

The Proposed Legislation to Strengthen Public Education in 2008 and 2011: Propositions and Placidity

Los proyectos de ley de fortalecimiento de la educación pública de los años 2008 y 2011: propuestas y silencios

Sebastián Donoso-Díaz, Claudio Frites-Camilla and Moyra Castro-Paredes

Universidad de Talca, Chile

Post to:

Sebastián Donoso-Díaz
Instituto de Investigación y Desarrollo Educativo (IIIDE), Universidad de
Talca, Chile
Casilla 747, Talca, Chile
Email: sdonoso@utalca.cl

We would like to thank Claude Auroi's comments (CONICYT MEC 8010006)
and the funding contributions to the project FONDECYT 1120041, CONICYT-
REDES 120015, Program PIA-CONICYT-CIE/05 and PIA CONICYT PSD-60.

© 2014 PEL, <http://www.pensamientoeducativo.org> - <http://www.pel.cl>

ISSN: 0719-0409 DDI: 203.262, Santiago, Chile
doi: 10.7764/PEL.51.2.2014.14

Abstract

Approaching the issue from the area of educational policy, this article analyzes the education bills submitted for legislative review by two separate governments, the first in 2008 under President Bachelet¹, affiliated to the left-of-center coalition, and the second in 2011 under President Piñera², affiliated to the right-wing coalition. The bills submitted by both coalitions were intended to drive reforms that would strengthen the public education system in Chile. The relevant context in which the bills were created is first examined; most notably the student-led protests in 2006 and 2011 that initially motivated the proposed legislation. Through this examination, similarities between the bills are compiled concerning the proposed adoption of a system of sub-national institutionalism, or de-municipalization, in regard to the organization, budget, and functions of new local entities. Key aspects omitted from the proposed legislation will then be discussed, including the territorial implications and the availability of special funding, among other issues: a proposed revision of its principles and long-term projections; analysis of the new institutional framework and its financing. The article concludes with an explanation of three areas that a sub-national education reform should address, in accordance with past studies and the grievances expressed denounced by the Chilean people.

Keywords: Chilean school system, de-municipalization, bills, sub-national institutional education

Resumen

El artículo analiza, desde la política educativa, los proyectos de ley presentados a tramitación legislativa de dos agendas gubernamentales de diferente orientación, el primero en el año 2008, bajo la presidencia de Bachelet, asociado a un Gobierno de centro-izquierda, y el segundo, del año 2011, en la presidencia de Piñera, correspondiente a un Gobierno de derecha. En ambos proyectos se busca impulsar medidas pro fortalecimiento de la educación pública estatal chilena. Inicialmente, se caracteriza el contexto más determinante de estos cambios, a saber, las movilizaciones estudiantiles de los años 2006 y 2011 que dieron origen a las propuestas legislativas, relevándose las semejanzas en las propuestas de institucionalidad sub-nacional, o desmunicipalización, en materia de organización, presupuesto y funciones de las nuevas entidades locales. A continuación, se abordan aspectos claves omitidos en la legislación como las implicancias del territorio o la disposición de recursos especiales, entre otros: una revisión propositiva de sus fundamentos y proyecciones de largo plazo; análisis de la nueva institucionalidad y su financiación. El artículo concluye con una explicación de tres áreas que debe abordar una reforma de la educación a nivel regional, de acuerdo con estudios previos y los agravios expresados y denunciados por el pueblo chileno.

Palabras clave: sistema escolar chileno, desmunicipalización, proyectos de ley, institucionalidad sub-nacional de educación

The management of the Chilean public education has been for more than three decades, the responsibility of the municipalities, which assumed this mandatory task the year 1980, after the Department of Public Education gave them the duty to manage the educational institutions, their respective teachers and assistant staff. In a concurrent process called *municipalization³ of education*, a reform of greater significance was implemented: that of the funding model, strongly promoting the privatization of the system. Both processes correspond to two versions of the educational policy of decentralization.

The processes of transferring the elementary and secondary schools to the different territories of the country did not follow what was the management of public education, in the traditional sense. Indeed, the working relationship between ministry and municipalities installed since 1980 agreed that the ministry

¹ President of Chile from March 11, 2006 until March 11, 2010. Dr. Bachelet was reelected to the Presidency of Chile in March 11, 2014.

² He was the President of Chile from 2010 until 2014.

