

CHARTER SCHOOLS AND THE PANOPTIC EFFECT OF ACCOUNTABILITY

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In Georgia, like many states in the United States, charter schools are touted as a reform effort that can significantly alter how education is conducted (“Good Report Card,” 1998; “State Charter School Law,” 1995). It is believed that the flexibility given to charter schools will allow them to be more innovative in their pedagogical and curricular approaches (Meyers, 1998; Stepp, 1999), and that this innovation will result in improved student achievement (“Education Needs,” 1998; “Good Report Card,” 1998; Stepp, 1999). This gain in student performance has yet to materialize in Georgia. According to the Georgia State Department of Education’s annual report *Charter Schools, 1999* (2000), “The academic performance of schools that have operated as charter schools for three to four years has varied” (p. 6). In some cases, the charter schools show steady improvement on Georgia’s testing program. In just as many other cases, charter schools have declining achievement. This decline in student performance is troubling, considering that these charter schools have a higher percentage of gifted students, a lower percentage of economically disadvantaged students, and more parental involvement than most other Georgia schools (Georgia State Department of Education, 2000).

In discussing why charter schools in Georgia cannot meet expectations as a method for reforming education, Governor Roy Barnes uses a business analogy:

Twenty years ago both Ford and General Motors were broke. Both realized they had to do something big, fast. Ford chose to remake itself from the bottom up while GM decided they would start themselves a charter school program

AUTHOR’S NOTE: *I would like to thank Ben Scafidi for sharing charter schools information with me.*

called Saturn. Today, Ford is hale and healthy, while GM is still in the pits. When you talk about [charter schools], all you do is give people an easy way out—to say “I’ve done it, I’ve reformed education.” (Matthews, 2000, p. A14)

In this article, I argue that metropolitan Atlanta charter schools have not met expectations for different reasons than those implied by Governor Barnes. To continue with his analogy: The Saturn charter school did not fix GM because it was still ultimately controlled by the parent company. That is, charter schools in Georgia, especially those in metropolitan Atlanta, cannot be truly innovative because the accountability mechanisms paired with the schools (primarily standardized tests) keep educators in those schools tied to traditional pedagogy and curriculum.

The pairing of charter schools with accountability (defined in terms of student performance) renders charter schools in the Atlanta area objects of pan-optic surveillance (Foucault, 1977). The requirements of accountability, combined with the threat of revocation of a school’s charter, establishes these schools as “transparent building[s] in which the exercise of power may be supervised by society as a whole” (Foucault, 1977, p. 207). The charter schools tend “to constitute minute social observatories that penetrate even to the adults and exercise regular supervision over them” (Foucault, 1977, p. 211).

THE LARGER CONTEXT

Although Georgia’s context is unique, the pairing of charter schools with accountability is not. A key component of all charter schools’ legislation is the notion that these schools will be held accountable for performance results (Bierlein, 1997; Nathan, 1996; Vergari, 1999). And like Georgia, performance results for charter schools across the country have been mixed (Lasley & Ridenour, 1999; Vergari, 1999). However, the most alarming trend that illustrates the applicability of this argument to contexts beyond Georgia’s borders is the increased use of student performance assessments by charter schools nationwide.

According to the *National Study of Charter Schools, Fourth-Year Report* (Office of Educational Research and Improvement [OERI], 2000), 96% of all charter schools use standardized assessment measures for accountability purposes. The requirement to prove student performance has also led to an increased use of other assessment measures, with 82% of the schools using five or more types of student performance indicators (OERI, 2000). Fully one

third of the schools (34%) use all seven types of assessment queried in the report to measure student achievement, including standardized assessments, performance assessments, student portfolios, student demonstrations, parent surveys, student surveys, and behavioral indicators. Thus, the accountability focus and its attendant problems are not unique to Georgia.

Furthermore, Manno, Finn, and Vanourek (2000) have recently called for an even greater focus on accountability for charter schools. Manno et al. want to strengthen accountability so that it constitutes "a regimen in which so much is known about each school that its various *watchers* [italics added], participants, and constituents (e.g., families, staff, board members, sponsor, the press, rival schools) *can and routinely do regulate it* [italics added]" (p. 475). These researchers further claim that "performance information for schools focuses on key academic indicators and results" and that "such systems can boost transparency" (p. 478).

