from citizens in different roles is high. All stakeholders, including civil society organizations, providers, students, families, experts, are willing to serve in commissions or other initiatives for the public good. This was reflected in the participation achieved in the Citizen Dialogues, the Presidential Commission of education and many others on specific issues, and more recently the initiative Compromiso País.<sup>104</sup>

As for the outcomes of the rules of the game, overall results have not improved despite a large increase in public resources pumped into the system. It is well known since the October 2019 social outburst that Chile is in a crisis as a result of well publicized scandals that affected trust in politics and in the elite in general.<sup>105</sup> There is a strong belief that the rules of the game are different for elite members than for ordinary citizens and people have expressed anger and discontent against these privileges, very much as suggested in transitions to open access orders by North, Wallis and Weingast (2009).

The second column, compact, is the relationship between the rest of the government and the Ministry of education. Note that the Ministry and its regional, provincial and dependent agencies have no direct management of schools in the period under study but has the leading role of national policy and regulation of the educational system. As summarized in Chapter 3, the Ministry of Education defined the objective of improving quality with equity and defined an indicator, SIMCE, which is comparable through time, to be held accountable for its educational policies. Chapter 3 described the prioritization of learning by the government as a whole. This is also reinforced by the media. Figure 9 shows the wide

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<sup>101</sup> Which led to the establishment of the Presidential Advisory Council against conflicts of interest, influence peddling and corruption led by former Yale professor Eduardo Engel. Since 2016, firms are interdicted to make contributions to political campaigns, after several scandals including evidence that the fishing bill was drafted by the industry and channeled through right wing Congress members. Only private individuals might make contributions, with maximum limits, through the electorate service. These might be anonymous if they do not exceed certain limits. Nevertheless, confidence in political parties and the Congress remains extremely low.

<sup>102</sup> This conclusion is taken from the study led by the main author on the qualifications of skills system (see <https://www.sistemaspublicos.cl/proyecto/estudio-de-los-mecanismos-de-financiamiento-del-sistema-nacional-de-certificacion-de-competencias-laborales-chilevalora-y-de-la-certificacion/>)

<sup>103</sup> The contrast between health and education is impressive. When the main author led the preparation of a diagnosis of the situation of childhood for the Municipality of Peñalolen, the information on education was overwhelming and publicly available for research teams with the capacity to process databases. Surveys have been linked to administrative data at the school and student level. The amount of information available in the health sector was close to zero.

<sup>104</sup> <http://www.compromisopais.cl/>

<sup>105</sup> <https://www.economist.com/the-americas/2019/10/26/days-and-nights-of-rage-in-chile> and

<https://www.economist.com/the-americas/2021/03/18/a-constitutional-convention-in-chile-could-forge-a-new-social-contract>

media coverage on the issue of assurance of educational quality, with all months since 2007 (date where our database starts) showing some coverage. Both the government as well as the public care about educational quality.

However, the position of the ministry of education is not threatened by lack of progress in educational quality. On the contrary, turmoil in the sector is associated with changes of ministry leadership. Avoidance of problems is a key concern for political ministries (Interior, Secretary General of the Presidency and Secretary General of Government). Both Ernesto Schifelbein (1994) and Martin Zilic (2006) lasted only 6 months in office, which is attributed to social turmoil, the first due to the TA and the second due to the Penguin revolution. The 2011 student movement also produced changes in the leadership of the ministry.

In addition, during the period, two ministers of education were impeached, one of each coalition. The first was in 2008, due to scandals in the payment of vouchers in the Metropolitan Region. Although the minister was not involved and there are several ladders of responsibility before the minister, the right wing opposition joined forces with right wing Christian Democrats that later left the party to impeach the minister Yasna Provoste, herself a Christian Democrat, mostly for political calculations. In 2013, the minister Harald Beyer was impeached for failing to ensure that higher education institutions were not for profit as established in the law (although the issue can be traced back to the dictatorship). Many saw this action as a political revenge for the previous impeachment.

The key signal of priority is the evolution of the educational budget that has been revised in detail in Chapter 3. The budget responds automatically to students' attendance, as the voucher is established by law. Each year there is a projection of increase in students' enrolments that only serves the purpose of provisioning the necessary funds. Programs are financed according to their technical foundations if they are prioritized and well justified. Ex ante evaluations are compulsory and universal, while ex post evaluations are carried out on a selective basis. Data is widely available and research on educational policy has flourished.<sup>106</sup> Motivation is mostly intrinsic. An educational minister is a national figure and might move to other positions.<sup>107</sup> The personnel at the ministry is subject to the incentive program for public servants, which states that part of their salary is dependent on fulfilling certain indicators negotiated each year with the Ministry of Finance and the Ministry Secretary General of the Presidency.<sup>108</sup> As for support, the Ministry of Education has received specific technical and political support at different points in time, as requested, for instance from Secretary General of Government (communications) and Finance, as well as international organizations.

As for the outcomes of the system, it is clear that the Ministry of Education has much more technical capacities than at the beginning of the period, as the dictatorship reduced it to roles of control of opposition to the regime, control of student attendance (still today a percentage of each class is lost in asking each pupil if he/she is present in the class) and paying for vouchers. It has the capacity to produce information and regulation through specialized agencies and has fostered research with a focus on educational policy. Some consider it slow to introduce changes and policies that are badly needed, such as a curriculum based on competences instead of subjects<sup>109</sup> and a national policy on sexual education.<sup>110</sup>

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<sup>106</sup> A key source is SIMCE, which has different questionnaires linked to the individual tests, including characterization of the individual household and the school climate. Students' trajectories are built and analyzed linking SIMCE, administrative data, PSU (higher education selection tests, similar to SAT) and tax data. Longitudinal surveys are also starting to be available and are being linked to administrative data.

<sup>107</sup> Such as former President Ricardo Lagos, or Yasna Provoste, later president of the Senate and possible presidential candidate in 2021, while the more technical position of director of JEC (Jornada Escolar Completa) during Frei's administration was later National Budget Director and today is President of the Central Bank.

<sup>108</sup> For a description and evaluation see <https://www.sistemaspublicos.cl/proyecto/estudio-de-diseno-e-implementacion-de-los-incentivos-institucionales-del-sector-publico/>. Although the program is not well evaluated for several reasons, it is worth noting that the public sector has also this kind of collective incentive.

<sup>109</sup> <https://www.sistemaspublicos.cl/proyecto/estudio-de-los-mecanismos-de-financiamiento-del-sistema-nacional-de-certificacion-de-competencias-laborales-chilevalora-y-de-la-certificacion/>

<sup>110</sup> UNDP (2010) showed the difficulties faced by sexual and affective education during the Concertación period. A study under development supervised by the main author is showing that such problems have increased up to a point of total paralysis, despite the ministry of health succeeded in approving a legislation that established sexual education was mandatory at the secondary level. Conservative sectors linked to the Catholic church has succeeded in establishing sexual abstinence programs as the main reference on this issue.

The third column indicates the relationship between the Ministry with frontline providers, in our case, the *Sostenedores*, school directors and teachers.<sup>111</sup> The Ministry is responsible for the coordination of the system and educational policies. The key specifications of what it expects from decentralized units is defined in the curriculum (approved by an autonomous agency: the High Education Council) and in the MBE, and is evaluated through the SIMCE tests and the two evaluation systems. Despite the decentralization of the public system in the municipalities, the Ministry assumed a role of technical (educational) leadership of schools of the municipal system since the return of democracy, while recognizing municipalities an administrative responsibility only. The Ministry even limited the possibility of personnel policy by the municipalities, first with the Teacher Statute, then with the Teacher's career, and negotiated directly with the TA. Since early 00s, municipalities had been included in negotiations related to teachers' evaluation (Chapter 4). The relationship with private *Sostenedores* even more limited.

The municipality has the responsibility for appointing municipal education directors and school directors. After the changes in 2011 revised in Chapter 5, this procedure is ruled by the ADP (Higher Senior Civil Service System) and the municipality seats in the board selecting the most qualified candidate. The selected candidate signs a performance contract with indicators that must be improved during his/her tenure, usually related to enrolment, attendance and SIMCE. This might sound strange to experts, as it deprives managers from their key strategic function of defining purpose, objectives and assessing organizational capacities to implement a strategy, but is congruent with Principal-Agent theory where objectives are given and defined externally and the problem is shirking by agents. Managers are regarded as agents and have little autonomy left. Financing operates mostly through vouchers, but managers might obtain more resources from municipal and other private contributions, including parents and firms, and, in the case of private voucher and secondary municipal schools, shared financing, although the latter will be gradually eliminated. The first minister of education of Piñera's second term was replaced soon after he suggested directors should conduct *bingos* and other fund raising initiatives to repair buildings.<sup>112</sup> Incentives from vouchers get diluted in the case of municipal schools or large private corporations that administer several schools, as there might be redistribution from schools with surplus to those with deficit.