³ Refers to the process of transferring from the State to the municipalities the decision making powers and administration of public schools.

would suggest and the municipalities would administer, without explicit responsibilities. There was no specific law in this regard, but multiple and dispersed regulations with instructions to the Ministries of Interior, Treasury, and Public Education. After several decades, the problems have not ceased but rather overflow, due to the absence of an organic, coherent and systematic body that would regulate these aspects (Castro, 2012; Donoso & Benavides, 2014).

Starting the 21th century, the democratic governments, forced by the students' manifestations rather than by their own conviction, led the country to pay greater attention to the historic difficulties which public education had faced, especially that under direct responsibility of the mayors.⁴ The movement started by secondary students in 2006, was replicated and expanded in 2011, under the leadership of university students (Bellei, Cabalín & Orellana, 2014; Bellei & Cabalín, 2013) and has extended until today, exacerbating the citizenry more than the authorities had thought. Such events show a crisis of the sub-national institutions⁵, noticed since its hasty origin, and taking years to be revealed —by an unexpected actor— making it an essential component of public policy. At present, municipal education is a subject of study in various academic centers, is a matter of work in governmental commissions, was and is the initiative of legislation sent to Congress, which for these effects is taken as a substantive fact (Bellei, Contreras & Valenzuela, 2010), and is a key component of the educational reform announced this year 2014.

In this scenario, the study examines the bills presented to the Parliament by the two Governments of different political orientation, one supported by the Concertation of Parties for Democracy (Concertación de Partidos por la Democracia), of center-left tendency, and the following one supported by the Coalition for Change (Coalición por el Cambio), of right orientation. There are three years between these two bills. The purpose of both bills was to propose amendments to the sub-national institutions —or municipalization— with measures for the strengthening of public education.

Currently (July 2014), both initiatives are in different processing status: the project of the Bachelet administration was «filed in the Senate» (03/20/2014), and the one of the Piñera administration is located in the first constitutional procedure (from 12/13/2011). In both cases, their legislative discussion was irregular and episodic, as scarce and timely was his public debate. Basically, both lack follow-up of the social actors of the initiatives and, concurrently, of the public pressure for their realization. However, public education is a present and pending conflict, as indicated by studies on the subject. Because of the above, and under the authors approach to educational policy, the text characterizes student mobilizations and the impacts of diagnosis that precede them, it shows the similarities of the de-municipalization⁶ of proposals in their most important aspects, deals with the omissions of the legislation, and concludes with ideas for improving what needs to be resolved.

We understand educational policy as the proposal for a solution to a relevant problem. As such, it involves the design of strategies and their implementation, following a set of steps and considering among its tools, funding and normative aspects (Ball, 2008; Fernández, 1999; Neave, 2001). It presents three levels as key elements of its analysis: first, the trajectory of the policies for the period indicated, considering the political/normative statement that defines them —a dominant matter that this study examines—. Secondly, it identifies the programmatic content driven by the Government, that is, the ideological valued framework and the substances or effective constituents of the proposals in terms of their consistency with the practices implemented; both as regards to their trajectory as to the validation (legitimacy) of the programmatic content. Finally, the third level of analysis refers to the elements of continuity/discontinuity of the policies with those that preceded them, seeking to establish if the trajectories followed, essentially an inevitable political process or they were more precipitated by the events that occurred (Ball, 2008). To the tenor of the above, certainly the analysis competes at the first level and only partially to the other two that will be considered to a certain degree.

⁴ The manifestations are: halt of activities, requests to the authorities, marches of students, assemblies, meetings, take over or occupation of school buildings, voluntary confinement, students' hunger strikes, street protests, etc.

⁵ Local governments such as the municipalities.

⁶ Refers to the process of reverting back to the State the decision making and executive powers of administering public schools.

The contextual elements that promoted the changes

In March 2006, the educational plans of the government considered: (a) the creation of a social system more open to the protection of infants to reduce the effect of socio-economic background on the chances of preschoolers school success, (b) the completion of the draft law of preferential financing for the more impoverished school population, and (c) the continuity and depth of the educational policies of quality and equity (Presidencia de la República, 2006).