Manno et al. (2000) proposed that charter schools use Generally Accepted Accountability Principles for Education (GAAPE) based on Generally Accepted Accounting Principles (GAAP) from business: "GAAPE affords everyone concerned with a school a picture window through which to see what is actually happening there and how well it is working. The school is surrounded by glass instead of a brick wall" (p. 481). If implemented, this form of accountability renders the charter school totally transparent—reinforcing the panoptic effects being argued in this article.

RELATED RESEARCH

Researchers have claimed that the charter school movement encourages closer links between schools and communities, often emphasizing the creation or regeneration of the spirit of the community school concept.¹ Others, however, have claimed that the emphasis on defining the needs and wants of the local population and implementation of school initiatives without recourse to existing policies governing schools camouflages the retention of power by the state. Thus, despite charter efforts to disperse decision-making power and offer citizens a more participative role, control tends to remain with the existing, dominant power structure. For example, Rofes (1998), in a study of 25 school districts with charter schools in California, found that rather than stressing curricular and pedagogical innovation, districts pressed charter schools to focus on meeting individual student academic needs.

Also, in their book on devolution of school governance and school choice arrangements, Whitty, Power, and Halpin (1998) examined schools and school policies in five countries, including charter schools in the United States. They found that these schools and school policies did not deliver on emancipatory claims. They concluded that for the most disadvantaged students, these new schooling arrangements are just a more sophisticated way of reproducing traditional power arrangements.

Gewirtz, Ball, and Bowe (1995) reached similar conclusions in their study of grant-maintained schools and other market-based reforms in England.² Gewirtz et al. claimed that within these arrangements, schools could conceivably play a role in facilitating and enhancing parental understanding and involvement in school practices. However, they found that the pressure placed on these schools to succeed inhibits such a role and directs the schools to focus on what is visible and measurable. The competitive context in which these schools operate provides greater incentive than had previously existed for schools to manipulate images. The schools focus on creating an image that is simpler, more uniform, and formulaic.

Wells, Lopez, Scott, and Holme (1999), in studying 10 California charter schools, found that the schools in their study also became concerned with manipulating their images as a way to attract high-status students. For example, schools in their study called themselves academies, required uniforms, and called their principals CEOs. Wells et al. concluded that the charter school reform movement allows school communities to mimic the global emphasis on the commodification of culture.

The pairing of accountability with the charter schools movement has also generated other concerns. Vergari (1999) argued that policy makers often require additional evidence of charter schools, beyond that required for traditional schools, as justification for the continuance and expansion of the movement. Hence, charter schools have incentives for engaging in standardized measures of student achievement, even though these tests counter the philosophy of many of these schools. Lasley and Ridenour (1999) have also argued that this increased pressure to be held accountable for student performance forces charter school leaders to question their ability to continue school operations.

THE STUDY

To argue that charter school operators discipline themselves because they feel constantly surveilled by accountability requirements, I apply a critical perspective to the charter school/accountability discourse, seeking to expose the underlying power arrangements within that discursive pairing. I borrow heavily from the philosophical perspectives of Foucault (1977, 1980, 1981a, 1981b, 1988, 1991) to illustrate that the ideology or governmentality of the state is reflected in the charter school/accountability arrangement, but the power of this ideology should be understood within the realm of discourses. Power is in the mechanisms, networks, and techniques of discourses (e.g., politics) that govern how issues will be discussed and thus resolved.

Specifically, in *Discipline & Punish: The Birth of the Prison*, Foucault (1977) uses the panopticon to illustrate how power is manifested in such a way as to make people discipline their own behavior. Foucault describes the panopticon as a circular building or ring of cells with an observation tower in the center: “All that is needed, then, is to place a supervisor in a central tower and to shut up in each cell . . . a worker or a school boy. . . . One can observe from the tower, standing out precisely against the light, the small captive shadows in the cells of the periphery” (p. 200).

