

What does “education privatisation” mean? Conceptual discussion and empirical review of Latin American cases

Cristián Bellei, Víctor Orellana

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Cristián Bellei
Víctor Orellana

Center for Advanced Research in Education & Sociology Department
University of Chile

1. Introduction

Mass education systems are closely linked to the creation and consolidation of modern national states, and institutionalizing the education system ties it to the state in the form of “public education” (Meyer et al. 1992; Archer 1979). While organisational arrangements may vary, in practically every developed country the state has become the primary provider of education, and subjected private education to its own rules; in many cases, the state has also supported private education, but almost always whilst preserving the hegemony of public education. In recent decades, however, this pre-eminence of public education has been challenged. The crisis of the welfare state and the emergence of neoliberal policies, as well as the difficulties that developing countries have in guaranteeing the universal right to education, have all created conditions which have pushed some international, academic and political organisations to favour the expansion of private agents in education (Lauder et al. 2006; Brown et al. 1997). To be sure, this movement has potentially highly relevant consequences for equity concerns in education (Robertson and Dale 2013; Levin et al. 2013). The purpose of this report is to analyse these proposals for privatisation in the field of education, with special emphasis on the situation in Latin America and the Caribbean.

Despite its apparent simplicity, the notion of “privatisation” in education entails relevant hidden conceptual complexities; furthermore, privatisation policies are enormously diverse and can refer to different aspects of education; finally, the public and academic debate over

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privatisation in education – which has strong ideological connotations – is often confused. One of the aims of this report is to contribute to this debate by analysing how various policies have been defined as “privatisation”, depending on the perspective from which they are considered. To show these complexities in actual education policies, we describe various Latin American cases, but the report is not intended to be a comprehensive study on privatisation in the region.

Aside from this introduction, this document is organised as follows. In section two we briefly discuss the fundamental concepts of public education, private education, and privatisation, setting the framework for the subsequent analysis of the privatisation policies in education. A key idea in this respect is that there are different aspects of education which are susceptible to being “privatised”. The critical issue in this respect is to distinguish between *internal privatisation of public education* and *open privatisation of education*, which we describe in sections three and four respectively.

In section three we analyse the different ways in which public education can be internally “privatised” without losing – at least not formally – its nature as public education. We identify three relevant dimensions: inputs and services, school management, and the relationship with families; within each one of these there may be privatisation processes of different natures and with very different political implications. Ultimately, we will show that the dynamics of a “public” school can be so highly privatised that there are practically no substantial distinctions between it and a private school. In section four we discuss a more apparent version of privatisation: the increase in education supplied by private schools; we call this open privatisation of education. Since we are analysing cases in which privatisation is in some way supported by state action, we organise the discussion by identifying the type of public resources the governments provide to private schools, and the requirements the governments impose on private schools in return for those benefits. Sections three and four lay out an enormous diversity of aspects and levels covered by education privatisation initiatives; in section five we attempt to organise these policies, describing some prototypical approaches and characterizing them according to their radicalism in promoting privatisation, in terms of coverage as well as in terms of retaining public control over the private sector.

In section six we analyse education privatisation policies in Latin America, describing various national cases (Chile, Colombia, Argentina, Brazil, Haiti and Cuba) and a network of Catholic schools (*Fe y Alegría*, originated in Venezuela and currently present in many countries in the region). The cases represent paradigmatic situations: Chile and Colombia have applied significant policies for open privatisation of education with a market oriented approach; Argentina and Brazil provide state support to private education, but in traditional (not market) forms, and have undertaken changes in public education which some analysts have identified as “hidden privatisation”; Haiti is an extreme case of open privatisation, explained by the absence of a consolidated public education system; on the opposite side, Cuba is a counter-example in that all of its education is public, but some of its recent policies have been considered “hidden privatisation” in other contexts; finally, *Fe y Alegría* represents the most significant example of state support for private schools in the region, under a traditional non market approach. Finally, a brief concluding section summarizes some of the central ideas of the report.

2. Public education, private education and privatisation: basic definitions².

According to Belfield and Levin (2002), privatisation is “the transfer of activities, assets and responsibilities from government/public institutions and organisations to private individuals and agencies” (p. 19)³. This definition –which we will use for our analyses–, differs from that of Ball and Youdell (2007) in at least two key aspects. First, it does not consider that “importing ideas, techniques and practices” from the private to the public sector (i.e. “endogenous privatization”) entails necessarily a privatization of education, since public agents may incorporate them in the operating of the public education. Second, it expands the notion of (“exogenous”) privatization by showing different dynamics of increasing the private role within both publicly and privately provided education; for example, considering non-profit organizations, studying the school-parents relationship, distinguishing between school and system level, and looking for different ways of supporting private schools.

Thus, from this perspective, when applied to education, the idea of “privatisation” should be related to the basic definitions of public and private education, which we think is an essential (and not merely formal) distinction for a substantive comprehension of the dynamics of the field of education (Persell 2000). Nevertheless, although private-public have been traditionally considered categorical and mutually exclusive concepts in education, in the current educational policy arena they are increasingly treated as gradual notions, creating a sort of fuzzy area in which private and public merge (Robertson et al. 2012; Power & Taylor 2013). From this discussion we identified three criteria for understanding privatisation.

In a broad sense, all formal education can be considered public. In fact, institutionalized education offered through the education system has a “public nature” in important aspects, regardless of the provider of this education or who finances it. In contemporary society, this public nature of education has at least three purposes: to satisfy the universal right to education; to comply with the legal precept of compulsory education; and to guarantee public faith in the formal degrees and diplomas awarded. It is this public nature of education which requires all educators (school owners, managers and teachers) to satisfy some fundamental principles and rules, so that their formative action may be recognized by the national community. States have recognized the public nature of education by imposing general norms for its operation, providing various kinds of resources and organising a public system to govern the field. Thus, a relative withdrawal of the state in the fulfilment of these functions (e.g. fewer regulations, less financing, fewer public agencies), favouring the autonomous operation of private agents, can be considered a process of privatisation of education at a systemic level (West 2009; Hess 2009; Ball & Youdell 2007).

Education is also private in terms of the benefits it provides. By acquiring knowledge and competences, people improve their life prospects – particularly their employability – and reap

² For simplicity, throughout the document we will use “school” to mean any education-providing institution.

³ For a more general discussion about the concept of privatization –consistent with this view–, see Starr 1988.

the rewards this entails. This “private nature” of education explains multiple strategies families and students deploy in order to obtain more and better education, such as investing monetary resources, attending better educational institutions, and influencing the operation of these institutions. Education systems have responded in different ways to these strategies, but most notably they have tried to control them, understanding that –if left unregulated- they are a significant source of inequity, because they jeopardize equal opportunities among people. Hence, broadly, a greater influence of families on the functioning of educational institutions and the distribution of educational opportunities (e.g. school choice, private funding of education), can be considered a process of internal privatisation of education “from the demand side” (Chubb & Moe 1988; Levin & Belfield 2006; Murnane 1984).

Lastly, the public/private distinction in education has a more specific meaning, referring to the nature of the school: from this perspective, “public education” is that provided by public educational institutions, i.e. schools controlled and managed by the state, or some public authority or agency. Strictly speaking, this is the traditionally accepted definition by both the academic field (Anderson, 1994) and the international cooperation agencies (e.g. Unesco, OECD, European Commission)⁴. In this sense, if there is an increase in the proportion of private schools or students attending private schools in an educational system, this system can be considered in a process of open privatisation of education (Levin & Belfield 2006; Chakrabarti & Peterson 2009).

In short, three basic dimensions of privatisation in education can be identified from the above analysis: the replacement of public agents by private agents on the operating of the education system, the growing influence of families on institutional education, and the replacement of public schools by private schools. This last aspect is the most apparent kind of privatisation in education and it underlies the comparative debates on public vs. private education; thus, it is important to understand its relevance.

The key issue in the public/private distinction in education is the existence of public goods and social objectives, which differ from private objectives and which are not automatically produced when private agents (families and private providers) pursue their own interests. Certainly, the definition of these public-interest objectives in education has changed historically among societies; but in general terms they can be grouped into six dimensions:

- To socialize the new generations in a common culture

⁴ When classifying education as public/private, UNESCO considers a school as public when it is “controlled and managed by a public education authority or agency (national/federal, state/provincial, or local), irrespective the origin of its financial resources”, and defines a school as private when it “is controlled and managed by a non-governmental organisation (church, trade union or business enterprise), whether or not it receives financial support from public authorities”. Analogously, the OECD understands that “an institution is classified as public if ultimate control rests with (1) a public education authority or agency or, (2) a governing body (Council, Committee, etc.), most of whose members are appointed by a public authority or elected by a public franchise; (...) an institution is classified as private if ultimate control rests with a non-governmental organisation (e.g. a Church, a Trade Union, or business enterprise), or if its Governing Board consists mostly of members not selected by a public agency” (OECD, 2004).