For the elementary and secondary education, the educational plans of the government looked to improve instrumental learning, curriculum redesign of key areas, teacher development reform, proposal of parent educational support at home, and the assurance of the quality of the results, by applying institutional and teaching performance assessment (Organización para la Cooperación y Desarrollo Económico [OCDE], 2004). For higher education it proposed the extension of the scholarship system, loans and subsidies as sponsorship of access to talented young people, and support to the quality of the accreditation system. Meanwhile, for entrepreneurs (public or private) in educational institutions, it planned the expansion of the state requirements: non-discrimination policies, transparency of information, and commitment to the results based on standards of learning (Mineduc, 2010).

However, the policy of the Government experienced a sudden variation, pressed by the mobilization of secondary students (2006). The demonstrators, coordinated by the Coordinating Assembly of Secondary Students (ACES for its initials in Spanish), added not only the call at the national level and the support of the public opinion, but also major requirements. If the inaugural—largely ignored by the former authorities—this time it converged essentially to demand the gratuity of university entrance exam and the use of public transportation. Added to these claims were included also substantive issues such as the cancellation of the Organic Constitutional Law of Education (LOCE for its initials in Spanish) to safeguard the quality of education (Ley 18.962, 1990), the improvement of school infrastructure, the end of the municipal administration, the revision of the full school day, and the strengthening of the conditions of the technical-professional secondary school (Observatorio Chileno de Políticas Educativas [OPECH], 2009).

The so-called *Penguin Revolution*⁷ revealed the crisis in the sector, student problems and great educational inequality, located preferably in municipal schools.⁸ That is, it put in evidence the structural nature of the problem. The extension of the *Penguin revolution* by an academic quarter culminated in the presidential commitment to announce the creation of the Presidential Advisory Council for the quality of education (hereinafter the Council) composed of representatives of different political sectors and civil society, which were requested to propose a set of orientations and lines of action to meet student demands for a fair and quality education for the entire country.

The conflict moved from the topic of education to the questioning of the institutionality of public education, and then to the society as a relevant and probably delayed factor. The magnitude of the events and the receptivity and expectations of the citizenry produced an immediate change in the authorities in senior Government and, three years later, LOCE was repealed.⁹ The above mentioned law, central to the policies installed by the dictatorship for the democratic period, is a part of a set of legislative decisions promulgated in the conclusion of the military dictatorship that displayed for almost two decades an unmodifiable stamp, slowing down any attempt of structural reform of the educational system, and maintaining the extreme conservatism under which they were formulated.

The students' demands and the diagnostic raised by the Council showed “the imminent need to provide the system (...) with a new regulatory framework that would effectively guaranteed the right to a quality

⁷ Student movement that demanded the government to address the needs of students and faculty for a fair and quality education for the entire country.

⁸ From the year 1981 to 2012 public education decreased its participation in the total enrolment of the student body from 79% to 35%. Private schools subsidized with public funding increased their participation from 15% to 52% (Mineduc, 2013). The 345 municipalities have very different operation structures: 150 of them possess less than 1500 students and less than 6 schools. For example, there are 10 municipalities that have more than 20,000 students and 50 schools. This is also reflected in their respective income and spending, indicating the great differences within the sector (Donoso & Arias, 2011; Elacqua, Martínez, & Aninat, 2010).

⁹ Any modifications to LOCE required the approval of 4/7 of the House Representatives and Senators. The government party did not reach this quorum, by not having the support of parliamentary opponents. In practice the Penguin Revolution forced the conditions for its replacement in 2009 by the General Law of Education.

education” (Mineduc, 2010, p. 28) and the strengthening of the institutions of public education with initiatives which were added to those adopted, considered partial and insufficient by the students, which did more than to deepen a major sudden intervention (Atria, 2012). However, the report of the Advisory Council presents certain expectations. While it addresses the educational policy of the 1990s as of quality and equity, it also raises issues of regulation and institutional education both at the national and at sub-national level.¹⁰

During the following years, several initiatives of law were admitted to the National Congress, namely: the General Law of Education, which creates the Superintendence of Education and strengthen public education. This last one, sent in December 2008 to the Chamber of Deputies (Gobierno de Chile, 2008), includes the education provided by the municipalities. There was no progress during the year 2009 and it was withdrawn in January 2010 by the Government, and on the same date it returned to the Senate (Gobierno de Chile, 2010). The project under discussion reached the first constitutional procedure and by then, the Government of the Coalition for Change of the president Piñera assumed power.