The visibility of the captive is the ultimate trap, just as the visibility brought about by accountability places charter schools in a trap. “He is seen, but he does not see; he is the object of information, never a subject in communication” (Foucault, 1977, p. 200). The major effect of the panopticon is “to induce in the inmate a state of conscious and permanent visibility that assures the automatic function of power” (p. 201). In the panopticon, surveillance does not need to be continuous; the possibility that the inmates may be watched is enough to induce them to control their own behavior. “The inmates [are] caught up in a power situation of which they are themselves the bearers” (p. 201). Like the inmates of the panopticon, charter school professionals constrain and discipline their educational practices so that they remain acceptable to the accountability gaze.

In this article, I also utilize narrative policy analytic perspectives (e.g., Kaplan, 1990; Roe, 1994) to explore Georgia’s charter school policy, school charter applications submitted to the state of Georgia, requests for policy waivers submitted before the state board of education, and the media coverage of these schools. Narrative policy analysis is useful to understand how “policy narratives” or political stories “underwrite and stabilize the assumptions for decision making in the face of high uncertainty, complexity, and polarization” (Roe, 1994, p. 2). Following Ball (1990), policy narratives or discourses provide an exacting and applicable method of understanding

policy formation because policies are statements about practice—the ways things should be—which derive from statements about the world—the way things are.

GEORGIA'S CHARTER SCHOOLS

In 1993, Georgia became the third state to enact a charter school law. The 1993 law stipulated that charter schools could only be conversions of existing public schools. In 1995, this requirement was relaxed, so that today conversions and start-up schools are allowed. The charter school act was further amended in 1998 to expand those eligible to be charter school originators.

Throughout this period of amendment and expansion of the charter school act, charter schools were consistently viewed as models of educational innovation. Articles in the *Atlanta Journal-Constitution* claimed that "charter schools are viewed by many reformers as the best hope for reviving public education" ("State Charter School Law," 1995, p. A10), and that "charters provide an opportunity to experiment, and from experimentation will come better awareness of what works" ("Good Report Card," 1998, p. A14).

At the same time, the expectation in the newspaper coverage was that charter schools would raise student performance and use standardized academic achievement tests as proof that they had. For example, articles indicated that "unlike the current public schools, many of which operate dismally year after year, charter schools are held accountable through a contract. If they don't perform, they can be closed" ("Education Needs," 1998, p. A8), and "when we polled Georgians in January, the clear message on the concept of charter schools is that they really want accountability. Parents need for educators to provide data in the most straightforward fashion. It's not a good idea to deviate from the state testing program" (Loupe, 1998, p. A5).

According to the Georgia Charter School Act of 1998, all charter schools are automatically waived from compliance with all state and local education laws and policies, including the state testing program requirements. In their charter, they must list the policies and laws that they plan to deviate from. The list does not require approval by either the local board of education or the state board. To date, there have been a number of charters denied for lack of facilities, unclear goals, lack of student enrollment, and so forth. However, no school has been denied a charter because of their stated intent to deviate from any state or local policy (Georgia State Board of Education, 1993-2000).

INNOVATION IN GEORGIA'S CHARTER SCHOOLS

Given the stated purpose of educational innovation and the ability to be released from all state and local requirements, one would assume that charter schools in Georgia look (in pedagogical and curricular terms) significantly different than traditional Georgia schools. Based on charter documents and the State Board of Education's list of waived policies, this does not appear to be the case. Consider, for example, the following two metropolitan Atlanta schools:

- Star Elementary School³ has ambitious academic goals, including improvements in language and math skills by students at all grade levels on standardized tests, such as the Iowa Test of Basic Skills. The school's academic plan involves a back-to-basics approach that has children reading silently to themselves daily, blocks all language arts subjects together, and uses computer technology to improve math skills. This year, the school picked its own textbooks that more closely aligned with its academic goals. The students are released a half-hour early on Wednesdays to give teachers extra planning and staff development time. They have also been able to hire noncertified personnel in areas such as foreign language and technology, where certified teachers are difficult to recruit. The school has a site-based decision-making council with 11 members, 6 of whom are parents.
- Community Elementary School is also concerned with improving student performance. Last year they implemented an arts-based curriculum. To support their efforts, they hired noncertified artists to serve as artists in residence. They also have decided to substitute student portfolios in grades K-3 for the usually required standardized tests. This year they have a committee of parents and teachers who are redesigning their report card to reflect their unique student goals. To further support these goals, the school has an extended day program so that all students are at school from 8 a.m. to 5 p.m.