- To promote social integration and equal opportunity (including the labour market)
- To guarantee the existence of non-sectarian, non-exclusive educational projects
- To guarantee (socially and geographically) the universal right to free, compulsory education
- To develop educational projects considered to be of common interest
- To set practical standards of quality for the entire school system

The creation, expansion and strengthening of public education has been the main instrument through which modern states have attempted to reach these social aims in the field of education. As long as public agents control and manage schools, it is expected that they will be capable of guiding them towards the achievement of social objectives. Ultimately, pursuing public-interest objectives has been the reason to support and give pre-eminence to public schools.⁵

Inversely, what makes a school private is that internal decisions are made by private, non-government entities. This implies that the management of private schools responds primarily to private or particularistic interests (e.g. religious creed, elite groups), which restricts the State’s capacity for achieving social aims through private schools, even if it finances and regulates them. To be sure, private schools can pursue public objectives in education (as stated, they always do to some extent), but they can equally prioritize private purposes: in this case, this is a contingent option.

Accordingly, the definition of “public/private education” based on the nature of the agent who controls and manages the school is not merely formal, since it is linked to the different priority these agents assign to the achievement of social goals in education. Certainly, as Power & Taylor (2013) point out by analysing funding, provision and decision making within public and private sectors, consequences on public goods are complex and not mechanically associated to them.

A related additional distinction is whether private schools are for-profit or not-for-profit entities. While -by design- for-profit organisations give priority to the interests of their owners or controllers, not-for-profit organisations are supposed to serve the common good in a given field. Again, this does not imply that for-profit schools do not contribute to the public good, but this is not their sole or direct goal. This difference explains why most governments provide fiscal benefits, tax incentives for donors, and public funding only to not-for-profit organizations.

Historically, most private education institutions have been not-for-profit: churches and religious organisations (mainly the Catholic Church in Latin America), community organisations, philanthropic foundations and non-governmental organisations. They have articulated mainly social and cultural motivations to provide education and accommodate some kind of differentiated demand: to promote certain religious values, cultural traditions (generally linked

⁵ The fact that public schools are not always successful in achieving these social objectives is a different issue. What we want to emphasize is that public interest is considered to be the standard for evaluating public education, which is not the case of private education.

to immigrant or ethnic minority populations), or pedagogical proposals. Although initially the expansion of public education involved strong social and ideological conflicts with the Catholic Church in some Latin American countries, governments have generally recognized and supported (with highly different emphasis) this type of private education, valuing the diversity of the educational projects they provide. The Netherlands is a consolidated example of this approach.

Nevertheless, the supply of private education from for-profit entities has been recently promoted and expanded in some countries. For-profit education is an extremely heterogeneous sector, going from personal or family business ventures which create a primary school to transnational corporations with huge economic power controlling networks of post-secondary institutions (LaRocque 2008; Aga Khan Foundation 2007; Ball & Youdell 2007). A distinctive characteristic of those who support the privatisation of education through either public-private contracts or market oriented reforms is that they value the introduction of for-profit providers, and propose that the state not distinguish them from non-profit organizations (Patrinos et al. 2009).

Finally, privatisation policies have been promoted with various declared objectives, which can be grouped – in broad terms – into three types. Firstly, in recognition of the value of a certain socio-cultural diversity channelled through education, which has tended to be expressed by negotiated forms of public-private relationships. The mentioned agreement between the state and the Catholic Church in Latin America is an example of this traditional approach. Secondly, especially since the 1980s, in order to promote efficiency, innovation and quality in education, on the assumption that private agents are more competitive than the public sector. This is, for example, the neoliberal perspective behind the introduction of market policies and for-profit providers in the field of education⁶. Thirdly, only recently, privatisation has been put forward as a way of expanding access to education, especially in geographical and social areas where the state has not provided public education or there is an excess of demand. For example, various forms of PPP have been proposed to advance *Education for All* goals, suggesting that governments and donors support private for-profit providers in order to educate the poorest population.

Therefore, it is important to realize that all of these “reasons to privatise” advocate different objectives and policy emphases, and have potentially different consequences for public education; similarly, they have been implemented by different policy instruments. In the next three sections we will analyse the types of education policies promoting privatisation.

⁶ The purpose of this report is not to evaluate the empirical base of the privatization proposals; nevertheless, it is important to note that the available evidence is not enough to support this theory. See for example Patrinos et al., 2009; Witte, 2009; Levin and Belfield, 2006.

3. Internal privatisation of public education

To define a public school as “controlled and managed by a public authority or agency” generates pure categories: a school can only be either public or private. However, there are at least three ways of making this definition more complex. Firstly, considering the public/private nature of the provider of relevant inputs and services for the operation of the school; secondly, distinguishing different aspects included in the “control and management” of the school; and finally, characterizing the type of relationship between the school and families. In each one of these three dimensions it is possible to introduce the participation of private agents, in such a way that public schools can appear to be either more or less “privatised” in their functioning, while remaining formally public. In this section we describe and discuss the components of this “internal privatisation” of public education.

Inputs and services

i. *Infrastructure*: Public schools typically operate from publicly-owned buildings; however, businesses, community organisations and parents often contribute in varying degrees to the creation, expansion or maintenance of the school’s infrastructure. Public authorities can also contract private services for the construction or maintenance of the school’s infrastructure. A more complex case is that of private-public partnerships (PPPs) where, through a contract, private agents invest in the construction of a public school, and maintain total or partial management of it for a time (Patrinos et al.2009; LaRocque 2008). We will return to this later, but for now it is enough to specify that if the contract is limited to the maintenance of the infrastructure or the recovery of the investment (i.e. does not imply transfer of property or control of the public school to private agents), it is conceptually equivalent to the previous situations or a case in which a public school must lease a building for its operations.

ii. *Financing*: The main (and, in most cases, only) source of school funding is public money; however, schools do have access to alternative sources of financing: businesses, foundations and the local community frequently make voluntary financial contributions to schools. A key issue to analyse these contributions within the privatization debate is whether they alter in significant ways the school’s autonomy in making its critical decisions. Schools also obtain private resources by applying to competitive funds; equally, some schools sell services to their communities (e.g. vocational secondary schools sell parts of their “product”; some schools organise events or extracurricular activities that charge for attendance). Typically, these activities are undertaken as an enrichment of the educational work of the school and not as an end in themselves (which would transform the school into a business)⁷. An essentially different

⁷ Although we are not discussing higher education, note that the case of public research universities is more complex and much more problematic. It is important for those universities being directly involved in economic, social or artistic activities, through various methods (e.g. applied research, services and consultancy, technological innovation), some of which provide income, which in some cases can grow to be a significant part of their financing. The different “market value” of university activities generates incentives for unbalanced development, incentives which are stronger when the universities are more dependent on this income (Altbach et al. 2011;

situation is when schools charge families for the educational services, a case we will discuss later on.

iii. *Non-educational services*. Historically, states have used education as an institutional space to channel social policy; thus, schools have provided students with support services to improve their educational opportunities (e.g. school transport) or their general quality of life (e.g. food, health services). Education authorities often acquire these support services from private providers (Patrinos et al. 2009), but supply them to the students in accordance with public policy criteria.

iv. *Educational materials*. Schools use a wide variety of learning resources, many of which can be obtained from private providers: teaching material, computers, books, etc. Although not essentially different, textbooks have acquired a particular status for pedagogical reasons: since textbooks “operationalize” the official curriculum (which has the potential to strongly structure classroom practices), education authorities tend to regulate the production of official textbooks by private providers. In practice, given the buying power of the state, governments often directly contract the preparation of textbooks, ensuring that they satisfy the official curricular and pedagogical criteria. Also, decisions over what educational materials acquire and how to use them in the teaching process are typically made by teachers and educational authorities. Nevertheless, if educational materials were previously produced by public agents, this can be seen as a privatization in the educational system.

v. *Professional services*. Schools and teachers frequently benefit from professional services like training and technical support in areas such as curriculum design, teaching innovation, or learning assessment. Many countries have public institutions to provide this kind of services (civil servants, public universities or teacher training centres); however, some use private agents instead (private universities, independent academic centres, foundations, consulting firms, independent professionals) (Ball & Youdell 2007; Patrinos et al. 2009). For example, countries such as the United States and Chile have introduced external support to schools through the implementation of both school improvement programs and teaching innovations, many of which make up “packages” that are bought in a market of education consultancy (Bellei et al. 2010). Certainly, if these kinds of functions were previously performed by public agents, the introduction of private professional services can be considered a privatization in the educational system.

Summarizing: to analyse the previous situations within the debates on education privatization, it is important to distinguish between the school and the system level. From the previously discussed framework, to introduce private providers into the operation of public schools (whether in resources, goods or services) does not in itself constitute a privatisation of these schools. Nevertheless, analysed at the level of the public education system, the introduction of private providers may entail a privatisation process if those functions were previously performed by public agents (Ball & Youdell 2007; Belfield & Levin 2002).

Rhoades & Slaughter 2004). This phenomenon may be interpreted as a form of “internal privatisation” of public universities.

Management

The notions of power and control over public school administration include a wide variety of school management decisions; additionally, in many educational systems, school management decisions do not lie only (or primarily) with schools but rather with higher public agencies (e.g. local public education administrators). Consequently, in order to analyse privatisation at the school management level, it is useful to distinguish between who makes the decisions (public/private nature of the agent) and what are the decisions involved (extent of transferred power).

In recent decades, education decentralization policies have transferred greater decision-making responsibilities to smaller-scale units in the education systems (Carnoy 1999). “School-based management” is the most radical version of this trend, which seeks to locate most decisions at the level of school administrators. Similarly, many countries – including Latin American ones – promote the organisation of school councils, composed by parents and members of the local community; eventually, these councils assume some level of authority over the management of the school. Note that in all those cases the agent in charge of the school’s management remains of a public nature: typically, those policies improve community participation and increase the range of responsibilities of a school’s principal, who continues to be a public functionary, reporting to local or national education authorities.