From 2007 onward, the government work focused on the legislative process to promote the projects of law. The student movement diminished in cohesion and in the approval of society, as long as the perception of the Government was *to be in the task of* transforming to improve public education. It is indisputable that, in a piecemeal manner, the subsequent educational policy seeks to protect the essence of the students’ petition. Therefore, it is more a question of time and less of opportunity to revive the student revolution.

In successive years, there were less student demonstrations. With the celebration of the Bicentennial, it renewed the expectations engendered by the change of Government, which involved the replacement of the political coalition of center-left by one of right. However, days before the ceremony, there were two major natural disasters with tragic consequences for the central-south part of Chile.¹¹ In the end, the attention of the citizenry was placed in the aid to the victims and the reconstruction of the affected areas. Nevertheless, the sector agenda did not stop. It concentrated and got striking progress, with explicit agreement between ruling party and opposition. In the middle of the student conflict and before the second proposal of the Government, progress was advanced such as the adoption of the Act of Quality and Equity and Quality Assurance, the creation of the Fellowship for Teacher Vocation, the implementation of the Start Test and the Training Program for Principals, Bicentennial Secondary Schools, the Plan of Shared Support for a thousand schools, the incorporation of more learning subjects to the Education Quality Measurement System (SIMCE¹² for its initials in Spanish) and the processing of the Draft Law on School Life (Gobierno de Chile, 2011a).

In November 2010 the Government sent to the Chamber of Deputies the Bill of Quality and Equity in Education, introducing changes to the Teachers’ Statute, which was published in February 2011. Within its transitory sections, the Government undertakes to send two draft proposals reform to the Parliament—in September and November of the same year—referent to the teaching profession and educational de-municipalization.¹³

The revival of the student movement in April 2011 was marked by the renewal of school and university leaders and by a crisis that extended for six months, with strong and dynamic expressions and the participation of other social organizations. The movement was led by university students, through the Student Confederation of Chile (CONFECH for its initials in Spanish). Students of private institutions

¹⁰ The Council met in three committees: quality, institutional and regulatory framework. Then, two more were added as cross-cutting themes: teachers and higher education. With various progresses and pending its debate, in 2007 the Presidential Advisory Council was organized for Higher Education with representatives and students of all the institutions of higher education. In March 2008, the Council delivered a report with its recommendations.

¹¹ In the first message to the nation, President Piñera delivered data from the earthquake of February of 2010: 521 people were killed, 56 disappeared and more than 800,000 were directly affected.

¹² National testing system that is given to all students in 4th, 8th and 10th grades, mainly in Language and Mathematics (System for Measuring the Quality of Education).

¹³ Initially, it is the Quality and Equity Law 20,501 (2011), then amended in September of the same year by Law 20,541 (2011); in its transitional article twenty says that, prior to November 30, 2011 the President of the Republic will send to the National Congress one or more bills that address the institutional framework of the municipal education and that, before March 1, 2012, the president will send one or more bills that would modernize the teaching career.

were involved directly and indirectly too: private schools, centers of technical training, professional institutes and universities.

The protests put emphasis on the financing system, the delays of fellowships and problems with public transportation. As the movement grew in the absence of ministerial response, in 2006 the petition included three aspects: reforming the system of access to the universities, increase public spending on higher education, and democratize that level of education. At the same time, secondary school students demanded the compliance of pending agreements: reforming the Constitution with respect to the fundamental rights of education and the state guarantees, prioritize the reconstruction of the school buildings damaged by the earthquake, improve the technical-professional secondary schools, standardize the official curriculum, repeal the General Law of Education (LGE for its initials in Spanish), the use of public transportation free of charge throughout the year, the adoption of the suggestions made by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Organization for Economic Co-operation and Development (OECD) on the spending on education and de-municipalization, emphasizing the nationalization and the option for private non-profit institutions.

The Government's proposal is mediated by a series of provisions that the Secretary of State sets in motion, as described in previous paragraphs, and by a *Report of Strengthening Public Institutions* delivered in March 2011 to the Ministry of Education by the panel that the same President convened (Programa de Evaluación Externa de Calidad [PEEC], 2011). In November 2011 is sent to the Parliament the draft that creates the Public Agencies of Local Education and sets other standards of strengthening state education (Gobierno de Chile, 2011b). In response, the Government is open to the possibility of studying a reform of the system that it deems the de-municipalization of education and the constitutional change with respect to the right to education, the quality and freedom in education, measures that students dubbed insufficient.