There is no career for principals similar to the Teacher career although the issue has been discussed and might attract attention in the future.

Nowadays, there is adequate financing for the decentralized units through vouchers which have been corrected through time for different costs of provision (1994-96) and equality of learning opportunities (SEP). There is financing for the various provisions contained in the teacher's career. The mechanisms to check the performance of the agents are SIMCE for students' learning, SNED as an incentive mechanism for teams built on the basis of SIMCE and other indicators including inclusion, and various mechanisms of teacher's evaluation.

According to its economic foundations, in the actual institutional setting, "management" motivation is mostly extrinsic. Evaluation of teachers was linked to different allowances, and now is connected to career progression. If teachers do not meet the minimum standard, they are required to go into training and pass the evaluation again, in a process that finish with contract termination and separation from teaching if the standard is not met after two evaluations (Chapter 4). Vouchers generated also incentives for schools as those attracting more students received more income and those losing students might be driven out of the market (Chapter 2). The Quality Assurance System established a

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<sup>111</sup> We leave out of this analysis a key issue raised by different observers (see OECD, 2004, 2017): the Ministry has little influence on educational faculties that are autonomous, and market driven. It has attempted to exert some influence through the MBE that provides a basic framework for their curriculum and the INICIA tests applied to the graduates of these faculties. This is an important handicap of the Chilean educational system that has been highlighted by OECD reports in 2004 and 2017 and no solution is visible for the time being given the extension of a voucher mechanism to higher education by a Center-left coalition that did not required votes outside the coalition for opting to make free state education instead. The discourse is that private institutions provide the same value as public institutions – and therefore should not be discriminated. This might be regarded as an important ideological victory of "neoliberalism".

<sup>112</sup> "Every day I receive complaints from people who want the Ministry to fix the roof of a school that has a leak, or a classroom that has a bad floor. And I wonder, why don't they have a *bingo*? Why do I have to go from Santiago to fix the roof of a gym"... People do not take care of their problems, but want the rest to do so." <https://www.latercera.com/nacional/noticia/dichos-ministro-educacion-abren-polemica-redes-sociales/252813/>

centralized mechanism, based on students' results measured by SIMCE and corrected by vulnerability that might lead to school closure if the minimum standard is not met (Chapter 5).

As is common with high stake mechanisms, distortions and industries develop around the instrument of measurement. As already explained in Chapter 5 several gaming practices regarding manipulation of SIMCE, in the sense of increasing school's SIMCE results without truly improving quality or efficiency, such as teaching for the test, or asking students that lag behind to stay at home to miss the application of the test have been documented (more on this below). As for teacher evaluation, there is an industry that helps the teacher to prepare for the evaluation. Similarly, a publicly funded (through means tested voucher) industry providing support to schools developed, linked compulsory to the SEP first, and later to the System of Quality Assurance, with the Quality Agency performing its own system of school visits and suggesting mechanism to improve school outcomes.

The information used in performance contract refers to SIMCE and other internal efficiency indicators, although there is little knowledge about how to use these indicators for managerial purposes. SNED rewards school teams based on different indicators. Performance is measured also at individual level but from the center, leaving little margin for decentralized evaluation, alternative goals or other performance indicators for municipal teachers. Administrative practices in private voucher schools have received little attention.

The fourth column, voice, is the least developed in Chile. In contrast to choice, voice is a mechanism that express not only individual but also collective preferences. It also transforms individuals into citizens (Habermas, 1998). School councils were introduced in 2006, with the right to be informed and to request information. Some experiences have been short lived as culture and practice are consistently top down. As a result, voice has been exercised outside the rules of the game, through strike and protest.

There is no financing associated to the option voice.

The 2006 school students' movement set the stage for the Presidential commission of education, where students encountered other actors and reflected on key educational issues. They defined, along with other representatives of social movements and organizations, their key discontents with the educational system. The 2011 student movement was more political, and later produced new leaders that entered Congress with the tacit support of the center-left coalition that itself also moved to the left by including the Communist party. Before and afterwards, this party has been useful in containing and institutionalizing social demands. Bachelet's second term government program in its education chapter was articulated around students' demands.

Political pressure and strikes have been generally fruitful for teachers except for the 2019 movement that obtained very little due to the lack of access and connection of agenda with right wing government authorities. In contrast, the 2019 student movement was, later, a real political and social earthquake that installed demands and achieved an elite agreement to call a Plebiscite on the possibility of changing the Constitution with high turnover and an overwhelming historical victory with 78% favoring change and rejecting the option of Congress members participating in the process.

There are plenty of indicators for all stakeholders to analyze the educational situation of schools, municipalities, territories, provinces, and regions, and students' trajectories. Disparities in SIMCE and PSU have been at the center of social demands highlighting segregation and inequality of opportunities. At the risk of oversimplifying, there are three layers: the municipal sector attending the poor and rural population; the voucher private sector taking care of an expanded middle class that is willing to pay for better educational and social opportunities; and an elite (fully) private education that attends the upper 8% of the population. Of course, there are some exceptions in the case of so called "emblematic schools" where different classes converged on the basis of merit, but selection was forbidden or limited to a maximum of one third in the case of these schools since 2017. In contrast, the SAE guarantees that enrolment is on the basis of parental preferences and not sorting by schools.

Motivation is intrinsic and collective and it is at odds with the mental model prevailing in public policy so far, dominated by neoclassical economics and New Public Management. Until recently, right wing governments' discourse was aligned with making the public sector more efficient introducing private sector management techniques, while the Nueva Mayoría coalition had a discourse emphasizing

participation – but without concrete achievements – and was more receptive to social movements demands – but without adequate analysis and deliberation. Overall, there is little use of institutional voice mechanisms while people, however, are eager to participate and demonstrate, without, so far, proper institutional channels.

There are no support mechanism for supporting voice or balance asymmetries in the capacity to express it, for instance in deliberations involving children and adults such as the Presidential commission of education, where secondary student were at a disadvantage regarding adults well trained in these processes. There is no support for organizing vulnerable school communities<sup>113</sup>.

As for the last column in Table 13. , Chile is a society that has implemented choice options in many areas, not only education. The issue of social cohesion was assumed as relevant by the government after the social outbreak starting 18 October 2019, but it has not assumed the connection between market penetration and social unrest.<sup>114</sup> Choice might not be complementary but substitute for voice and loyalty as Hirshman (1970) suggested, and preferences might be endogenous to institutional arrangements (Bowles, 1998).

Families and students chose the school of their preferences, not necessarily the one closest to home, although more than 90% of students attended a school in their municipality of residence in primary school and 2/3 in secondary school in 00s. A centralized decision making allocation was introduced gradually in Bachelet's second term, i.e., 35 years after the voucher reform. Up to that moment entrance examinations were the rule, and parents' preferences accommodated, including the perception that schools without selection procedures were bad quality. Vouchers did not provide an even playing field until the introduction of means tested vouchers, and still more resources are needed to level up the playing field. Private and large schools have been favored as they have less bureaucratic rules and procedures and can concentrate only on parental preferences, even if not aligned with public value.

Information is accessible to parents as well as other stakeholders. Historically, most parents have not considered SIMCE scores in their decisions, but proxies for quality such as infrastructure quality and cleanness, or fail to other nudges such as names in English, or their social networks (Elacqua and Fabrega, 2004). However, Gómez, Chumacero and Paredes (2012) use information on distance from households to school to show that parents might act as if they used SIMCE information in their school choice. It is expected that the new centralized system changes these patterns and terminates with segregation of low income families.

Motivation is extrinsic and individualistic, as parents are expected to exit if they are not happy with the situation in a school. It is not expected that voice and collective action might improve the situation of the poor performing school. Moreover, the possibility of exit reduces the likelihood of voice and loyalty as suggested by Hirschman (1970). Schools are forced to care about family preferences as “consumers” of education. On the other hand, this has been complemented recently by the pressure from the Quality Agency that eventually might include more indicators than satisfaction of consumer preferences (but has not done so yet).

As for support mechanisms, studies have been conducted on the information that parents use and how it should be provided (Gallego et al., 2008). Outcomes observed by families as consumers are SIMCE and PSU scores, or whatever they expect from schools, including graduation, and some perception of protection of trajectories and risks, religion, status and networks.