Star Elementary School is a charter school. Community Elementary School is a traditional public school, although perhaps a unique one. The lack of curricular innovation found in Georgia's charter schools is consistent with findings from the Center for Education Reform's *Survey of Charter Schools, 1998-1999* (2000). In surveying 305 charter schools across the United States, the center found that 58% of the charter schools had a curricular focus that was described as core knowledge, back to basics, or direct instruction.

Charter schools in Georgia most often waive state and local policies concerned with structure and rarely waive curricular or testing requirements. For example, charter schools have only requested waivers for requirements for certified teachers, teacher salary schedules, clock-hour requirements,

number of school days, number of courses per day, number of hours per day, criteria for remedial instructional needs, student conduct requirements, textbook adoption requirements, competitive bidding requirements, field trip restrictions, and test administration dates. Conversely, traditional schools are more and more likely to request curricular changes through a school improvement waiver process that disregards state and local policies for 3 years, but does not require increased student performance. Overall, traditional schools are requesting more waivers (when comparing percentage of schools requesting) from state policies, including releases from curricular and testing requirements, than are charter schools.

To clarify what these schools are requesting, consider the following charter schools and the changes from state policy that they outlined in their charters:

- Midtown High School requested to go to a block scheduling format, offer drivers' education after school hours, change their grading scale, and add parents to their site-based decision making council.
- Flowing Creek Elementary School requested to lengthen their school year, change their testing dates from March to September, and hire noncertified personnel.
- Sycamore High School requested to pay their teachers more than the state schedule allowed, be released from competitive bidding requirements, offer Saturday remedial courses, and add additional testing requirements.
- Quiet Place Elementary requested that students wear uniforms, parents be required to volunteer at the school, students sign a behavior contract, and that they choose their own textbooks.

This information is not presented to claim that charter schools in Georgia are poor educational environments. Some of these schools are exciting places in which to teach and learn. The descriptions of these policy waiver requests are presented to show that Georgia's charter schools ask for few substantive changes. And, I argue, they make few changes because they must prove their quality using standardized performance measures. To illustrate this point further, an Atlanta area charter school considered to be one of the most innovative in the state has recently been warned that it will lose its charter if it does not improve scores on the *Iowa Test of Basic Skills* this year (Puckett, 2000). This warning was issued after 1 year of operation, despite the fact that its charter indicated improved scores would take 3 to 5 years using their approach.

The above descriptions of schools and types of waivers requested is also provided to illustrate that, in Georgia, traditional schools that are not tied to

such strong accountability mechanisms can be more innovative than charter schools. James Kelly, a strong advocate of Georgia's Charter School Act, admits that "existing schools converting to charter schools can realize virtually any of their innovations through waivers instead" (Cumming, 1998, p. B8).

ACCOUNTABILITY AND THE PANOPTIC EFFECT⁴

The pairing of the term *accountability* with the charter school concept gives these schools a rational basis for existence. The pairing justifies a redistribution of power from states and districts to individual schools. Yet accountability constitutes part of the symbolic political language of the charter school movement and functions as one of the key condensation symbols in the policy discourse. Edelman (1964, 1977) used the concepts of symbolic political language and condensation symbols to uncover ambiguities associated with welfare policies. Edelman (1964) argued that condensation symbols are designed to create symbolic stereotypes and metaphors that reassure supporters that their interests have been considered. However, the condensation symbols are framed in ways that the proposed solutions may also be contradictory or ambiguously related to the way supporters originally viewed the issue.