Finally, a few countries (e.g. USA, Colombia) have implemented different kinds of contracts with private agents to temporarily manage a public school (Chakrabarti & Peterson 2009; Levin & Belfield 2006; LaRocque 2009; Vergari 2009). As discussed in the previous section, the introduction of private agents in the management of a public school may be interpreted as privatisation of the educational system as long as those functions were previously performed by public functionaries. Nevertheless, in order to analyse in what sense a public school in itself may be considered “privatized” under those contracts, it is relevant to consider the nature of the decisions transferred to private agents (Patrinos 2009).

Certainly, this is a matter of debate. For example, schematically, it is possible to identify some key decisions (not merely administration services) that strongly define the nature of an educational institution as: i) the hiring of teachers (who their employer is) and the subjection of this hiring to public regulations (which in most countries includes an ad hoc regulatory statute); ii) the definition of the school curriculum and teaching methods (what and how to teach); iii) decisions about enrolment and the student admissions process (who will be taught); and iv) the decision to open or close a school (whether or not provide education). Though contracts are temporary and do not involve ceding ownership of the school, the key issue here is the type of power and control relationships with the students, families, teachers and educational authorities established in the operation of a school. In that sense, even if regulated by contracts, transferring decision-making power over those core school decisions to private agents may be interpreted as privatisation of public schools (Ball & Youdell 2007; Lubienski 2013).

Relationship with families

To analyse internal privatisation it is also relevant to consider the type of relationship between schools and families, since this could significantly modify the composition, dynamic and orientation of the educational processes. Certainly, potential privatisation from the demand side is a much more complex phenomenon (Levin & Belfield 2006). Given the private benefits of education, families tend to seek advantages to maximize these returns; accordingly, we believe that the key to this analysis lies not in the behaviour of families but in the way in which the education systems process parents’ influences (Duru-Bellat 2000). Three dimensions appear significant for this discussion: whether families can choose the school of their children, whether school fees determine this choice, and whether families control the school. Each one of these aspects has the potential to drastically “privatise” the relationship between schools and their users: public schools can submit themselves completely to the preferences, resources or interests of their students’ families.

i. *School choice*. Put simply, students can be assigned to a school by the education authorities (typically in accordance with their place of residence) or their families can choose among public schools (we discuss below the issue of choosing private schools). Certainly, even in systems where school choice does not formally exist, there are different formal and informal, direct and indirect processes through which some parents influence schools to enrol their children. However, those who openly promote school choice see the adjustment between parents’ preferences and school supply as a positive mechanism for the educational systems (Ladd 2003). There are two main reasons why school choice has been promoted in public education.

Firstly, if schools differ in their curriculum, teaching methods, or level of difficulty, school choice would improve the coherence between children’s educational needs or family’s preferences, and the school teaching process, potentially enhancing the educational benefit for the students (Murnane 1984). Secondly, if schools differ in “quality” (whatever this may be defined by authorities or perceived by families), parents’ choices would send a signal to educational authorities, producing a hierarchy among schools (Levin & Belfield 2006). The nature of the dynamic these parental choices trigger will depend critically on the decisions educational authorities make with regards to this information. Thus, if authorities distribute benefits to reward the schools most often chosen by parents, and apply sanctions to penalize the less-favoured schools, they are in practice attempting to emulate a competitive market within the public education system (West 2009).

In theory, all parental school choice may be seen to some extent as “privatisation” in education, since parents are attempting to increase the educational benefits obtained by their children; however, internal privatization of schools is pushed when school choice is exerted within a market dynamic, because schools are forced to adjust their offer to attract families’ preferences (Chubb & Moe 1988).

ii. *Fee payment*. The idea that students or their families pay for the education they receive has been widely promoted by some analysts and international organisations, as a mean of saving public resources to increase coverage and focusing public spending on the poor (Patrinos et al.

2009; Carnoy 1999). As discussed, according to some definitions the source of financial resources does not define the public/private nature of a school; nevertheless, in our view, it is relevant to distinguish the cases when obligatory fees determine the access to educational institutions; i.e. if public schools decide whom to educate and how to educate them on the basis of who can pay, excluding (or discriminating) against those who cannot pay. Under this situation, the relationship between schools and families resembles a contract for private services (different from a public agency guaranteeing a universal right⁸): children will receive as much education as their parents can buy. In that sense, the school-family relationship has essentially been “privatised”.

iii. *Control*. Families can exercise different degrees of influence over the running of a school; this influence is generally promoted and channelled institutionally by various mechanisms for participation and parents’ organisation (Persell 2000). Certainly, public education systems vary significantly in terms of the extent to which family voice is accepted as a legitimate influence in the school administration⁹: they are consulted as individuals or as an organisation and their claims are taken into account; parents directly manage some school’s resources or activities, and their representatives participate formally in the school council. However, at the extreme, if a government completely transfers the school management to a parent organisation, this school may be considered “privatised” from some perspective (Aga Khan Foundation 2007). Conceptually, if parents themselves take total control of their children’s school, this would be an extreme case of direct submission of the functioning of a public school to families’ preferences (to contrast, a free school market would be an extreme case of indirect submission). Nevertheless, in this case, a key issue is whether or not parent organizations are considered public organizations. In fact, historically (and currently in some Latin American rural areas) community organizations have been central to create and sustain the schools that serve their communities, some of which were lately incorporated to the “public” system (Tyack 1974).

In this section we discussed three dimensions in which a public school can be considered internally privatized. The conceptual and political implications of these privatization processes have been the subject of enormous controversy among scholars, policy makers and social actors. According to our analysis, this debate needs to take into account two critical issues. Firstly, it is important to identify the basic characteristics of a public school in order to analyse the nature of those privatization processes. Thus, as discussed, incorporating private resources, services or agents (including families) without affecting the power and control of the public authorities over the key school management decisions may not be considered a privatization of that public school. Nevertheless –secondly–, it is also indispensable to distinguish between the privatization of a public school and the privatization in the public education system. As known,

⁸ Higher education differs just slightly: although access to higher education is not internationally considered a universally guaranteed right, it is generally accepted that it should not be based on socioeconomic status.

⁹ We do not discuss here the illegitimate influence parents, functionaries and other agents can have over a school; in fact, “corruption” can be considered an illegal form of privatisation of public institutions.

public education has tended to be organised as a public service, forming a part of state bureaucracy; therefore, public schools have been defined as belonging to a “system” of public education, which typically includes local educational agencies, and national policy and administration agencies. As has been made clear, several of the discussed privatisation trends affect directly these supra-school public agencies, so an analysis that does not include them would be incomplete.

4. Open privatisation of education.

In the previous section we discussed privatization within the public education sector; in contrast, the notion of “open privatization” of education refers to the expansion of privately provided education. Strictly speaking, an open privatisation of public education would imply the complete transfer of control and management (and eventually ownership) of a public school to a private agent (actually, many public services and companies were privatised this way in Latin America). This form of education privatisation is practically unknown in the region. Instead, open privatization has occurred mainly by increasing the proportion of students who attend private schools. This implies a privatisation at the educational system level, since it increases the presence of private education without necessarily changing the existing public schools.

Some governments have implemented educational policies to support the creation, operation and expansion of private schools. Schematically, we can characterize these policies as an “agreement” in which the state transfers public resources to private education providers and makes some requirements as an exchange (this is broadly the notion of public-private partnerships; see Aga Khan Foundation 2007; LaRocque 2009; Patrinos et al. 2009; and for critical analyses, see Ginsburg 2012; Verger 2012; Ball & Youdell 2007). In this section we analyse both dimensions of these education privatization policies.

Public resources for private schools

Although the allocation of public resources to private education takes some prototypical forms, these policies have been implemented with enormous heterogeneity among countries: from limited programs targeted to specific school-age populations to long-term universally applied national regulations; also, public subsidies can cover the total cost of private education or a minor part of it.

i. *Free-disposition financing (non-categorical funds)*. Some governments provide private schools with financial resources and give them total autonomy on how to use those funds. There are various mechanisms through which governments transfer public resources, or stimulate the transfer of private resources, toward private schools. For example, exempting the owners of schools from paying specific taxes (e.g. on property, investments or operational expenses); tax exemptions, generally for businesses, on donations made to private schools; awarding tax credits or exemptions to families for educational expenses incurred in private schools; providing credits, scholarships or vouchers for students who enrol in private schools; and allocating public subsidies to private schools. All of these mechanisms aim to reduce the private cost of

attending a private school and, therefore, promote private education; at the same time, they do not restrict the managerial autonomy of the private school provider.

ii. *Categorical funds.* Some governments provide public resources for private schools, but they predetermine to a certain degree the use of those resources, restricting the managerial autonomy of private school providers. For example, through competitive grant projects or compensatory programs, private schools access public funds to acquire educational equipment, teaching materials or books, to contract professional services for teacher training, or to implement a school improvement program. Also, in some countries the government subsidizes the hiring of teachers in private schools, which is the school’s largest expense. In those cases, private schools are not totally free in how to use state resources.

iii. *Provision of materials and services.* Some governments directly provide goods and services (instead of money) to private schools or to students attending private schools, including teaching materials, libraries, computers, teacher training, school meals, textbooks, and school transport services among others. In practice, all of these goods increase the attractiveness of private schools or facilitate families’ access to them. Nevertheless, private school administrators cannot decide alternative uses for those resources. Moreover, note that private schools relinquish part of their “educational autonomy” when accepting resources like official textbooks or teacher training, since those resources carry some educational “content” with them.