Summing up, it is clear that the principal-agent problem and its preferred neoclassical economics solution, the design of incentives, has proliferated in Chilean educational policy. There are some nuances that should be noted. Vouchers and quality assurance are part of a market oriented design. The regulation

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<sup>113</sup> In its last report on the implementation of the Convention (2015) as well as in the report on the protocol of individual communications (2018), the Committee on the Rights of the Child pointed out the concern about the absence of effective participation mechanisms for children and adolescents in Chile.

<sup>114</sup> This has been suggested by Polanyi (1944), Habermas (1998) and Sandel (1996), among many others. The latter suggests: “A politics attentive to the civic strand of freedom might try to restrict the sphere of life in which money matters and shore up the public spaces that gather people together in common experiences and form the habit of citizenship.” Chile has done precisely the opposite, with markets regulating everyday aspects of social life including access to quality education and health, green spaces, sports, and housing.

of market failures has spanned more than two and half decades of the democratic period. As revised, this regulation and other aspects of the specific form of decentralization have been criticized by economists linked to the right as interfering with the market. On the opposite side, the “social movement” is criticizing the very operation of the market system in education and demand its replacement and more voice.

From the right, teacher evaluation has also been criticized based on neoclassical economics. An evaluation of teachers based on processes such as the one contained in the portfolio, or on knowledge and skills such as the written examination, both instruments for deciding on promotion of teachers in the teachers’ career, do not directly solve the principal-agent problem. It is better than a teachers’ career based on years of experience and quantity of training courses attended, but it is possible that in practice he or she does not perform as expected, while having all the capacities to do so. The reverse is also possible: a very good teacher might fail the tests. In addition, according to neoclassical economics, even well prepared teachers might decide to be lazy, increasing their utility by augmenting leisure or reducing effort. This is why they suggests that the correct evaluation of teachers should be based on outcomes, i.e. their students’ learning. This is exactly what SNED intends to do, incorporating elements of extrinsic motivation for group work two decades before the teachers’ career (in economics terminology this instrument is a tournament). Again, as expected, there has been rejection of teachers’ evaluation from the left, but this position was not dominant in the TA during the period analyzed

Policy makers’ mental model seems to be in between these criticisms. It justifies evaluation and has been open to changes in SIMCE and teachers’ evaluation. On the latter, the focus has been more on filtering low quality teachers than enforcing their effort (except for SNED), and therefore takes some distance from the assumptions of selfish rationality of economic theory. If teachers know their job, it appears that the implicit assumption is that intrinsic motivation will lead them to perform well. However, little is developed to use and foster intrinsic motivation (or loyalty, in Hirschman’s framework). Falabella (2014) and (2020) and Flórez and Rozas (2020) argue that Chile’s accountability structure has generated deep effects in schools’ culture and administration and in teachers’ behavior and subjectivity. It is an “ethical transformation” towards individualism and competition. Contrary to expectations, the double pressure of state led accountability and markets has not led to the expected outcomes. Instead, they have led to “impoverished teaching practices, triggering of exam-oriented methods, the intensification of pupil segmentation and exclusion, stronger hierarchical school environments and managerial systems of control, and an increased management focus on school marketing and quick and visible solutions, leaving thorough and long-term changes aside” (Falabella, 2014, 4).

## **7. CONCLUSIONS**

Since the return to democracy, Chile has built an “elite” consensus on the importance of educational quality and has pursued this objective in a systematic and incremental way since the early 90s (positive answers to RQ1a and RQ1b) confirming our first two hypothesis. At different key junctures this consensus was more precisely elaborated in the form of “representative” “expert” commissions that were appointed by the executive branch to produce reports and proposals on particular issues, starting by the “Brunner commission”. The Ministry of Education was successful in generating political and public support during the 90s. For the embracement of educational quality as a “whole-government” priority, the fact that it is a key component of a growth with equity strategy, embraced by the ruling coalition, was important. So was the conviction of key political actors such as the President and the Finance Minister. Another important element were citizen’s beliefs and expectations and the media, which sustained the political priority through time. Although the government has gradually allocated less incremental resources, , especially after 2009, it has been always very active in the legislative front.

Along with the increase in resources and programs, technical capacities within the Ministry of Education and academics gradually improved. Key turning points in educational budget, 1994-96 and 2008-9, where associated with sound technical arguments advanced by the Ministry of Education that made economic sense within the Ministry of Finance. Against the withdrawal of the state and a sharp reduction of funding during the dictatorship, a more active state undertaking several policies emerged, mostly as providing more inputs, levelling up the playing field and regulation of market failures.

Equity was always mentioned along with quality, understood as the objective of equalizing learning opportunities, and was expressed in targeted programs, then a means tested voucher. Different sources suggest that the turning point of prioritization of learning occurred during the Frei administration and at a symbolic level is associated with the full school day reform. Budget analysis suggests there is precedence over this particular measure as the largest annual increases occurred in 1994-96, but its occurrence sustained this priority until the end of that administration. Another important element were citizen's beliefs and expectations and the media, which sustained the political priority through time. The political priority favouring education over other sectors faded away and returned in different moments during the rest of the period, but the consensus on the need to improve learning and its distribution as the key objective of educational policy has been sustained through time.

The other key hypotheses of this project were also verified. The advancement of a teachers' career based on evaluation and a quality assurance system for schools, both with consequences, took time to be enacted into legislation, and although they were improved during the process, the essential objective remained unchanged and was virtually unopposed, perhaps due to the lack of sound technical alternatives. On the divisive issue of how to achieve a higher quality of education, political forces aligned according to three positions: defending the status quo of unregulated markets (the right); regulation of markets ("self-complacents"); and full replacement of the "neoliberal model" ("self-flagellants"). The first had their opportunity during the dictatorship and resisted changes thereafter, favoring always school autonomy or "teaching freedom". The second attempted to regulate markets recognizing a plethora of market failures, especially asymmetric (or plainly imperfect) information. The third rejected the use of markets and neoclassical economics reasoning, which was labelled "neoliberal" regardless of the extent of regulation. These "ideological coalitions" had active politicians and experts that were, of course, not always identically aligned on all the relevant issues.

During the 90s, educational policies were non-conflictive: raising inputs appeared reasonable for both self-complacents and self-flagellants, and although the right might have preferred more school autonomy on the use of the extra resources, it didn't oppose those policies, and granted, in exchange of incentives for private donations and for toping-up vouchers, the extra funding required to finance them (which required, for fiscal discipline, to make permanent a transitory tax increase).

After reaching a certain standard of inputs, things get more complicated. Both policies examined in this document are conflictive and were opposed by different groups. In this trajectory, the Ministry of Education has followed a vision of market fixing rather than market shaping (Mazzucato, 2021) and of market failure rather than public value failure (Bozeman, 2007). The government provided public resources and produced the rules of the game that other agents, private or municipal, play. As OECD (2004) suggested, the institutional design produced a "weak link" between government policies and the classroom. Public policies have acted mostly through incentives.

The use of neoclassical economic theory, specially the role of incentives, is clear in the teacher's career, teacher evaluation, and quality assurance, but also means tested vouchers, student admission, etc.<sup>115</sup> It appears cristal clear in the 5x5 matrix. Confronted with stagnating results and persistent inequalities, authorities published standardized tests scores averages by school, introduced - as part of the pay package negotiated in collective bargaining with the TA - a collective evaluation scheme based on student results, agreed on an evaluation system of teachers with (positive and negative) consequences, then a quality assurance system of schools around standardized tests scores with negative consequences, and, finally, a teacher career linked to evaluation, without replacing the former evaluation system. Exceptions are the Estatuto Docente (1991) – a bad piece of legislation - and the reversion of decentralization (2017) – a long demand of the TA and self-flagellants. Educators have had a limited influence on institutional design but more on actual content of the national curriculum and the framework for good teaching. In contrast, economists seem to have had paramount importance in institutional design. Experts in other fields have been increasingly important in shaping institutional design, specially those from psychology and sociology, but the paramount use of incentives is exclusive to economics, as they are looked with suspicion by psychologists (where behaviorism is mostly out of

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<sup>115</sup> Of course, it inspired Pinochet's reforms.

date, except for specific problems) and sociologists (who play down individual behavior in favor of social classes or structures and systems).<sup>116</sup>

In contrast to incentives, voice has had little application. The need to strengthen voice has been realized by several experts and policymakers on different grounds and in all social policies.<sup>117</sup> The role of voice is not well integrated within neoclassical economics and historically, in Chile, has been associated with social mobilization in the 60s and early 70s.