However the above views, the Chilean educational system has new institutions that make it more complex. One created by the General Education Law (2009), the National Council of Education (CNED for its initials in Spanish), governing body that watches over the major curricular and organizational policies, and others by the Law of Quality Assurance (2011) in which the Education Ministry transformed some of the municipal powers and transferred others —the administrative audit-financial— to the Superintendent of School Education, and those of measurement and quality assurance to the Quality Assurance Agency. All this public structure is still being implemented, even to date (2014), has had an impact on what could be the governance of some areas and shows a new scenario in which the Bills would be inserted, by taxing the general architecture of the Chilean educational system with greater complexity.¹⁴

The draft law: solutions from the educational policy perspective

In the context described above, the two bills are related essentially to organizational issues and structure of the system of sub-national education and very little about pedagogical and curricular management matters. Both connote a similar format of treatment: associate their proposals to the municipalities and the associations of municipalities through Corporations of Local Public Education and/or Public Agencies of Local Education, without advancing in more innovative figures, thus reducing by this way options for major changes.

The first initiative of law, namely, the project that strengthens Public Education No. 1151-356 (December 2008), originated by the Coalition of Parties for Democracy, is according to its authors, *the final brushstroke* of an overall plan for transformation of the institutions, in the framework of projects that improve the quality and the regulatory framework of the education sector. The proposal derives from the diagnosis of municipal education, emphasizing the lack of pedagogical powers and the difficulties of the public supporters¹⁵, to manage the inequality of conditions, the differentiation of requirements in comparison with private entrepreneurs and, ultimately, the territorial dispersion of the urban and rural

¹⁴ Certainly these aspects are complex and invite to a very serious reflection on the meaning of educational policies and the measures that are adopted in favor of a better education, aspects analyzed in depth by Casassus (2010) and Espinola and Claro (2010).

¹⁵ Refers to those individuals who administer and/or are the owners of educational institutions previously run by the State.

school population. It also proposes the creation of the National Education Service, a body under which the Local Corporations would be subordinated, instance that would be added to the institutions already defined: National Council of Education (CNED for its initials in Spanish), ministry, superintendent, etc.

In succinct form, the Local Government of Public Education (CLEP for its initials in Spanish) is composed of a collegiate and operative body, the Board of Directors, and an executive director responsible for its management. These entities are defined in public law, autonomous, with legal personality and with its own assets, and operating in a commune¹⁶ or a grouping of these, in the same region or in neighboring communes. Its main objective is to provide educational service through the educational institutions of their dependency. The functions, which are concentrated in schools include managing human, financial and material resources, set technical-pedagogical, administrative, and financial guidelines, perform financial management (mechanisms of control and accountability), apply pedagogical supervision, encourage collaborative work between institutions, and coordinate the implementation of programs and actions of the regulatory bodies of the system, looking for “the leveling of the playing field” with the private sector.

On the other hand, the National Educational Agency (SNE for its initials in Spanish) is a decentralized agency (domiciled in Santiago and with regional and provincial addresses), with legal personality and its own assets, supervised by the president of the Republic through the Ministry of Education. The Service, in accordance with the policies designed by the Ministry of Education, supports public supporters educational and administratively, protected by the continual improvement of the quality of the CLEP, and delivers resources in exchange for the achievement of predetermine goals. Concurrently, it executes policies, plans and programs for the Ministry of Education.

The second bill, emerged in November 2011 and driven by president Piñera, is called *Project Creating the Public Agencies of Local Education and setting other standards of strengthening the State Education* n° 397-359; and it formed part of the *agreements* with the opposition in order to pass an amendatory law of the Status of Education Professionals. In the same way, it warns the problems in the sector, as the uncertainty of the educational functions of the municipalities, which is the product of the local administrative division and technical center. In other respects, it shows the municipal restrictions on human resources policy, the subordination of the plans to a given cycle and/or the commitment of the mayor, the responses to the changes in tuition, the socio-economic impact factor as most outstanding in the results and, finally, the supplementary contributions to the school subsidy.