Public requirements for private schools

When analysing education privatization policies is also relevant to consider the requirements governments make to private schools in exchange for the public resources they supply. Specifically, we will classify (in broad categories) the kinds of educational services or products private schools have to provide in return for public resources (thus, we will not focus on the formal rules private schools must follow in order to operate with public resources).

i. *No additional requisites.* In some cases (e.g. tax exemptions or some voucher programs), governments do not impose additional requirements on private schools for having access to public resources, apart from mandatory basic regulations to be officially recognized as formal education providers (generally referred to minimum conditions of operation and curricular regulations). These policies can be interpreted as supporting the expansion of the type of private education that would be spontaneously generated by having more favourable financial conditions.

ii. *Increase accessibility.* Some governments require subsidized private schools to be more accessible to students. A common requirement is that private schools do not charge fees to families or at least significantly reduce tuition; targeted incentives to open private schools in particular geographical zones can also be considered part of these accessibility policies. Additionally, in order to avoid discriminatory practices, governments regulate subsidized private schools’ admission policies (e.g. prohibiting entry requirements like religion or previous academic performance). Note that in some cases subsidized private schools are required to

increase access only for targeted student populations (e.g. low-income students), making the relationship between the state and the schools resemble a contract for providing specific educational services. Policies that seek to increase access to private schools for targeted populations (typically disadvantaged students) imply an effort to modify private schools’ intake composition by reducing socioeconomic, academic or cultural barriers.

iii. *Regulation of educational inputs and processes.* Some governments require that subsidized private schools adopt substantial rules of operation imposed by public authorities; generally, those rules have the purpose of assimilating -to some degree- the operation of private schools to the characteristics of public schools. For example, private school teachers are hired following public sector labour law; additional requirements include teaching the official curriculum, implementing public policies in schools, following class-size rules, allowing parents’ or students’ organizations, accepting public inspection. Also, governments usually provide public resources only to non-profit private schools. Privatization policies that incorporate the regulation of inputs and processes of private schools imply a government’s attempt to influence the kind of private education provided, guiding it towards the achievement of public goods or objectives relevant to public policy.

iv. *Attain educational achievements.* This approach has been developed more recently: subsidized private schools must attain a defined level of educational achievement within a given period of time. The outcome private schools must produce can be, for example, the successful schooling of a certain student population or some level of students’ academic achievement. A radical version of this performance based accountability would be that governments limit their control to defined outcomes and totally relax the regulations of inputs, processes and the operation of private schools. By applying this indirect control mechanism, governments would be pushing private schools to produce a certain level of educational achievement rather than a particular kind of education process.

Summarizing, policies that involve increasing the provision of private education can be analysed around two related but different dimensions. Firstly, how determined they are to expand private schools. A more aggressive education privatisation policy would be characterized by the provision of more public resources to private schools (including for-profit providers), transferred as free-disposition financing, and not linked to additional requirements for private education providers. Secondly, to what degree education privatization policies seek to internally modify the characteristics of private schools. A government may require private schools receiving public resources to follow the same regulations as public schools, assimilating them -in practice- to the public education system.

5. Education privatisation policies

In the two previous sections we identified several aspects that can be considered education privatisation, both through internal transformation of public education and through an increase in the provision of private education. The policy instruments governments use to push education privatisation vary in type, coverage and intensity; also, they generally pursue multiple objectives and are rarely presented openly as “education privatisation” (Ball & Youdell 2007). Thus, education privatization is not a single policy, but a family of educational policies. Therefore, the debate around education privatisation policies tends to be confusing. Besides, policies like decentralization or standardised testing are sometimes considered to be “education privatization” (since in cases like Chile they complemented privatization policies). In this section we briefly describe some prototypical education privatisation policies.

i. *Basic regulations.* At the border between acceptance and promotion, some governments only generate a legal framework for recognizing private schools and the validity of their diplomas, and provide tax benefits for donors and providers (usually limited to non-profit organizations). In these cases, governments concentrate on creating and expanding a public education system; therefore, the degree of “privatisation” of such an education system depends on how much responsibility the state assumes as an educational provider. Under this condition, although private education tends to be small (which is the case of non-subsidized private education in most Latin American countries), in some countries (e.g. Haiti) or levels of education (e.g. pre-school), where the governments are not active in providing education, privatisation is proportionally widespread even in the absence of explicit education privatization policies.

ii. *Subsidies.* Some governments have actively promoted private education (usually religious, non-profit institutions) by allocating public resources to private schools. Typically, governments transfer resources directly to eligible private schools according to public policy priorities (e.g. geographical location, student populations); nevertheless, private providers regularly receive fewer per-student resources compared to public schools. Thus, these policies can be interpreted as supporting private education but subordinate to the pre-eminence of public education. This has been the most common and traditional form of state support for private education in Latin America.

iii. *Partial contracts.* Educational policies incorporate private agents throughout practically the whole “production process” of public education, in both support services and substantive inputs (e.g. teacher training, textbooks). Nevertheless, educational services continue to be provided by a public school. Although most countries have traditionally used private provision of some inputs to operate public schools, recently, there has been a tendency towards a greater introduction of private agents in substantial aspects of education, such as curriculum design, school improvement programs and student assessment. This kind of contracts are widely recommended by the supporters of “public-private partnerships” (PPP) in education.

iv. *Concession contracts.* In terms of education privatisation, the most radical version of a contract is to transfer the entire management of a public school to a private agent (e.g. Colombian concession schools, or charter schools in USA). These contracts are established for

set timeframes with defined goals, and are subject to regular evaluation by public authorities. In the extreme cases, concession contracts are open to for-profit companies and liberate them from public school regulations (e.g. teachers’ statute). This kind of policy has been scarcely implemented, but supporters of PPPs strongly recommend them as a mean of introducing decentralization and flexibility of management within public education.

v. *Vouchers and school choice*. In their purest form, vouchers are public money provided to families to fully or partially cover the costs of their children’s education in the school they choose, be it public or private (Chile, Colombia and Haiti have used vouchers). Depending on the regulations, other funding policies are similar to vouchers (e.g. tax discounts for families’ expenses in private schools, scholarships, per-student public funding of schools). Vouchers are potentially the most aggressive education privatisation policy, if (as in Chile) governments impose few rules on private schools to be eligible (e.g. allowing for-profit providers), use the same vouchers to fund public schools, and permit schools to charge tuition on top of the voucher (Witte 2009; Hoxby 2001; Friedman 1955).

In theory, combined with school choice, vouchers make public and private schools equivalent; moreover, if public schools still have additional restrictions and responsibilities, vouchers imply competitive advantages for private schools. Although school choice has a longstanding foundation in education (mainly to accommodate religious and cultural diversity), recently it has been promoted as a mean of introducing competition among schools, in order to trigger market-oriented dynamics in education. Certainly, from this perspective, market oriented reforms blend education privatization with school choice, vouchers and competition (Nechyba 2009; Levin & Belfield 2006; Hess 2009).

As discussed, the described educational policies may be considered “privatisation” since they are directly attempting to increase the presence of private agents in the field of education, either providing educational services (open privatization) or participating in the production of public education (internal privatization). Conversely, note that we are not including decentralization and test-based accountability as education privatization policies. In fact, although they are sometimes considered to be part of a “hidden” privatization agenda (because they would prepare the conditions for future open privatization) (Ball & Youdell, 2007; Carnoy 1999), this is not necessarily the case since both policies have their own rationale: many governments (including Latin American countries) apply them to improve efficiency and quality within the public education system, without increasing the participation of private agents.

6. Education privatisation in Latin America.

In order to explore how and in what aspects education privatisation policies have been implemented in Latin America, we will review in some detail the cases of Chile, Colombia, Argentina, Brazil, Haiti, Cuba and the *Fe y Alegría* network of schools. In each case we will attempt to identify policies of open privatisation of education, as well as components of policies for internal privatisation of public education; also, we will discuss policies that have been considered by some analysts as hidden privatisation.

We will also briefly contextualize each case, providing basic general descriptions on key issues. This is relevant because Latin America experienced profound economic, political and social transformations in recent decades, and although they are linked with the global changes mentioned above, they do have some specificity. The democratic governments that replaced dictatorships during the eighties and early nineties had to confront the difficulties derived from the economic crisis of the 1980s, and continued with structural adjustment programs, strongly pushed by financial international organisations. In this context, neoliberal policies were carried out in the region, first in Chile in the beginning of the 1980s and in the rest of the region the following decade. However, neoliberal policies faced resistance from various social and political actors in the region, which in some cases transformed into political crises, causing the fall of several governments at the beginning of the 2000s (Boccardo, 2012). Furthermore, with the recent emergence in several countries of so-called “progressive governments”, the neoliberal agenda was further limited and in some cases reversed.

In the field of education, a new agenda also emerged in the region during the early nineties. Promoted by international organisations such as UNESCO, UNICEF and the World Bank, its paradigmatic formulation in the region was developed by CEPAL and UNESCO regional office (1992). Essentially, it proposed to complement the policies focused on increasing access with changes oriented to improving quality of education, emphasizing the actual learning achieved by students. To this end, it proposed decentralization of public education, modernization of its management processes, and implementation of accountability instruments (including external evaluations and economic incentives) in order to make State action more effective and efficient. Since the mid-nineties, several Latin American countries have implemented this type of reforms, especially decentralization and external evaluation (PREAL, 2006).