In fact, “self-flagellants” seem to lack an alternative paradigm that plays the role of neoclassical economics for the other groups. So far, they unite more on their rejection of what it is, rather than how the alternative should work, in line with Foucault’s resistance and sabotage or Polanyi’s counter movements. However, there are infinite alternatives to the status quo and most of them might produce poorest results. Simply more state, reversing decentralization, privileging public education or abandoning testing is unlikely to magically improve quality. This does not devalue the critiques to the prevailing arrangements or to the individualistic economic logic, but good intentions alone are unlikely to make things better. Aside neglected voice mechanisms, public value, as formulated by Moore (1995), Bennington and Moore (2011) and Bozeman (2007) might provide a good conceptual alternative, the first two for managers, the latter for policymakers. So are other managerial perspectives such as public governance, service engineering or system sciences<sup>118</sup> that are more suitable for complex problems than New Public Management.

The interplay of actors has produced a curious combination of “double” accountability, with markets and consumers vindicated by the right, and regulation and sanctions promoted by the “selfcomplacent” within the center-left coalition. This system of “hyper-surveillance” has been built with wide political support. They were “state policies” as opposed to “government policies” that are more easily reversible. Even when the requisite of agreement with the right was no longer needed during Bachelet’s second term, the changes were also shaped by experts. Experts from the right supported centralized admission and were included in the design of the teacher career. In fact, an attempt to create support for the elimination of the centralized system of admissions (returning the decisions to schools) by an extreme right Minister of Education during Piñera’s second term failed, as the selection model was defended even by influential experts from the right. This shows cleavages within the right, with some, more liberals, open to scientific evidence and change, while others, more conservative, opposed to all sorts of government intervention.

Aside experts and political actors, the TA exerted an influence on educational policies, especially regarding regulation of teacher wages and labor contracts. A key finding has been a gradual but systematic radicalization of TA’s leadership, after the incumbent leader agrees with the government, first about a collective incentive scheme, then about a system of teacher evaluation, and finally a teacher career linked to evaluation. Recently, with the irruption of social movements and a more radical left, the possibility of further reversion of institutional changes is real. Examples are the new demands of the TA that include replacement of universal student assessment and changes to the evaluation system. Note however that these demands retain information about students learning and teacher evaluation, while not even mentioning collective incentives. The new leftwing administration has announced the replacement of SIMCE by a system that will be applied only to a random sample of schools that will be used only for policy purposes.<sup>119</sup> Others suggest a more ample definition of what learning is. All in all, it seems that the interest on indicators about the state of learning is widely accepted. Moreover, students

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<sup>116</sup> Technical capacities in educational policy design were strengthened gradually with the creation of a strong research unit in the Ministry, its demand for research and consultancy, the creation of advanced research centers and a national fund of R&D.

<sup>117</sup> [https://www.desarrollosocialyfamilia.gob.cl/storage/docs/Informe\\_Final\\_Consejo\\_Cohesion\\_Social.pdf](https://www.desarrollosocialyfamilia.gob.cl/storage/docs/Informe_Final_Consejo_Cohesion_Social.pdf)

<sup>118</sup> A transient exception to the vision of regulator or financial provider, was Schiefelbein’s attempt to change pedagogical practices, with the provision of booklets to teachers and self-learning guides to students.

<sup>119</sup> <https://www.elmostrador.cl/dia/2022/04/13/mineduc-solicito-no-realizar-pruebas-simce-durante-el-ano-2022/#:~:text=El%20ministro%20de%20Educa%C3%B3n%20Marco,los%20establecimientos%20educacionales%20el%20pa%C3%ADs.>

are assessed at the end of high school if they want to proceed with higher education. This selection mechanism has also been questioned on equity grounds.

Another key lesson is that the government cannot resign its responsibility over learning and blame teachers, school administrators (as bad managers) or parents (as bad consumers). As SIMCE scores continued to stagnate<sup>120</sup> and the standardized test to enter university education is stably skewed in favor of fully private schools enrolling 8% of students, social and political pressure on the government mounts. Given the large array of reforms that have been attempted this poses a problem for policymakers, and munitions to those demanding bigger changes. Students' mobilizations have been processed so far within the institutional arena, but the results of this institutional processes have not placated social discontent.

Perhaps the big question that emerges from the Chilean experience is precisely why educational quality has not improved despite the huge investment in resources and the many approaches that have been used. Although this is not the question addressed by this document, and is left for future research, it is interesting to note the comparison with the huge success in the movement to green and cheaper electricity. In contrast to learning, electricity is a homogenous good with clearly specified production processes. All what was required was good economics and engineering. Things are more complicated in education, as the production function has very low specificity (Israel, 1987). In contrast to renewal energy, making education a priority was not enough. As in many other settings, more inputs have failed to deliver educational quality, but the same applies to incentives.

As suggested by Gershberg, González and Meade (2012), economics or New Public Management inspired reforms operating only through incentives or markets might not be sufficient to move the system beyond marginal improvements. Competition between schools is with peers, not with South Korea. In addition, changes in education might take time to deliver results. If a teachers' career will attract better candidates, its effects in terms of student learning will take at least a generation. In the mean time, markets in education, as well as in other social sectors, have produced discontent and mobilization. However, meeting social demands is unlikely to produce large improvements. It might make things worse.

After all, what is the source of legitimacy of demands by radicalized students or TA leaders? The role of democratic politics is to process subjective demands, not only the most vociferous, and to channel them towards the common good. The Chilean experience suggests that consensus needs to be built beyond political and economic elites to endure, especially when, as suggested by North, Wallis and Weingast (2009), countries achieve a certain development threshold.

For succeeding, something must change in the classroom.

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<sup>120</sup> Little attention has been given to some improvement on PISA (Figure 7) larger than the LA and the OECD average (actually the latter deteriorated during the same period). There is also some evidence of a positive effect of the introduction of means-tested vouchers, especially on disadvantaged groups (Valenzuela, Villarroel, & Villalobos, 2013) (Neilson, 2013) (Mizala & Torche, 2012; Fernández, 2018). In PISA, Chile has reported a slight reduction in the gap between low and high income groups (Santiago et al., 2017, OECD, 2019a, OECD, 2019b).

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## 8. Tables and Figures

Figure 1. Timeline Presidential period, minister of education and Teacher' Career

[Follow this link](#)

Source: Own elaboration on the basis of secondary information.

Figure 2. Timeline quality assurance system

[Follow this link](#)

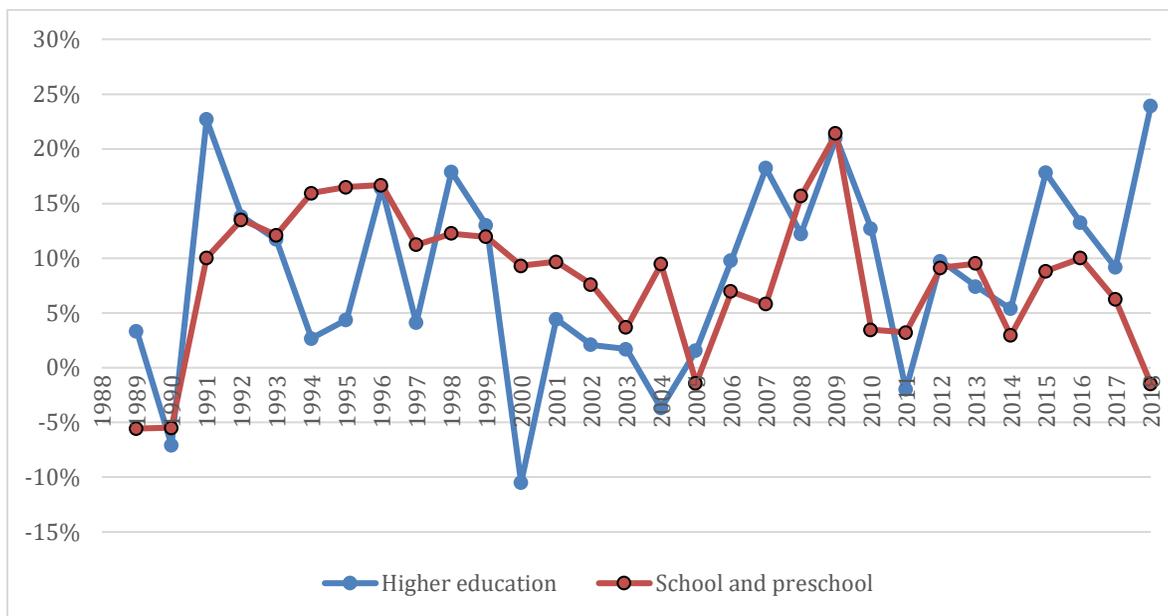
Source: Own elaboration on the basis of secondary information.