These reasons are added to the subject matter of the Initiative of Law entered in 2008 by the Government of President Bachelet, to the diagnostics, and recommendations of the Advisory Council of 2006, the Panel of Experts in 2011, and to the international trends of the decentralization policy to propose the creation of Public Agencies of Local Education (APEL for its initials in Spanish), integrated by a Board of Directors, an executive director and the educational institutions in charge, particularly in those communes that do not reach defined minimum standards. Meanwhile, supporters of educational institutions of state property are legal persons in public law, and autonomous with its own patrimony, in a commune or grouping of communes. The main function of the APEL is the administration of its educational institutions, with authority to establish and develop an institutional project for four years, manage the resources to provide the educational service, establish technical-pedagogical guidelines and monitor their compliance, secure and manage the budget, sign agreements and grant concessions, delegate authority for the management and accountability of the institutions, etc.

In the reviewed materials there are major overlaps between the proposals in terms of understanding that these are public entities aimed only to that particular end, that will have a corporate governance, with authorities dependent on that instance, but regulated with autonomy to exercise their role, key issues to reveal a significant weakness of the current system, being aligned with the new perspectives in this field (Marcel, 2012). However, they keep some uncertainties that are part of the diagnostics that require change, as indicated in the following table:

¹⁶ Refers to the municipality.

Table 1
Formation of the Board of Directors

2008	2011
Bill that Strengthens Public Education nº 1151-356	Bill that creates Public Agencies of Local Education and establishes other norms for strengthening the State Education nº 397-359
The Board of Directors shall be established as determined by the regulation and will be composed of the Mayors of the communes in which they operate and by two persons designated by the Ministry of Education, in the minority within the Council, and a number of councilmen indicates in the regulation (article 17).	a) The Mayor, b) a counselor of the Ministry of Education, c) two outstanding professionals appointed by the Intendant and the directors of educational institutions, d) a Director elected by the centers of parents and guardians. The Mayor will preside over the Council. If it gathers more than one commune, these mayors will choose to a representative (article 5).

Note: personal elaboration based on the documents.

Both projects preserve the figure of the mayor if there is no association or group of municipalities in search of economies of scale, an issue that is also an argument extremely poor as to be the bases for this decision (Eyzaguirre, 2012). This situation makes it difficult to implement long-term reforms aimed at substantial changes. Any transformation that points to the problem called “alcaldización”¹⁷ should reduce significantly the powers of the mayors, not only through a system of corporate governance, but also thinking that the powers of these authorities should be reduced to its minimum expression to avoid the political clientelism¹⁸ which characterizes them (Consejo Asesor Presidencial para la Calidad de la Educación [CAPCE], 2006; Eyzaguirre, 2012). Therefore, the above elements are threatened, in part, by this situation in the subject of staff stability, decision making autonomy and, therefore, in the construction of solid institutions. The new entities have to be supported by an institutional project, key strategic model to organize their duties, otherwise their actions will be on episodic or causal issues, without having a medium and long-term guide on their work, or just to keep the routine timetable, as has happened in many cases. For this reason, it is stated:

Table 2
Institutional project

2008	2011
Bill that Strengthens Public Education nº 1151-356.	Bill that creates Public Agencies of Local Education and Establishes other Norms for Strengthening the State Education nº 397-359
The CLEP shall establish the institutional development project and the annual work plan of the Corporation (article 16, letter d). The Board of Directors shall approve the institutional development project and the annual work plan of the Corporation (article 21, letter b). The Executive Director shall propose to the Board of Directors the institutional development project and the annual work plan (article 22, letter a).	The APEL must develop and fulfill a project of institutional development that contains actions, objectives and general and annual goals that they intend to achieve (article 3, letter a). The Board of Directors shall be responsible for approving the project of institutional development and modifications and overseeing compliance (article 8). The Executive Director shall comply with the institutional development project and agree with their directors of schools the educational project of these, which should be in accordance with the project referred to in article 3, letter a (article 19).

Note: personal elaboration based on the documents.

¹⁷ Refers to the concentration and centralization of the decision making process and executive powers in the Mayor’s office.

¹⁸ Refers to the use of favors by government and political figures to particular individuals and business in exchange for their political support. Although these relationships may be seen as normal and acceptable disguised as professional relationships, they do not follow the law.