Charter schools are touted as an education reform measure that gives educators and parents freedom from school policies that constrain educational advancement and control over decisions concerning how to best educate their children. The charter school policy discourse incorporates symbolic political language that encourages educators and parents to believe that they can be efficacious. Yet the pairing of charter schools with accountability obscures the disciplinary nature inherent in this arrangement. Primarily, the pairing of accountability with charter schools hides the conformity required in the curriculum to meet testing demands while implying that schools are free to teach as they see fit.

Croft and Beresford (1992) have made a similar argument concerning the use of participation and involvement in social policy discourse:

The idea of people's involvement is still frequently seen as threatening by organisations [*sic*], institutions and their personnel. A way in which they can resolve this tension is by *manipulating the ambiguity* of participation. (p. 38)

The ambiguities inherent in accountability obfuscate rather than clarify the role of education professionals and parents in the governance of charter schools. The charter school model, when paired with accountability, does not encourage states to relinquish their control of the educational process to the school level. With this pairing, the charter school concept is meaningless beyond a superficial level, merely offering a symbolic gloss of popular democracy and freedom from (usually local) bureaucracy. The policy rhetoric of charter schools risks raising expectations that are not fulfilled. The belief that schools, once free from elaborate bureaucratic control, will develop their own distinct characters is false. The pairing of charter schools with accountability in the policy discourse is what Rizvi (1993, p. 155) calls romantic localism, an effort to make more palatable a system that is increasingly controlled by the center.

RESISTING PANOPTIC EFFECTS

Thus far, I have argued that the pairing of charter schools and accountability disciplines and normalizes these schools so that they are not substantively different than other schools. In making this argument, I have relied on Foucault's notion of the panopticon and its surveillance function to illustrate the constraints placed on charter schools by accountability. Given this argument, charter schools reproduce (or reform) dominant educational practices in ways that are less obvious. They have resulted in a blurring of the boundaries between formal and informal social control. Consequently, this educational reform effort results in

a gradual expansion and intensification of the system; a dispersal of its mechanisms from more closed to more open sites and a consequent increase in the invisibility of social control and the degree of its penetration into the social body. (Cohen, 1985, pp. 83-84)⁵

Charter schools, as an educational reform effort, become a paradox involving the thinning of the mesh and the widening of the net of social control (Cohen, 1985).

Given my argument here, charter schools—or for that matter, almost any effort to reform education—could be concluded to be nothing more than a rhetorical tool used to ensure the reproduction of the necessarily oppressive order of things (Ericson, 1987). Every attempt to reform education, to give educators and parents more freedom, ineluctably would become its

opposite—a technique for domination (Lacombe, 1996). But Foucault's notion of power is productive as well as repressive, and it is this productive function that gives hope to education reform efforts, including charter schools.

Implied in Foucault's notion of power is a network of relations of force between individuals. With this relation of force, power is a mechanism of constraint and resistance. "Discourses are tactical elements or blocks operating in the field of force relations" (Foucault, 1980, p. 102). The question thus becomes, What mechanisms allow the strategic reversibility of power relations such that charter schools do not remain instruments of disciplinary control?

Foucault (1988) argued that if a man's "freedom has been subjected to power . . . He has been submitted to government" (p. 84). It follows that to understand resistance, we must attend to the relation an individual establishes with government (Lacombe, 1996). Foucault, in his studies of *bio-power* and *bio-politics*, was concerned with the relation between the individual and the political government. Bio-power is defined as "the whole of existence" (1980, pp. 143-144). It is the simultaneous totalizing and individualizing tendencies of bio-power that are of importance in understanding the strategies by which individuals can resist. Foucault explains that the great struggles that have challenged the general system of power had as a primary objective "life, understood as the basic needs, man's concrete essence, the realization of his potential, a plenitude of the possible" (1980, pp. 144-145). This life was taken as a political object and "turned back against the system that was bent on controlling it" (p. 145).

Foucault's lectures on bio-politics (at the College de France between 1978 and 1979) suggest that struggles for life and the self-determination needed by charter schools are to be understood in the context of liberalism. Foucault understands liberalism as an art of government—a particular practice, activity, and rationality used to administer, shape, and direct the conduct of people—a governmentality (1981a, p. 358). For liberalism, "there is always too much government" (pp. 354-355). According to Foucault, the question of liberalism, that of too much governing, regulates itself "by means of a continuing reflection" (p. 354). Reflexivity inherent in liberalism is significant because it refers to a mechanism of self-limitation (Lacombe, 1996).