Table 0. Position held by persons interviewed

	Primary role	Secondary role
Minister of education	5	
Under secretary of education	3	
Key advisor or director of program	7	2
TA leader	2	
Other ministers or budget director	1	2
Teacher	4	
Education assistant unión	1	
Major or municipal education director	1	1
Member of parliament	1	2
Parent association	1	

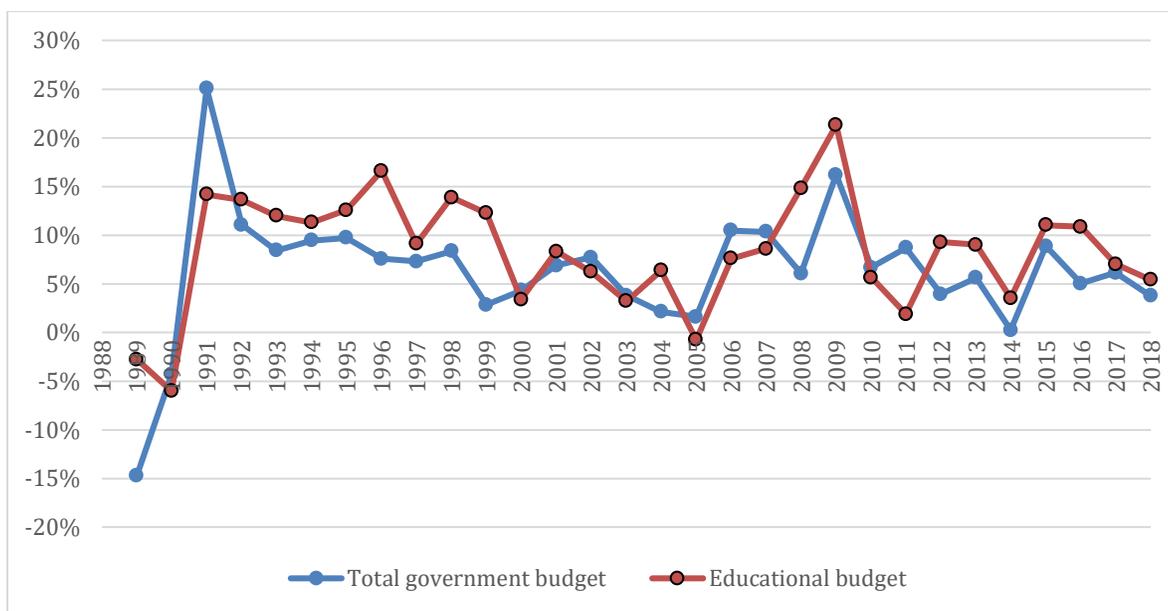
Source: Own elaboration.

Figure 3. Annual variation of real executed educational budget by level of education (\$2018)



Sources: Estadísticas de las Finanzas Públicas 1987 - 2003. Octubre 2004; Estadísticas de las Finanzas Públicas 1999 - 2008. Julio 2009; Estadísticas de las Finanzas Públicas 2009 - 2018. Mayo 2018. Budget Office. Ministry of Finance.

Figure 4. Annual variation in total and educational government budget



Sources: Estadísticas de las Finanzas Públicas 1987 - 2003. Octubre 2004; Estadísticas de las Finanzas Públicas 1999 - 2008. Julio 2009; Estadísticas de las Finanzas Públicas 2009 - 2018. Mayo 2018. Budget Office. Ministry of Finance.

Table 1. Municipal teachers according to evaluation results, boycott and consequences

Year	I	B	C	D	Number of teachers evaluated	Number of teachers refusing evaluation	Dismissed teachers
2004	52	590	901	176	<b>1.719</b>		
2005	373	3.964	5.620	708	<b>10.665</b>		
2006	390	4.459	8.371	970	<b>14.190</b>	10,5%	
2007	206	3.432	5.894	881	<b>10.413</b>	6,5%	
2008	178	3.645	10.247	1.944	<b>16.014</b>	5,0%	131
2009	240	4.539	9.903	1.015	<b>15.697</b>	4,5%	
2010	280	3.668	6.441	667	<b>11.056</b>	3,5%	
2011	159	3.309	7.887	871	<b>12.226</b>	2,2%	
2012	136	3.627	11.000	1.652	<b>16.415</b>	1,7%	40
2013	123	2.863	11.539	2.531	<b>17.056</b>	1,7%	28
2014	121	3.236	11.077	1.605	<b>16.039</b>	2,0%	72

2015	41	1.792	10.078	1.984	<b>13.895</b>	2,5%	162
2016	118	1.895	13.416	3.862	<b>19.291</b>	0,6%	137
2017	151	2.856	16.465	4.769	<b>24.241</b>	0,3%	163
2018	172	3.954	14.383	1.750	<b>20.259</b>	0,3%	138
2019	218	4.400	11.314	1.312	<b>17.244</b>	0,3%	135

Source: Mineduc. Bases de datos Evaluación Docente.

<http://datos.mineduc.cl/dashboards/19754/bases-de-datos-de-evaluacion-docente/> and Resultados Nacionales Evaluación Docente 2019 <https://www.cpeip.cl/wp-content/uploads/2020/07/Resultados-Evaluaci%C3%B3n-Docente-2019.pdf>

Table 2. Teaching career, law 20.903: initial results lower Chamber

Coalición	Partido	A favor	En contra	Abstención	Total general	
Nueva Mayoría	DC	16		1	3	20
	PS	14				14
	PPD	13		1		14
	PRSD	6				6
	PC	5				5
	Izquierda Ciudadana	1				1
Chile Vamos	UDI	3	1	18		22
	RN	2	2	9		13
	Evópoli	1				1
Independiente	Independiente	2	3			5
	PD	1				1
	RD	1				1
	Amplitud			1		1
	Izquierda Autónoma			1		1
	Partido Liberal			1		1
	<b>Total general</b>	<b>65</b>	<b>11</b>	<b>30</b>	<b>106</b>	

Table 3. Final vote: Lower Chamber in relation to the amendments introduced by the Senate

Etiquetas de fila	Nueva Mayoría			Chile Vamos		Independiente N=5	Partido Liberal N=1	RD N=1	Total general
	DC N=16	PPD N=10	PRSD N=5	RN N=11	UDI N=18				
-Enmiendas al artículo cuarenta y seis transitorio, que pasaría a ser artículo cuarenta y ocho transitorio.	3	1		10	17	2	1		34
-Inciso primero del artículo sexagésimo segundo transitorio incorporado por el Senado.	1			11	18	2	1		33
-Nuevo artículo cuarenta y seis transitorio introducido por el Senado.			1	11	18	2	1		33
-Enmiendas al artículo segundo transitorio	3	1		1		2	1		8
-Modificaciones a los incisos cuarto y final del artículo 19 Ñ, contenido en el N° 21, que pasaría a ser N° 23, del artículo 1°	5	1		1		3	1	1	12
-Modificaciones al artículo 19 S, contenido en el N° 21, que pasaría a ser N° 23, del artículo 1°	5	1	5	1		3	1	1	17
-Enmiendas al N° 39, que pasaría a ser N° 41, del artículo 1°	3	1		1		3	1		9
-Enmienda al N° 45, que pasaría a ser N° 48, del artículo 1°	4	1				2	1	1	9
-Modificación al N° 46, que pasaría a ser N° 49, del artículo 1°	4	1	4			3	1		13
-Enmiendas al inciso segundo del artículo décimo octavo transitorio	4	1		9	18	3	1	1	37
-Nuevo artículo sexagésimo tercero transitorio incorporado por el Senado.			1	1		3	1	1	7
-Enmiendas al N° 5 del artículo 1°						1			1
-Enmiendas del N° 7 del artículo 1°.	3					2	1		6

Table 4. Voting of law 21.040, lower Chamber, 7 May 2016.