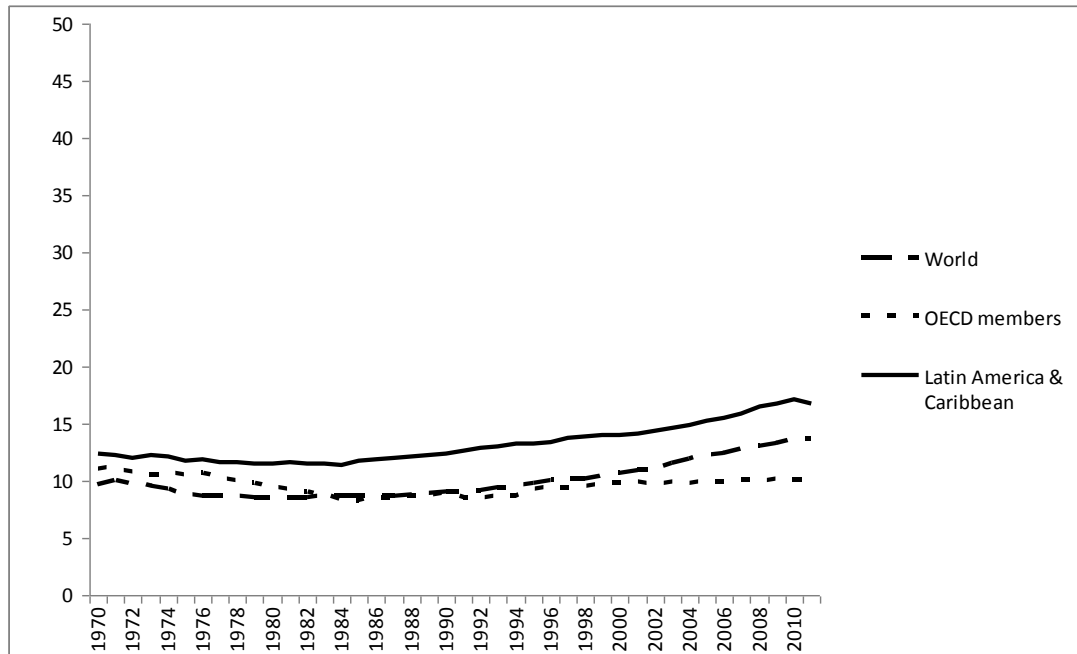
Since the proposals were mainly focus on modernizing the public sector and they did not include expanding private provision of education, strictly speaking, these policies did not necessarily entail internal privatisation of public education or open privatization of education. Nonetheless, some of those policies have been criticized as education privatisation in a more general sense (Coraggio and Torres 1997; Gentili, Frigotto, Leher, & Stubrin, 2009). Firstly, because measures for decentralization, management optimization, change of legal status of public businesses and introduction of accountability mechanisms were seen as a prelude to the open privatisation of public services. Secondly, because under the notion of “modernization” some policies foster the introduction of market dynamics into the public education system, as some international literature suggests (Belfield & Levin, 2002; Ball & Youdell, 2007; Camoy,

1999). In fact, some quality assurance systems and accountability policies did not distinguish between public and private education (Krawczyk & Vieira, 2012).

Certainly – as the cases of Chile and Colombia will show– there have also been policies of open privatisation of education in the region. Nevertheless, it is important to note that the trend towards open privatisation of education is minor and recent in Latin America. As seen in figure 1, between 1970 and 1990 the proportion of students who attended private schools remained constant in the region at around 12% of the total; then it increased slightly but constantly, reaching 17% in 2011. In contrast, in the OECD countries, the proportion of private primary education remained constant for the most part throughout the four decades at around 10% of national enrolment. Even more, as shown in figure 2, in secondary education (where private provision is slightly higher worldwide) the proportion of students attending private schools in the region has remained constant since 1998, accounting for less than 20% of total enrolment; and the same has occurred in OECD countries, where around 16% of students attended private schools.

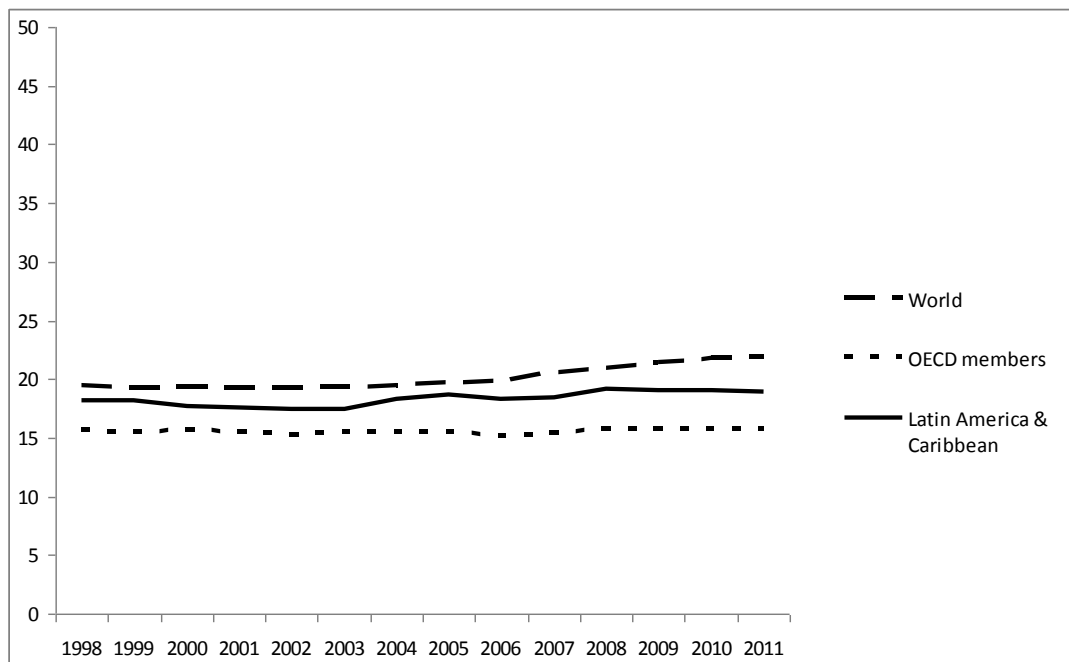
Although affected by the same waves of policy as primary and secondary education, the case of higher education differs slightly. Changes in the social structure of Latin American countries, like the expansion of new middle classes and post-industrial modernization of Latin American societies, increase social value of professional status, which puts pressure on the growth of post-secondary education (Atria, Franco & León 2007). While public universities have increased their enrolment, private higher education institutions –often linked to for profit companies– have also expanded rapidly to accommodate this new demand (Arocena & Sutz, 2000; Brunner, 2008). Therefore, national cases differ markedly in this sense: from countries where the public sector retained centrality (e.g. Argentina, Cuba and Uruguay), to countries where public-private cooperation increased the presence of private providers (e.g. Brazil, Chile and Colombia). These privatization trends have received different evaluations, showing that, in the field of higher education, the role of market dynamics remains an open question (Brunner, 2008; Mollis, 2010).

Figure 1. Percentage of private enrolment in primary education: 1970-2011



Source: The World Bank, based on data from UNESCO UIS. Own presentation.

Figure 2. Percentage of private enrolment in secondary education: 1998-2011



Source: The World Bank, based on data from UNESCO UIS. Own presentation.

Chile

Context

Chile was one of the first Latin American countries that organized a public national education system, although with a significant presence of private education (fluctuating throughout the 20th century between 15% and 35% of national enrolment). Towards the 1970s, Chile had practically universalized primary education; also, starting in the 1960s, secondary education expanded rapidly to reach a high coverage towards 1990; finally, post-secondary education remained limited in its coverage until the 2000s, when it expanded fast to reach intermediate levels of access around 2010 (Bellei and Pérez, 2010). According to national and international assessments, Chilean students’ academic achievement has increased during the past decade, although its general level is still poor. Also, Chilean education is markedly unequal, as measured by the high level of association between students’ achievement and parents’ socioeconomic status, and the extreme socioeconomic school segregation (Valenzuela, Bellei & De los Ríos, 2014).

During recent decades, Chilean educational policies have been recognized as one of the most radical cases of market reform in education. This reform included almost all the components associated with market policies in education, was applied nationwide and has remained in place for more than three decades. Although with significant differences, market oriented policies were applied in both K-12 and higher education in Chile, and included various education privatisation policies, whose direct consequence was the accelerated growth of private education providers at all levels.

Education privatisation policies in Chile were part of a market reform in education, implemented from the early 1980s under Pinochet’s dictatorship. This reform took place within the framework of a major neoliberal restructuring, applied to the economy, the state and other social services, which included the privatisation of public companies and services, the deregulation of markets, and the opening of Chilean economy. Once the dictatorship ended in 1990, the core of these reforms remained. The four governments of the Democratic Coalition (1990-2010) assigned a more active role in social areas to the state, but without changing its market dynamic. In education, this included an increase in public investment, greater regulations in the sector (especially to protect the teaching profession), and a wide set of improvement policies and compensatory programs in primary and secondary education (Cox 2012). Since 2006, a strong student movement has severely criticized Chilean education, especially its privatisation trend (Bellei and Cabalín, 2013).