A historical problem of the municipalization of education is that, with a few exceptions, the municipal departments of education (DAEM for its initials in Spanish) have not had a project guide that goes beyond the annual cycle, beyond the ministerial proposal in the field of educational management, and the large bureaucracy in general management (Bertoglia, Raczyński, & Valderrama, 2011; Marcel & Raczynski, 2009). Good part of its existence is limited to manage, in conventional sense, the available resources obviating—arbitrarily or not—the scope of public education. The migration of students and its impact on the decline in enrolment and, hence, its impact on the account passes income, and shows the fragility of the plans, the imperfection in the budget, insecurity in the evaluation, and the shortsightedness and late reaction. By the same token, it is substantive to guarantee that the new local institutions will develop a public educational project of medium and long-term, structured and adapted in different territories of the country, having adequate resources for its realization, with the support of the central and sub-central Government, appropriate monitoring and evaluation. After this perspective, it is understood its validity and political and technical legitimacy.

Table 3
Accountability

2008	2011
Bill that Strengthens Public Education nº 1151-356	Bill that creates Public Agencies of Local Education and Establishes other Norms for Strengthening the State Education nº 397-359
One of the special principles of public education is the transparency which translates to: access to information for all stakeholders in the system and educational communities and public account of its management and results in accordance with the law (article 4, letter f). The CLEP will be held accountable for the provision of the education service (article 15, letter c). The CLEP will have to render an account of its work, in accordance with current regulations (article 16, letter e). The Board of Directors must approve the annual public accounts that the executive director presents (article 21, letter h) presents. The Board of Directors shall be held accountable for the management of the CLEP in accordance with the law (article 21, letter j).	The APEL will be held accountable to the educational community about the management and operation of the agency and of the educational institutions under their dependency (article 3, letter m). The executive director will be periodically accountable to the Board of Directors of his/her management and overall progress of the APEL and educational institutions. The full account will be available on the web site for public reference (article 20). The executive director shall report to the Board of Directors regularly on the actions carried out in compliance with the institutional development project, as well as the states of progress in the programs, the goals and objectives achieved (article 20, number 2).

Note: personal elaboration based on the documents.

On corporate management, the projects are in line with the recommendations of public management that have inspired the changes within this framework, essentially as far as accountability is concerned (Marcel, 2012). In both proposals, the Board of Directors must approve the accountability performed by the executive director, adjunct to the approval of the institutional development project. However, it has no meaning as a separate event, but part of the follow-up to a process that includes, specifically, to which institution the accountability is presented, the assignments involving and staff required.

In this context, the work of managers should be reviewed by a higher instance of character representative of the State and of citizenship linked to the territory. Certainly it is a periodic process - even chained-, which should admit and cautiously considerer projections that exceed the annual deadlines, to establish the impact of decisions and evaluate according to those criteria. Much of the sustainability of the process lies in the legitimacy that affects the election of the representatives of the Board of Directors, in the connection and opportunity of decisions, in the legal support that backs them, in the clarity they have to understand the role of public education, and the ability to synchronize the previous aspects, important issues if they are part of educational long-term proposals.

Table 4
Resolution on educational institutions

2008	2011
Bill that Strengthens Public Education n° 1151-356	Bill that creates Public Agencies of Local Education and Establishes other Norms for Strengthening the State Education n° 397-359
The CLEP may create, merge, or close the educational institutions of its unit (article 16, letter a). The Board of Directors shall approve the opening, merger or closure of institutions within the territory of their competition (Article 21, letter d).	The Governing Board shall reject the proposal of the executive director on opening, merger or closure of educational institutions within the territory of its jurisdiction (article 8, letter h) by an absolute majority of the directors in office. The Executive Director shall propose to the Board of Directors the opening, merger or closure of educational institutions that are under their administration (article 19, letter k).

Additionally, the Board of Directors is the entity that is pronounced, in the Bills, on the creation, merger or closure of institutions in their jurisdiction. However, the legislation does not counteract the rights in sensitive matters for the territories, such as the presence or not of schools. The content is insufficient as it does not establish the criteria of coverage and/or financing that would regulate an eventual construction or closure of schools. Neither explains the conditions under which would decree the merger of schools. However, certain critical constituents are subordinate to the discretion of the Council or to the orientation of the subsequent regulations. It points out inconsistencies between the management of the institutional framework and the articulation of the components, which in education is substantial; as educational institutions are the underlying reasons for the existence of the organization.