Coalition/Party	In favor	Abstention	Against	Disqualified for voting	Total
<b>Chile Vamos</b>					
Evolución Política				1	1

Partido Republicano			2		2
RN	2	3	11		16
UDI		1	22		23
<b>Frente Amplio</b>					
Convergencia Social	1				1
Federación Regionalista Verde Social	1				1
Partido Liberal de Chile	1				1
Revolución democrática	1				1
<b>Nueva Mayoría</b>					
DC	20				20
PC	6				6
PPD	13				13
PRSD	7				7
PS	17				17
<b>Independiente</b>					
Independiente	2			1	3
<b>Total general</b>	<b>71</b>	<b>4</b>	<b>36</b>	<b>1</b>	<b>112</b>

Table 5. Voting of law 21.040, Senate, 25 January 2017

Coalition/Party	In favor	Abstention	Against	Total
<b>Chile Vamos</b>				
RN			6	6
UDI			5	5
<b>Nueva Mayoría</b>				
DC	5			5
MAS	1			1
PPD	7			7
PRSD	2			2
PS	5			5
<b>Independiente</b>				
Independiente	2	1		3
<b>Total general</b>	<b>22</b>	<b>1</b>	<b>11</b>	<b>34</b>

Table 6. Enrolment by sector

Año	Total	Fiscal	Municipal/SLEP	Private voucher	Fully private	Corp. Adm. Delegada
1981	2.841.726	2.215.973		430.232	195.521	
1990	2.963.139		1.717.222	960.460	228.205	57.252
1994	3.047.572		1.746.235	985.854	264.615	50.868
2000	3.508.509		1.884.320	1.256.116	312.808	55.265
2006	3.748.234		1.759.726	1.681.105	250.800	56.603
2010	3.647.607		1.481.972	1.852.661	258.716	54.258
2014	3.541.319		1.304.634	1.919.392	270.491	46.802
2018	3.582.351		1.284.696	1.927.242	325.500	44.913
2020	3.608.158		1.277.648	1.961.112	324.860	44.538

Source: Division of Planning and Budget, Ministry of Education.

Note: Enrolment at 30 April each year.

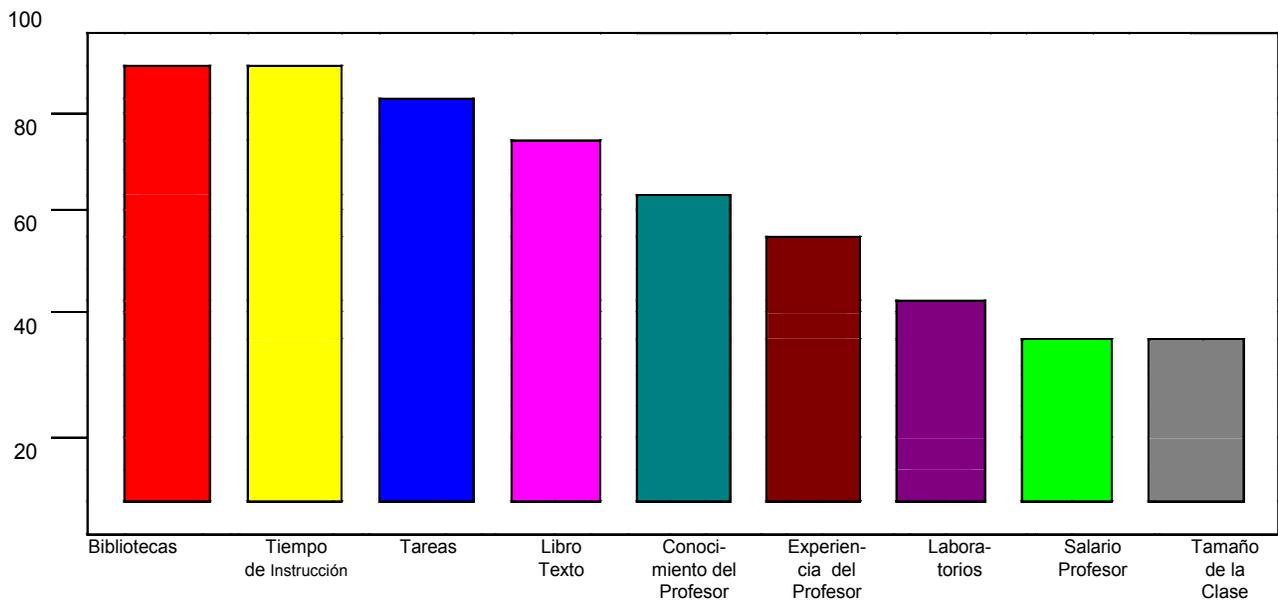
Table 7. Share of enrolment by sector

Year	Fiscal	Municipal/SLEP	Private voucher	Fully private	Corp. Adm. Delegada
1981	77,98		15,14	6,88	
1990	-	58,0	32,41	7,70	1,9

1994	-	57,3	32,35	8,68	1,7
2000	-	53,7	35,80	8,92	1,6
2006	-	46,9	44,85	6,69	1,5
2010	-	40,6	50,79	7,09	1,5
2014	-	36,8	54,20	7,64	1,3
2018	-	35,9	53,80	9,09	1,3
2020	-	35,4	54,35	9,00	1,2

Source: Division of Planning and Budget, Ministry of Education.  
 Note: Enrolment at 30 April each year.

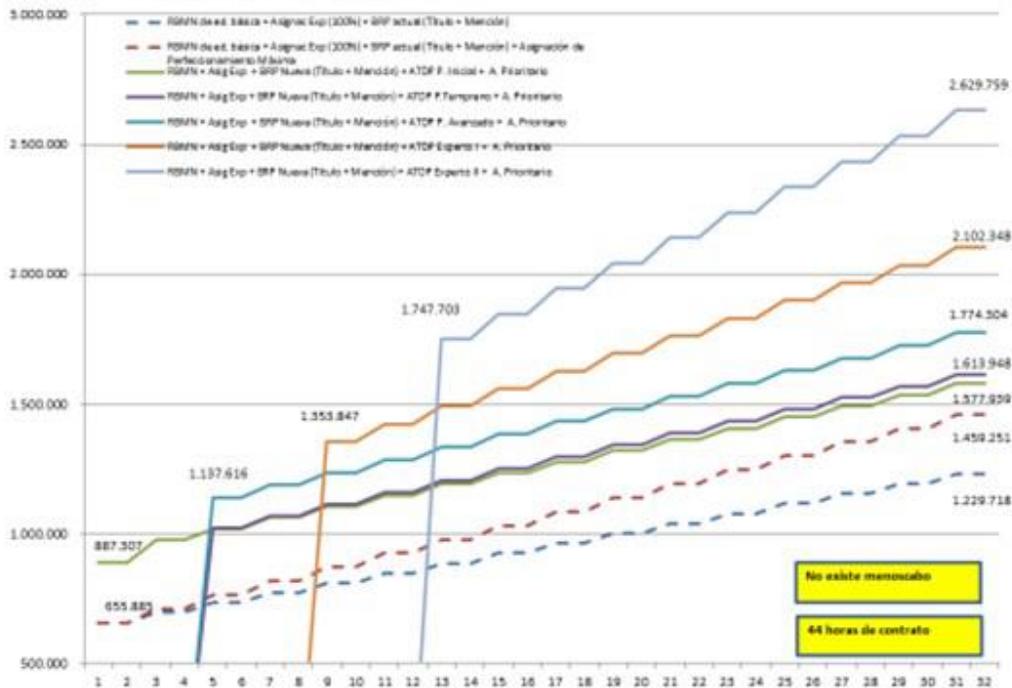
Figure 5. Percentage of studies that show evidence of selected variables



Source : Ministry of education on the basis of a World Bank publication based on Fuller & Clarke (1994)

Figure 6. Wage structure of Teacher career

Gráficos 1: REMUNERACIONES POR TRAMO INDICACIONES. Con asignación de alumnos prioritario (44 horas). Educación Básica.



Source: Materials provided by former undersecretary Valentina Quiroga.

Table 8. Congress voting of Senate amendment on limiting to three years authority of the Ministry to subscribe agreements with Sostenedores on the use of resources (SEP)

Coalition/Party	In favor	Abstention	Against	Total
-----------------	----------	------------	---------	-------

Alianza por el Cambio				
Partido Republicano	1			1
RN	11		1	12
UDI	19	1		20
Concertación				
DC	16		2	18
PPD	4		14	18
PRSD			4	4
PS	1		10	11
FRVS	1			1
independiente	3		3	6
Total general	56	1	34	91

Source: History of the law.