Foucault (1981a) claims,

Liberalism . . . criticizes a practice of government to which one is opposed and whose abuses one wishes to curb. As a result of this, one can discover

liberalism under different but simultaneous forms, both as a schema for the regulation of governmental practice and as a theme for sometimes radical opposition to such practice. (p. 356)

The current political ideology that supports reforms like charter schools, choice, vouchers, and so forth allows opposition to governmental power because it is a rationality, a governmentalization of life that takes on the character of a challenge (Foucault, 1981a, p. 353). As a governmentalization of the state, the centralization of control "is no more than a composite reality and a mythicized abstraction, whose importance is a lot more limited than many of us think" (Foucault, 1991, p. 103). Thus, the political technologies that allow accountability to discipline the educational practices of charter schools in metropolitan Atlanta simultaneously make possible the critique of these same technologies.

To conclude, if we are to reverse the disciplinary character of accountability for charter schools, then we must employ discursive practices that "restore to discourse its character as an event" (Foucault, 1981b, p. 66). Foucault provides us with four discursive principles to help us start this process: discontinuity, reversal, specificity, and exteriority. First, in employing the principle of discontinuity, we must acknowledge that "discourses must be treated as discontinuous practices, which cross each other, are juxtaposed to each other, but can just as well exclude each other and be unaware of each other" (p. 50). As such, we must recognize that the discourse of accountability paired with charter schools is excluding other educational discourses that may be more innovative.

Once we have recognized the disciplinary nature of accountability when paired with charter schools, we can draw on the principle of reversal to overturn and subvert the disciplinary effects of the accountability discourse. To do this, we must reverse the systems and figures that are the sources of the accountability discourse. These systems and signs include, among other things, a reliance on standardized tests as the only sign of quality in education, a belief that the learning process can be quantified, a normalizing picture of a real school, and a disregard for the uniqueness of children, teachers, communities, and schools.

In reversing the discourse of accountability associated with charter schools, we also must consider the principles of specificity and exteriority. Specificity suggests that discourse is "a violence that we do to things, or in any case a practice we impose on them" (Foucault, 1981b, p. 50). The accountability discourse does not exist as a truth or as an absolute. Interactions among policy makers, educators, the media, and others generate the accountability discourse. As a socially constructed discourse, it can be overturned if

we attend to the exteriority or the external conditions of possibility for the discourse. Primarily, this would lead us to consider the environment in which the discourse takes place—an environment or governmentality that suggests that government intervention in education is antithetical to good practice. It is this environment that provides us our greatest opportunity to reverse the negative effect of the accountability discourse on charter schools. If we attempt to reverse the panoptic effects of accountability on charter schools using these practices of resistance, then it will be “no longer possible to establish links of mechanical causality or of ideal necessity” (Foucault, 1981b, p. 69) between the two concepts.

NOTES

1. See, for example, Bierlein and Mulholland (1993), Kolderie (1994), Lasley and Ridenour (1999), Manno, Finn, Bierlein, and Vanourek (1998), Manno and Stern (1998), Sautter (1993), and so forth.
2. The first charter school laws in the United States were modeled on the grant-maintained concept in England (Wells, Grutzik, Carnochan, Slayton, & Vasudeva, 1999). Grant-maintained schools were initiated under the Thatcher government as a way to devolve control to parents and educational professionals while improving student outcomes. Although it may be argued that charter schools in the United States are unique entities, the similarity in purpose and structure between charter schools and grant-maintained schools makes the impact of research conducted on grant-maintained schools potentially useful here.
3. For confidentiality purposes, all school names have been changed.
4. In addition to being influenced by Foucault’s work on the panopticon, this section relies heavily on Troyna (1994), who argued that policy discourse is the manipulation of ambiguity.
5. Cohen here is describing modern penal reform efforts using a Foucaultian understanding of a technology of power.

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