Recent reforms

In primary and secondary education, market reform included the creation of a voucher like mechanism as the single funding system for schools. Families can freely choose the school for their children, since the voucher is the same for public and private schools, whether for-profit or not-for-profit. In theory, all schools -in fear of being left without financing- will compete amongst themselves to enrol students. To facilitate comparison between schools and guide the supply-demand dynamic towards quality indicators, the government applies annual

standardised academic achievement tests (at least in language and mathematics) to all 4th, 8th, and 10th grade students, publishes school rankings and sends letters to parents informing test results. Finally, in order to allow national government to concentrate on evaluation, regulation and funding, during the 1980s the administration of all public schools was transferred from the Ministry of Education to the municipalities. The idea was that local authorities manage public schools to compete with private schools, while the Ministry of Education should adopt a “neutral” position, treating private and public schools in the same way (Bellei, 2009).

Market policies caused a sustained privatisation in Chilean education. When the system started in 1980, around 15% of students attended private schools, currently around 60% of them do (i.e. public education has been proportionally reduced by half in the same period). The growth of private education has been primarily driven by the creation of new for-profit private schools. The evidence on students’ academic achievements shows that, controlling for students’ characteristics, on average, subsidized private schools are not more effective than public schools (Bellei 2009; Mizala & Torche 2012); however, the published rankings and advertisements (which do not correct these biases) have spread the idea that private schools obtain higher achievements, incentivizing families to abandon public schools. Additionally, subsidized private schools select their students – during the admission process and their school career –, applying economic (they charge tuition to families), academic, behavioural and social selection criteria, all of which has accentuated the social and academic segregation of Chilean schools (Valenzuela, Bellei and De Los Ríos 2014; Contreras, Sepúlveda & Bustos 2010).

Market oriented policies were also applied to Chilean post-secondary education. By 1980, higher education was quite restricted, academically selective, and based on traditional public and not-for-profit private institutions, with a clear pre-eminence of state universities. The state was the main source of funding for these institutions. After the reform, the government continued to finance pre-existing universities, but in decreasing proportions; instead, fees charged directly to students (who had access to subsidized credit) became one of the primary funding sources, as well as resources generated by the institutions themselves (Bernasconi & Rojas, 2003; Brunner, 1986). “Traditional” public and private universities, forced to self-financing policies, grown very slowly over the past decades.

At the same time, the reform facilitated the creation of new private higher education institutions, which expanded quickly, especially during the past decade. These are mostly academically non-selective teaching universities (i.e. without research activity), funded by students’ tuition. While initially the high tuition implied a bias toward high SES students, this changed during the last decade after the government created a subsidized student loan program, which increased access of middle- and lower-middle class students to these new private universities (González et al., 2006). Although Chilean universities are required to be not-for-profit organizations, there is evidence that some of the new private universities are in practice for-profit companies (Mönckeberg, 2007).

As a result, due to the creation of new private institutions, post-secondary Chilean education has expanded drastically in the last two decades, and private higher education institutions currently account for about 80% of total enrolment (UNESCO 2012). Also, Chilean higher

education has become internally diversified and stratified (both academically and socially) within both traditional and new sectors. A key feature of this privatization trend is that Chile has the highest level of private spending on higher education among OECD countries, coming essentially from the tuition fees paid by students, a matter that has been at the center of the Chilean student movement (Bellei, Cabalin & Orellana 2014).

Colombia

Context

Colombian public education developed slowly during the first part of the 20th century, due in large part to the weakness of the modernization process itself and the significant influence of the Catholic Church. Between the fifties and seventies, after the liberal hegemony, Rojas Pinilla’s dictatorship and the process of democratization initiated by the National Front, public education expanded rapidly and reached pre-eminence over private education. In this context, public universities also made significant progress (Lerma, 2007). The constituent process in the early nineties (linked to the fatigue of the National Front and the arrival into politics of emerging social forces and old guerrilla groups), produced the new Constitution of 1991, which gave more relevance to education. The pressure of the teachers and the university student movement played an important role in this process (Lerma, 2007).

Colombia recently achieved universal coverage in primary education and significantly increased access to secondary education; nevertheless, Colombian education has a chronic problem of high drop-out rates (WORLD BANK, 2009). In turn, gross coverage of higher education is about 50%. Colombian education is mainly public, but private schools (which do not receive state funds in a regular base) account for around 20% of national enrolment in K-12 education. Private schools are associated with the Catholic upper and middle-class families. In post-secondary education, private providers educate about 45% of the student population (UNESCO 2012).

Since the late eighties, a process of educational reform has been developed along the lines of decentralization and modernization of the State. Within this process, during the last decade, some cities and departments implemented programs for vouchers and public-private cooperation, which expanded subsidized private education. These programs focused on increasing access and reducing dropout rates. According to the literature, education privatization programs obtained mixed results in Colombia; but they have been discontinued.

Recent reforms

Colombian educational reform started in 1986 and the new Constitution consolidated its changes. The central State assumes the functions of a financial and coordinating entity, while the management of public education is transferred to departments and municipalities. The General Law of Education of 1994 – driven forward under Gaviria’s government – strengthened the power of local entities to administer schools and introduced quality assurance instruments, such as standardised testing (López, 2006).

By the end of the nineties, the expansion of the educational system in Colombia slowed, probably as a consequence of the acute economic recession (Wolff, Navarro & González, 2005). In order to solve these problems of educational coverage, some local authorities (sometimes with central government financing) launched public-private cooperation programs. These initiatives involved the creation of new schools and allocation of extra resources into new targeted programs (i.e. they did not involve a decrease in the public sector in absolute terms). These programs have been studied to estimate the impact of privatisation policies. For example, a research found that –on average- public and subsidized private schools did not differ in terms of academic achievement, but private schools benefited from a greater “peer-effect” produced by the higher socio-economic status of their student body (Uribe et al., 2005).

The most relevant of those initiatives was the PACES Program (*Plan for Increasing Coverage in Secondary Education*). From 1991 until the end of the decade, the central government – with financial aid from the World Bank – provided vouchers to about 125,000 low-income youths, with the purpose of increasing students’ attendance to secondary schools. Municipalities that requested to participate in the program must pay 20% of the cost of the voucher. Benefited families – selected by lottery when the demand surpassed the supply – had the freedom to choose a public or private school. The renewal of the voucher was conditional to a satisfactory student’s academic performance. The value of the voucher was linked to the actual tuition of participating private schools, which was –on average- slightly lower than the average per-student spending in public schools. For-profit private schools were allowed to participate in the program until 1996, when the government restricted the voucher to non-profit schools (King et al., 1997). The high quality and most expensive private schools were not willing to participate in the program, although neither were those at the very bottom of the spectrum (King & Orazem, 1998).

PACES was a controversial program, because it promoted education privatization with public funds. Then, at the end of the nineties, the program was cancelled due to financial restrictions and management deficiencies. In the academic field, PACES was considered one of the most significant voucher programs in the world. Some impact evaluations showed positive effects of PACES program: lower grade retention, higher attendance and slightly better performance in standardised tests, compared to similar non-benefited students (Bettinger, 2009; Angrist, Bettinger & Kremer, 2006; Angrist et al., 2002).

An additional policy was *Concession schools*, which in 1999 began in some departments (including the cities of Cali and Bogotá), with the purpose of increasing school enrolment among poor children and youths. The government invested in school infrastructure and provided funds to non-profit private agents who manage the school (public subsidies were slightly lower than the average cost of public schools). The private managers committed to obtaining defined goals, and were regularly evaluated by the public authority. In Bogotá, concession schools reached coverage of 11% of student population (Barrera-Osorio, 2006). This program faced political opposition too and was discontinued by the new local authorities in 2005; since then, no new concession schools were built. A program impact evaluation found that, on average, concession schools achieved lower drop-out rates and higher academic

achievement mathematics and reading than comparable public schools, although the estimated positive effects were small and highly heterogeneous (Barrera-Osorio, 2009).

In higher education, private institutions currently enrol almost half of the students in Colombia, even though their relative share in the total enrolment decreased from 67% in 2000 to 45% in 2008 (Ayala, 2010) due to the expansion of public institutions. Although public universities charge tuition to students, they are mainly funded directly by the state. During the last decade (as part of the 2006-2016 educational plan), Uribe’s government launched a systemic reform of higher education, which included a significant increase in coverage. In the same vein, in 2011, Santos’ administration submitted a bill to the parliament to provide public resources to private institutions (including those for-profit), and to introduce performance based accountability and competition among public universities (Blasco & Rodríguez, 2011). The plan was rejected by the academic authorities of public universities, prompted significant student protests during 2011, and was widely criticized because was seen as privatization policy. The bill was finally withdrawn from congress.

Argentina

Context

During the eighties, Argentina faced a severe economic crisis, and then at the beginning of the nineties, some neoliberal reforms were implemented linked to an agenda for the modernization of the State. Nevertheless, at the beginning of the 2000s, a new economic crisis turned into an acute political crisis. The country stabilized after 2003 under the Kirchner’s government, whose policies would mark the end of the neoliberal period, with a strong presence of the State in the economy and of local industry in the market (Boccardo, 2012). Within the educational field, starting in the nineties, educational reforms focused on the decentralization and modernization of the public education system, although in recent years the role of the federal State has increased in relation to the provinces.