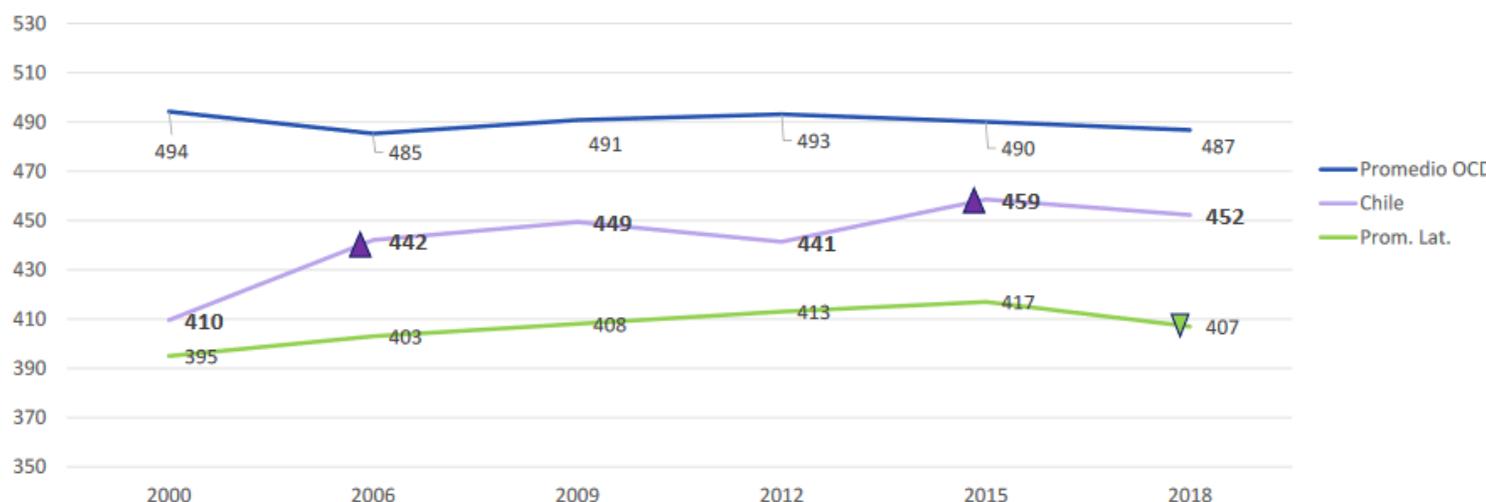
Table 9. Number of SIMCE tests per year and subject: 1990-2018

Grade	Subject	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
2° básico	Comprensión Lectora																			
4° básico	Comprensión del Medio Natural Social y Cultural										x			x			x	x	x	
	Ciencias Sociales																			
	Ciencias Naturales																			
	Matemática	x	x	x	x	x	X	x	x		x			x			x	x	x	x
	Comprensión Lectora	x	x	x	x	x	X	x	x		x			x			x	x	x	x
	Discapacidad Sensorial																			
6° básico	Matemática																			
	Comprensión Lectora																			
	Ciencias Naturales																			
	Escritura																			
	Ciencias Sociales																			
	Discapacidad Sensorial																			
8° básico	Ciencias Sociales											x				x			x	
	Matemática	x	x	x	x	x	X	x	x		x					x			x	
	Comprensión Lectora	x	x	x	x	x	X	x	x		x					x			x	
	Ciencias Naturales											x				x			x	
	Educación Física																			
2° medio	Ciencias Naturales																			
	Ciencias Sociales																			
	Matemática					x				x			X		x				x	
	Comprensión Lectora					x				x			X		x				x	
3° medio	Inglés																			
Total		4	4	4	4	6	4	4	4	2	3	4	2	3	2	4	3	3	9	2

Source: Own elaboration using Simce information.

Figure 7. Evolution of PISA tests scores

Serie puntaje promedio en Lectura: Comparación Chile - OCDE – Latinoamérica 2000-2018



Source: “Entrega de Resultados”, Agencia de Calidad de la Educación, diciembre 2019.

Table 10. Comparison of first version and last version of the Quality Assurance System legislation (translation pending)

<i>Ley Superintendencia</i>	<i>Ley Sistema Nacional de Aseguramiento</i>
<b>Diferencias</b>	
Establece la Generación de una Superintendencia de Educación	Establece la Generación de una Superintendencia de Educación y de una Agencia de la Calidad de la Educación
La superintendencia posee el rol de diseñar y aplicar los instrumentos de evaluación, como también su fiscalización.	Se dividen las atribuciones, por un lado la Superintendencia tiene el rol fiscalizador, mientras que la Agencia desarrollara el objeto de evaluación de los logros del aprendizaje.
Se permite la fiscalización de personas y sostenedores educacionales que reciban recursos públicos.	Se permite la fiscalización de personas, instituciones, y sostenedores.
No se declara clasificación de establecimientos.	Se declara que la Agencia de Calidad realizará clasificación de establecimientos educacionales
Foco en la autoevaluación de los establecimientos	Foco en la evaluación a través de la Agencia de la Calidad
No se propone la entrega de información a la comunidad en general.	Propone la entrega de información a la comunidad educativa y ciudadanía en general
Se propone diseñar y aplicar un sistema de medición de los niveles de aprendizaje de los alumnos dentro del marco curricular nacional de acuerdo a lo establecido por el Ministerio de Educación	Se indica la evaluación de los logros del aprendizaje de los alumnos, establecimientos educacionales y sus sostenedores en base a los estándares indicativos.
<b>Similitudes</b>	
Se permite el acceso a cualquier documento, libro o antecedente necesario para fines de fiscalización	Se permite el acceso a cualquier documento, libro o antecedente necesario para fines de fiscalización por parte de la Superintendencia.
Se permite formular e imponer sanciones de acuerdo a multas que establece la ley	Se permite formular e imponer sanciones de acuerdo a multas que establece la ley por la Superintendencia.
Se incluye procesos de evaluación docente	Se incluye procesos de evaluación docente.

Table 11. Voting of special quorum norms, Senate, 13 April 2011

Coalition/Party	In favor	Abstention	Against	Total
<b>Coalición por el Cambio</b>				
UDI	7	0	0	7
RN	6	0	0	6
<b>Concertación</b>				
DC	8	0	0	8
PPD	4	0	0	4
PRSD	0	0	1	1
PS	4	0	0	4
Independiente	3	0	0	3
MAS	0	0	1	1
<b>Total general</b>	<b>32</b>	<b>2</b>	<b>0</b>	<b>34</b>

Source: History of the law.

Table 12. Voting of Mixed commission. Lower Chamber, 20 April 2011.

Coalition/Party	In favor	Abstention	Against	Total
<b>Coalición por el Cambio</b>				
UDI	36	0	0	36
RN	14	0	0	14
Partido Republicano	2	0	0	2
<b>Concertación</b>				
DC	14	1	1	16
PPD	1	14	1	16
PRSD	0	0	3	3
PS	1	0	9	10
FRVS	1	0	0	1
Independiente	7	1	4	12
PC	0	0	3	3
<b>Total general</b>	<b>76</b>	<b>16</b>	<b>21</b>	<b>113</b>

Source: History of the law.

Figure 8. Institutional logic of Quality Assurance System

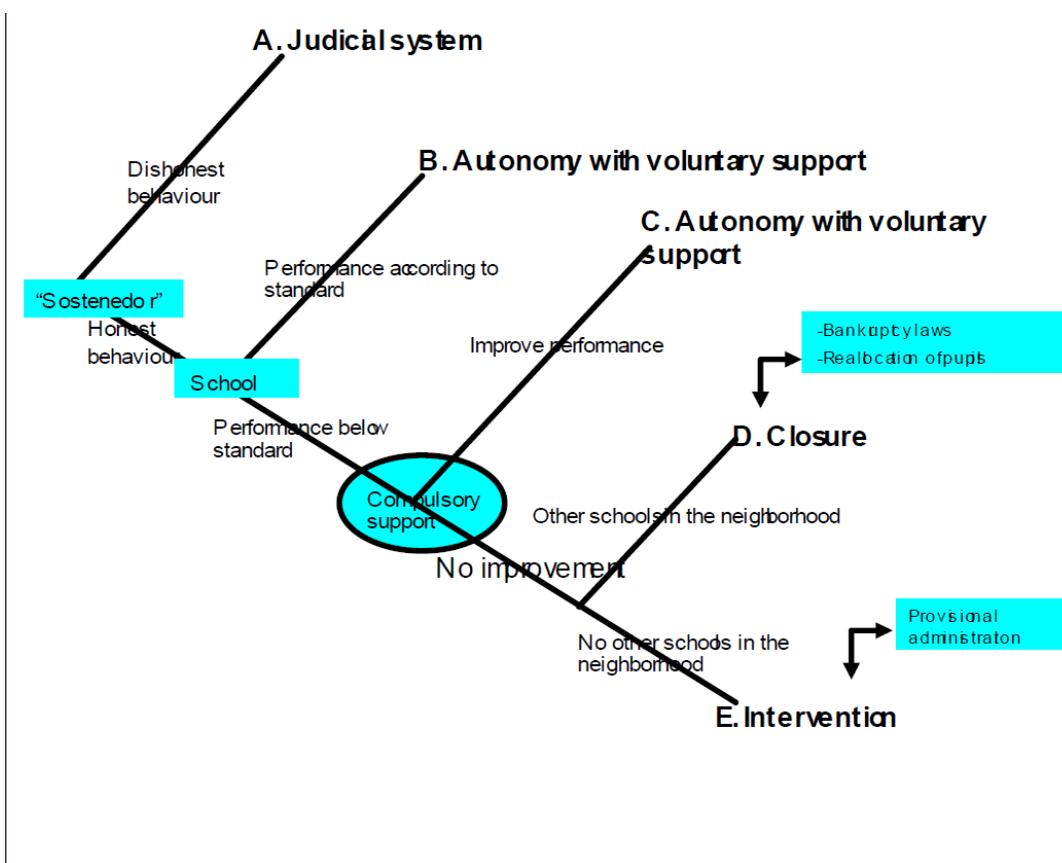


Table 13. 5x5 Matrix for Chile's school education system

	Politics	Compact	Management	Voice	Choice
Delegation	Government programs are public.  Use of opinion polls, deliberation processes unsuccessful and discontinued.	Educational quality  Avoidance of turmoil	Curriculum & MBE Performance contract for directors and principals.  No career proposal for managers but based on evaluation for teachers	School councils for information only.  Student protests and teacher's strikes.	Families and student chose school according to preferences.
Finance	Questioning of linkage between economic power and politics.	Increase in educational budget	Voucher (corrections through time), municipal and voluntary contributions, shared financing  Teacher career  SNED	Both students and teachers have obtained concessions using strikes	Empowered by vouchers.
Information	Transparency law, SIMCE and other data bases available.	SIMCE	SIMCE, other traditional indicators of internal efficiency might be used in performance contracts  Teacher's evaluation  SNED	SIMCE, other traditional indicators of internal efficiency. Other issues: segregation, equality of educational opportunities	SIMCE, alternatives might not be available in which case relies on Quality Agency
Motivation	Campaigns depend on contributions by citizens	Intrinsic and replacement. There is an incentive program for achieving indicators (PMG)	Extrinsic. Incentives are diluted for municipal managers but must perform according to contract.  SNED rewards best teams	Intrinsic & collective (actors participate for non-monetary reasons)	Extrinsic & individualistic
Support	There is willingness on academia, civil society, users and private sector to contribute to the public good	Ministry has received technical and political support in particular periods from Secretary General of Government (communications) and Finance, as	Teacher training, school meals, ICT, textbooks, visits +recommendations by Quality Agency	There are no support mechanism for supporting voice or balance asymmetries in the	Information has been provided and studies have been conducted on how it is used

		well as international organizations.		capacity to express it	
Performance	Very low trust in political parties & Congress.  Slightly higher for government and mayors.	Ministry of Education has much more technical capacities that at the beginning of the period.  Some consider it slow to introduce changes that are badly needed (eg curriculum based on competences, sexual education)	Focus on improving SIMCE and indicators of performance contracts or teacher's evaluation.  Gaming and development of industries for improving results	Social organizations are starting to appear and had had moderate success	Quality of education of the child, graduation, education and development trajectory, status

Figure 9. Number of press articles per month: Education and Quality Assurance

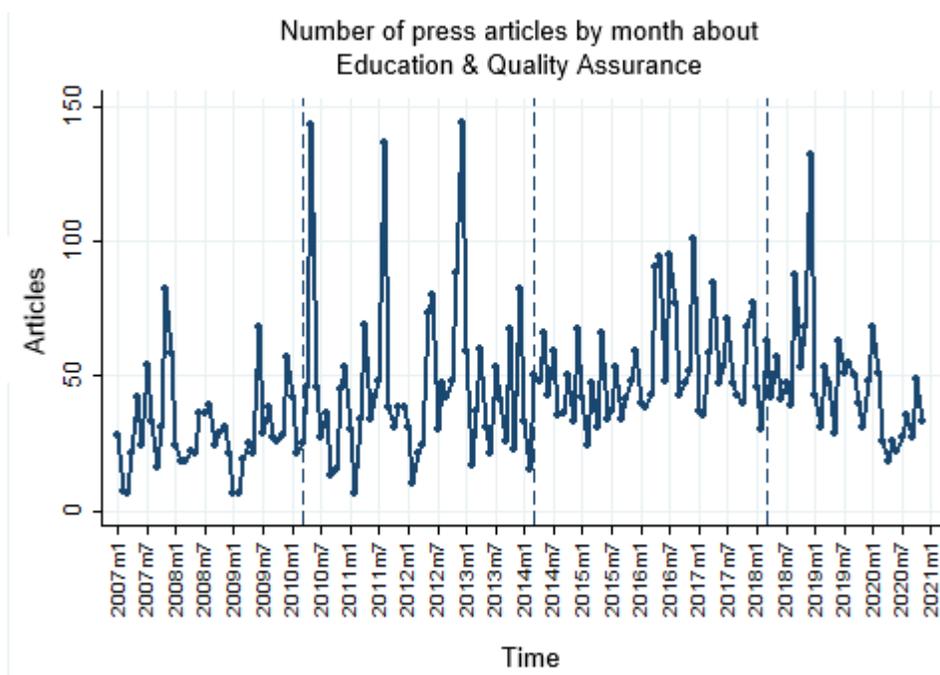


Table 14. List of interviewed people by role

N°	Role	Name
1	Ministry of Education in 1994. Educational Sciences National Award of 2007	Ernesto Schiefelbain
2	Ministry of Education between 2000 and 2003 Director of Program MECE (Media) in the MoE between 1999 and 2000 Deputy Representative between 1994 and 1998, member of the Education Committee (Christian-Democrat Party)	Mariana Aylwin
3	President of the National Council for Education 2015-2021.	Pedro Montt

	Chief of Evaluation and Curriculum Office in MoE between 2006 and 2009 Undersecretary of Education between 2004 and 2006 Director of General Education Division in MoE between 2001 and 2006 Chief of Staff of MoE during the 90's	
<b>4</b>	Minister of Education between 1996 and 2000 Director of Budget between 1990 and 1996	José Pablo Arellano
<b>5</b>	Ministry of Education between 2003 and 2005 Senator between 1994 and 2002 (Party for Democracy)	Sergio Bitar
<b>6</b>	Coordinator of Program P900 during 90's Director of General Education Division in MoE 1994-2000 and 2016-2018 President of the 2006 Presidential Council for the Quality of Education.	Juan Eduardo García Huidobro
<b>7</b>	Director of the Center for Pedagogical Research, Experimentation, and Improvement (CPEIP) inside the MoE. Coordinator of the Teachers' Career inside CPEIP in the MoE	Rodolfo Bonifaz
<b>8</b>	Minister of Education between 2011 and 2013. Member of the 2006 Presidential Council for the Quality of Education	Harald Beyer
<b>9</b>	Leader of the Teachers' Union between 2007 and 2009, and then in 2017. Member of the Communist Party.	Jaime Gajardo
<b>10</b>	Public School Teacher	Patricio Contreras
<b>11</b>	Public School Teacher	Sandra Delgado
<b>12</b>	Creator and director of the Program MECE in the MoE. Director of Curriculum Reform in the Evaluation and Curriculum Office inside the MoE between 1998 and 2006.	Cristian Cox
<b>13</b>	Ministry Secretary of Government between 1994 and 1998. President of the 1994 Commission for the Modernization of Education	José Joaquín Brunner
<b>14</b>	President of the Central Bank of Chile (2016-2022) Director of Budget between 2000 and 2006 Coordinator of the Full School Day program	Mario Marcel
<b>15</b>	Undersecretary of Education between 2014 and 2018	Valentina Quiroga
<b>16</b>	President of the Educational Assistants National Council (CONAECH)	Miguel Araneda
<b>17</b>	Public School Teacher	Juana González
<b>18</b>	Public School Teacher	Carmen Veliz
<b>19</b>	Chief of advising Staff for Ministry of Education Joaquín Lavín, between 2010 and 2011	Felipe Raddatz

<b>20</b>	Director of Education Department in Municipality of Peñalolén At different points in time was in charge of programs in Ministry of Education: Textbook program, General Education Division, Curriculum and Evaluation Office.	Mónica Luna
<b>21</b>	Undersecretary of Education between 2000 and 2003. Member of the National Council for Education	José Weinstein
<b>22</b>	Vice-president of the Teachers' Union	Guido Reyes
<b>23</b>	Director of the Pedagogical Research, Experimentation, and Improvement (CPEIP) of the MoE between 2000 and 2010	Carlos Eugenio Beca
<b>24</b>	President of the Confederation of Parents of Private Publicly Subsidized Schools	Erika Muñoz
<b>25</b>	Member of the lower chamber. Mayor of Viña del Mar, Region of Valparaíso between 1992 and 2000 Regional Secretary for the Ministry of Education in Valparaíso between 1990 and 1992	Rodrigo González
<b>26</b>	Educational Sciences National Award of 2013 Coordinator of the Program for initial teacher preparation between 1997 and 2002 Coordinator of program MECE	Beatrice Ávalos