The relationship between schools, provinces and the Federal State in Argentina has been shaped by political pressures and negotiations, instead of central planning or market dynamics (Tedesco & Tenti Fanfani, 2004). Thus, yielding to the pressures of the Catholic Church, the 1949 Perón’s Law diminished the 19th century secularising trend of Argentinian education, by accepting the incorporation of the Church into the official education plan (Puiggrós, 2003). This was the starting point for a steady expansion of private education, subsidized by the state and linked to the growth of the middle classes.

Argentina has universal coverage in primary and secondary education, and its gross enrolment rate in higher education is 60%, a very high figure in the Latin American region. Public education, which is free in Argentina at all levels, including higher education, accounts for about 70% of the national enrolment. Thus, historically, private education (mainly linked to the Catholic Church) has had a significant presence in Argentina, remaining at around 30% of national enrolment in primary and secondary education in recent decades (UNESCO, 2012). Most Argentinian private schools, which are associated with the middle and upper-middle

classes of large cities, are subsidized by the State (as long as they are not-for-profit), except for a small portion of 5% to 8% of total enrolment associated with the elite.

Current reforms

In 1993, the Menem government launched an educational reform composed of three key axes: firstly, *efficiency and quality*, for which a set of quality measurement indicators and accountability mechanisms were created; secondly, *decentralization*, which involved the transfer of power and responsibilities from the Federal State to the provinces; and thirdly, *investment*, which considered the direct allocation of increasing state resources to education (Wolff et al., 2005). According to some analysts, this reform (and the Higher Education Law of 1995) can be understood in the context of the State’s decentralization and modernization agenda (Tedesco & Tenti Fanfani, 2004); but some critics characterized these changes as part of the “neoliberal shift” of the nineties (Gentili et al., 2009). The critics argued that the reform was not an educational plan, but rather a justification for cutback policies intended to reduce national investment in education by transferring management responsibilities to the provinces. Also, the State would assume a subsidiary role in education and teachers’ labour conditions would eventually deteriorate as a result of the heterogeneity among provinces (Krawczyk & Vieira, 2012).

The reform maintained the traditional relationship between the State and subsidized private schools. In particular, provincial governments negotiate with private schools (always non-profit and mainly Catholic schools) certain criteria of proportionality and equity in distributing public funding, which is then allocated directly to the education provider. Such a mechanism has been questioned as arbitrary and regressive from a redistributive point of view (Wolff et al., 2005). In exchange, private schools must follow some public regulations (especially in the curriculum dimension), but they retain an important level of autonomy especially in selecting both teaching staff and students. To be sure, the reform did not produce an expansion of private education. Also, at the level of higher education, public universities continue to be the exclusive recipients of state funds and they currently account for 73% of the national enrolment (UNESCO 2012).

Within the public education sector, the main issue was the potential increase in inequality among provinces, due to the decentralization process and the low capacity of the federal government to compensate for the differences, especially in public resources available to education (Martinic & Pardo, 2000). Interestingly, some evidence suggests positive effects of the reform on the reduction of the gap in quality indicators between rich and poor provinces (Tedesco & Tenti Fanfani, 2004).

Finally, during the Kirchner’s government, a new education reform was approved (between 2004 and 2006), some of whose components implied a reversion of the 1993 changes. The main purposes were to overcome the chronic financial deficit caused by the provincialisation, increasing federal resources (reaching 6% of GDP in public investment in education); improving educational coverage and quality; increasing teachers’ salaries; and strengthening central government’s capacity to plan and conduct the development of the educational system, which

included the creation of the National Education Council (that incorporated civil society representatives). In summary, this reform involved the expansion of the central State in the field of education, to the detriment of local governments.

Brazil

Context

During the national-popular stage in the 20th century, education received little attention from Brazilian governments, which explains the scant education coverage as an element of a very unequal society and a fragmented process of modernization (Krawczyk & Vieira, 2012). Following the military dictatorships and the end of the so-called “Brazilian miracle” in the 1970s, education played a more relevant role in the struggle for social and political democratization that concluded in the new Constitution of 1988. The 1988 Constitution cleared the way for a progressive decentralization of education during the following years (as a reaction to the strong centralism of education under the military administration), and guaranteed the right to free, public, non-sectarian education. This is considered a fairly advanced legislation for the protection of the right to education (Krawczyk & Vieira, 2012). Then, during the nineties, an educational reform was introduced in relation to economic transformation and political democratization processes (Boccardo, 2012; Chiroleu, 2006), following a conception of universal social rights. The initiative promoted decentralization and modernization of the State, strengthened public education, and –conversely- did not stimulate private schools on primary and secondary education.

Brazil had historically severe difficulties in expanding access to education: it attained universal coverage in primary education (95%) just during the last decade and reached 88% secondary education enrolment rate in recent years; also, access to higher education has been very limited (UNESCO-PRELAC, 2011). Public education (which is a state and municipal responsibility) accounts for the vast majority of enrolment at primary and secondary level in Brazil, and is free and non-sectarian. In the primary and secondary education, private schools educate a minor part of the total enrolment (15% in 2012), and it is associated with the Catholic upper social class (Krawczyk & Vieira, 2012). Some non-profit private schools receive State subsidies and are incorporated into the public education system. Instead, the relevance of private institutions – including for profit companies- is increasingly higher at post-secondary level (Barreyro, 2010).

Recent reforms

Under the first Cardoso government, an educational reform was institutionalized in the educational law of 1996, within the context of tensions between regions and the Union (the federal state), and conflicts between the neoliberal entente and the social forces that led the democratization struggles during the eighties (Krawczyk & Vieira, 2012). The reform was oriented to decentralize and modernize the educational system, increasing the competencies and financial responsibilities of the local governments in education, and introducing accountability and performance-based funding to public universities.

The reform had two main dimensions: firstly, to improve *coverage, efficiency and quality*, by increased public spending, the introduction of various accountability and planning measures, and the creation of a quality measurement system that defined management indicators and applied standardised tests (it also included a curriculum change and increased the years of compulsory education); secondly, to deepen the process of *decentralization*, accelerating the transfer of school administration to municipalities. The reform significantly increased the enrolment of all education levels, especially in primary public schools.

The 1996 law allowed non-profit private education to apply for public resources; nevertheless, these organisations do not receive substantial state funding, so they have to cover their costs through fees. This is why private education is associated with the middle-upper social classes. Nonetheless, for some analysts, the reform implied “hidden privatisation” (Krawczyk & Vieira, 2012). According to these analyses, the responsibility for education was modified, including the State and the family on equal terms; it also lessened the state’s guarantee to compulsory education, which would place the State in a subsidiary role. Also, the reform made the teaching profession more unstable, subjecting teachers’ salaries to the heterogeneous condition of municipalities (Wolff et al., 2005). To the critics, in higher education the reform defined University as a body not exclusive to the State and also of a competitive nature; additionally, it modified the legal status of universities, transforming them into autonomous institutions that can negotiate “management contracts” with the State (Barreyro, 2010).

Additionally, the decentralization process (that increased the role of local municipalities in education) was associated with higher inequality in available resources for education, due to different financial conditions and political priorities among local governments (Krawczyk & Vieira, 2012). To tackle this issue, a redistributive fund (FUNDEF) was created in the mid-nineties. FUNDEF (renamed FUNDEB in 2007) guaranteed a minimum level of per-student public spending in education in all municipalities, requiring redistribution measures across municipalities (state funds) and across states (federal funds) (Martinic & Pardo, 2000; Wolf et al., 2005).

Finally, Lula Da Silva’s government continued to implement successful compensatory programs focused on universalizing access to primary and secondary public education. Also, the government created several new public universities that implemented admission policies oriented to increase socioeconomic equity in the access to higher education (Chiroleu, 2006, Gentili et al., 2009). Nevertheless, as post-secondary education is not considered to be part of the State’s universal guarantee, the private sector found an important space for expansion at this level. In particular, Lula’s *PROUNI* program (“University For All”) provided subsidies for students attending public and private institutions, either for-profit or not-for-profit, in equal terms, which has been considered an education privatization policy (Gentili et al., 2009). In fact, in recent years, private universities increased their enrolment faster than public universities, and they currently account for about 73% of Brazilian higher education (UNESCO 2012).

Haiti

Since independence, Haiti has not managed to stabilize its political regime and develop its own economy (Gentili, 2011). After occupation by the United States (between 1915 and 1934) and then the weakness of the republic in the decades that followed, the problems of political instability and economic underdevelopment persisted. The rise to power of Duvalier in the fifties produced a de facto order through an authoritarian regime, but the dictatorship did not bring modernization. Following the exit from power of his successors, a limited process of democratization was opened up by Aristide; nonetheless, this democracy did not achieve stabilization, and a climate of political violence and social instability prevails to these days (Gentili, 2011).

Education in Haiti has historically been poorly developed. This is a consequence of the unfinished national construction project, in terms of both minimal standards of material wellbeing and political stability. Currently, primary education coverage is under 50%, and much lower at secondary level; also, illiteracy rate is higher than 40% in the adult population (Gentili, 2011).

In this context of poverty and underdevelopment, education in Haiti has been fundamentally private and religious for more than a hundred years, with no relevant national public education. In fact, at the end of the 19th century, the State formalized a pact with the Catholic Church, ceding the task of expanding education. As a consequence, 80% of the total enrolment in primary education is private, mostly associated with the Catholic Church and financed by state, international subsidies, and private resources. Certainly, public subsidies are scarce, since 65% of educational expenses in Haiti are assumed by families (Patrinios, Barrera-Osorio & Guáqueta, 2009).

Additionally, the earthquake of 2010 destroyed practically half of the general infrastructure of Haiti, which had catastrophic consequences in the field of education. The reconstruction has been slow and largely sustained by international aid. Thus, “privatisation” of Haitian education has resulted as a consequence of the absence of a healthy state and the virtual inexistence of a public education system.

Given the weakness of public institutions and the limited development of Haitian education, some analysts have suggested potentiating private education (Patrinios et al., 2009); in fact, within the *Education for All* international movement, the World Bank has supported private education with different instruments, including a voucher program. The World Bank’s *Education For All Adaptable Program Grant* initiative, implemented in the past decade, distributed vouchers to families to increase access to primary education. The program also included technical support to schools and sought to improve general governance of the education system.

Although targeted to poor families, the program was based on self-selection; the value of the subsidy was estimated to cover the tuition in the cheapest private schools; accredited schools with available space applied to participate in the program, and were supposed to use the funds to cover teacher salaries and teaching materials. The subsidy was channelled through the State.

According to official reports, until 2012, the program subsidized 285,000 children to attend private schools (complemented by 140,000 children receiving subsidies from other donors); additionally, 1,212 non-public schools were accredited to receive per student subsidies. The Bank’s own evaluation –based on the number of benefited children, number of certified participant private institutions, and trained teachers, among others – was that the program had a moderately satisfactory impact (WORLD BANK, 2012).

Cuba

Context

After the 1959 revolution, Cuba experienced an accelerated process of modernization, which included the expansion of social services in the context of a socialist economy. Increasing access to public education was central on those efforts. The Cuban modernization of the second half of the 20th century was characterized by a high concentration of power in State hands. The State had pre-eminence over family in the education of children, through its total control over the education system including its internal dynamics. Some analysts suggest that this aspect, controversial from a political point of view, is a key to understand Cuba’s educational success (Carnoy, 2007).

Since the early nineties, after the fall of the Soviet Union (the key political and economic partner of Cuba), the Cuban economy experienced a severe crisis, which was tackled by the Cuban government by a regulated opening of the Cuban economy. This allowed cash to enter the national economy through both tourism and “*remesas*” (dollars sent by exiled families to Cuban residents). This income has increased the heterogeneity of the previously highly homogeneous Cuban social structure. Following Fidel Castro’s exit from power, Cuban authorities launched various reforms aiming at modernizing the economy, including some openness to private initiative (although education has not been part of these changes). All these changes would have potentially deep social and cultural consequences for the Cuban society (Espina, 2008).

Cuba has universal coverage in primary and secondary education, and the highest levels of academic achievement in Latin America, according to UNESCO evaluations (UNESCO, 2012). In higher education, Cuba has a gross enrolment rate of 61%, and continues expanding it, for example through the creation of “Municipal University Campuses” (Estrada & Benítez, 2010). Also, Cuban higher education has been a regional model in some areas of scientific research (e.g. biomedical science) and professional training (particularly in the field of medicine). Thus, Cuba is the only Latin American country with educational indicators comparable to OECD countries.

Recent educational policies

In an analysis of education privatisation, Cuba would be a counter-example, since all Cuban education is public and free. Nevertheless, Cuba is an interesting case, because some of its educational policies have been characterized as “hidden privatisation” in other contexts.

The keys to Cuba’s success in education lie in the stability and consistency of its educational policy, the high and sustained public investments in education (around 10% of GDP); the importance given to the teaching profession, the community support to educational institutions; and the virtuous use of accountability, competition and assessment, which are effectively aimed at improving the system’s general capacities rather than stratifying it (Gasperini, 2000).

These last components are somewhat controversial, as the introduction of competition, accountability and quality indicators have been interpreted as part of the neoliberal shift in education policy (Gentili et al., 2009). In fact, Cuban education implemented quality indicators, evaluation systems and accreditation mechanisms, of a higher quality and earlier than many other countries in the region (Horruitiner Silva, 2007; Torres, 2008). Moreover, from some perspective, key aspects of Cuba’s education management resemble a private company in a capitalist country: the authorities set clear institutional goals, contract competent professionals, intensively supervise and evaluate key employees’ work, especially teachers, as well as the quality of the educational institutions, and take informed corrective measures to improve the schools’ productivity (Carnoy, 2007).

The policies focused on the teaching profession are an additional example. In Cuba teachers are treated in comparable terms to other professionals, which include a formal system of teacher performance evaluation with consequences for their teaching careers. More recently, an increase in the income gap between professionals and unskilled workers, and a comparative advantage of working at the tourist industry, have made more difficult to attract high performing graduates to teaching. This, combined to a plan to reduce class-size, has produced some shortage of teachers. To tackle this issue, the Cuban government implemented special, shorter teacher training programs (Camoy, 2007; Gasperini, 2000).

Fe y Alegría

The corporation *Fe y Alegría* (faith and happiness) is the largest private education provider –at primary and secondary level- in Latin America. Since the second half of the past century, the Corporation -linked to the Catholic Church and of Jesuit orientation- has spread through the continent to reach twenty countries (including recently Italy and Spain), educating one and a half million students. It is best established in Venezuela and Bolivia; in the latter country *Fe y Alegría* educates nearly 5% of the student population in primary education (www.feyalegria.org). *Fe y Alegría* has frequently been referred to as a virtuous example of public-private cooperation in education.

The Corporation was founded in Venezuela during the fifties, influenced by the popular education movement and the social doctrine promoted by the Church and the theology of liberation. Since its foundation it has been aimed at expanding education to incorporate the most vulnerable social sectors, previously excluded from education (LaRocque, 2008). *Fe y Alegría* does not only provide schooling services. It also includes a wide variety of associated activities, such as professional training, teacher training, adult education and support to the

entrepreneurship (Barrera-Osorio, 2006). Nonetheless, its central component is primary and secondary schooling.

In the countries where it operates, *Fe y Alegría* coordinates its activity with the public sector through various kinds of alliances, which generally involve the transfer of state subsidies. In Venezuela (within the framework of a significant policy of state support to the Venezuelan Association of Catholic Education for the operation of schools in the poorest sectors), the corporation has also implemented a multi-agency cooperation, in which private donors build a school, the state pays teacher salaries, and *Fe y Alegría* manages the school (Patrinós et al., 2009). Anyway, in Venezuela the vast majority of *Fe y Alegría*'s resources come from the state (Arévalo and González, 2002). In general, *Fe y Alegría* schools have a higher per student cost than public schools.

An impact evaluation of *Fe y Alegría* in different countries concluded that –broadly- its schools were more effective than public schools, especially in terms of student retention (Celedón, Latorre and Swope, 1998). A more recent case study in Venezuela also concluded that *Fe y Alegría* schools have slightly higher academic achievement than comparable public schools (Allcott & Ortega, 2009).

7. Conclusion

The basic idea of this report is that the distinction between public and private in education is linked with the way in which societies have attempted to direct their education systems toward the common good. Thus, education privatisation, insofar as it replaces public agencies with private agents in different functions across the education system, questions the dominant arrangement through which most developed and Latin American countries have historically organised this field to accommodate public and private interests. Therefore, we argued that education privatization is a critical issue in education policy, and not merely a technical decision. Nevertheless, we recognized that the notions of public/private are increasingly fuzzy in the educational policy debate.

To show the complex nature of this distinction, we proposed a framework to analyse education privatization policies in two main dimensions: the internal privatization within public education (i.e. incorporating private agents in the operation of public schools) and the open privatization of the educational system (i.e. increasing the provision of education by private schools). We identified a great variety of education privatization processes that can occur in both dimensions, and we discussed different perspectives to evaluate the intensity of different education privatization policies. To illustrate this, we characterized a set of prototypical education privatization policies in a gradient that goes from basic regulations and recognition, to the distribution of vouchers to promote open school choice. We argued that the most aggressive privatization policies seek to introduce market dynamics within both public education and the education system as a whole.

We think that this last trend is linked to a more profound change in the public-private debate in education. While the debate of the 19th and the majority of the 20th century was based on

culture and policy guidance (i.e. the limits of the national State in relation to religion, language and ethnic minorities), in the last decades this tension has been redirected towards the problem of the market. This not only brings a change in the private sector but also in the public one. Thus, those who are pushing the introduction of the market into education do not completely reject the participation of the State, but rather redefine it under the principle of subsidiarity, correcting “market failures” and generating better conditions for its operation.

Finally, to analyse how those education privatization policies have operated in real contexts, we studied recent policies of six Latin American countries and one network of private schools. These analyses showed that the region has experienced the whole spectrum of privatisation policies previously identified. Additionally, we found that the predominant privatization policies correspond to traditional methods, which do not involve higher levels of internal privatisation of public education and tend to keep open privatisation of education under high state control. Within this context, the Chilean and Haitian cases (and Brazilian higher education) represent the extreme forms of open privatisation in the region, although in very contrasting settings. While in Haiti education privatization has mainly occurred in the absence of public education, in Chile, privatization has basically replaced a traditionally strong public education system, as a consequence of radical market oriented reforms. Therefore, we concluded that, in order to fully understand education privatization processes, we need to take into account carefully the social and political contexts in which those processes take place.

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