We believe that there are core issues that have to be secured in this strengthening: first, the explicit recognition that should make the State education as a right, which is not aggregative approach (Donoso, 2013). Therefore, it must be provided with defined quality standards regardless of the quantity of students, ensuring access and continuity in the system. Second, it is essential to equip sub-national institutional capacity to identify territorial needs before the creation of educational institutions, today an unregulated issue that has generated many complications, among other financial ones. Contrary, it jeopardizes the educational system in its entirety and not, as some argue, only to the public system, due to the implications considered. In addition, the figures are not consonant with the desirability, if we subscribe to the hypothesis of schools and classrooms with fewer students strengthen the quality of education (OCDE, 2012). Third, the omission of measures to adjust the system, considered essential for the success of a reform of this magnitude, represents an effort with greater probability of failure (Centro de Estudios de Políticas y Prácticas en Educación [CEPPE], 2011).

Table 5
The budget

2008	2011
Bill that Strengthens Public Education n° 1151-356.	Bill that creates Public Agencies of Local Education and Establishes other Norms for Strengthening the State Education n° 397-359
The CLEP will have to establish and manage the budget (article 19, letter b). The Board of Directors shall approve the budget of the CLEP (article 21, letter c).	The APEL will have to establish and manage the budget (article 3, letter f). The Board of Directors shall be responsible for making comments to the annual budget of the APEL, which should be incorporated in the budget if requested by four members of the Council (article 8, letter b). The Board of Directors shall request information about the implementation of the budget (article 8, letter m). The Executive Director shall prepare and administer the budget of the APEL and inform the Board of Directors its implementation (article 19, letter j).

Note: personal elaboration based on the documents.

In this section, both projects commission the Board of Directors to approve the budget of the local institutions (CLEP and APEL). The provision is relevant if the budget is assumed as management tool and pledges the support from the pedagogical project supporting the aforementioned institutions. At this point is crucial: about which bases sits? What educational policy is it headed? With what orientation is made? What gives priority in its implementation?, etc. The lack of clarity in this area seems widespread in the sector, namely, that of managing the gaps or subordinate objectives to the available budget and not the other way around, ordering the provision of resources based on the educational goals. Therefore, its approval is a key element of the institutional political management and must be viewed in that perspective.

Table 6
Relationship Directing Council-Executive Director

2008	2011
Bill that Strengthens Public Education nº 1151-356	Bill that Creates the Public Education Agencies of Local Education and Establishes other Norms of Strengthening State Education nº 397-359
<p>The Board of Directors shall appoint and remove the executive director of the CLEP in accordance with the standards comparable to the processes of selection of Senior Public Management System identified in the regulation (article 21, letter e). Give its opinion on all the issues that the executive director puts forward for consideration (article 21, letter k).</p>	<p>The Board of Directors is responsible for defining the professional profile and the remuneration of the executive director and to develop and modify the respective performance agreement (article 8, letter c). Appoint the executive director in accordance with article 15 (article 8 °, letter d). Temporarily appoint the deputy executive director (article 8, letter e). Annually determine compliance with the executive director of the objectives of the Agreement of performance according to article 17 (article 8, letter f). Ask the early resignation of the executive director with votes in favor of a certain number of Directors (article 8, letter g). Review all matters the executive director to submit to their consideration (article 8, letter j). The executive director shall be appointed by the Board of Directors from any of those who integrate the payroll system proposed by the Senior Public Administrators through a procedure similar to that established for the appointment of Senior Managers of second hierarchical level (article 15).</p>

Note: personal elaboration based on the documents.

In the proposals, the Board of Directors has the authority to choose and dismiss the director. In such powers there are not explicit criteria to compare their performance, which could give space to discretion and weakening the institutions, in addition to transferring a supervisory role to the Board of Directors from the annual evaluation of the project of institutional development and punish the continuity of the guidelines assumed by the institution.

As it can be seen from the presented articles, the new sub-national institutions conditionally lies in the formation of the Board of Directors, the election of its members and the presence of the mayors; the inconveniences to develop institutional projects with regard to their execution stages and terms of accountability; decision making —without any explicit basis— arising from omissions, for example the opening or closing of educational institutions or orientation of the budget.

Despite the educational problems associated with their administration —particularities of the political cycle, high variability in their performance, inequalities of territories, resources and capabilities—, mayors continue playing a central role that spans more than three decades. For the mayors is a sign of continuity: continue facing education as a problem among many others. Together, the draft bills, although they are not binding, ignore in fact the alternative proposals to manage the education provided by the State.

The silences of the draft bills

Some subjects omitted in the bills are discussed, considering as a referent the diagnosis of the Advisory Council (2006), not as an expert agency or legislative council, but as a citizen council interested in contributing to the solution of the educational conflict (CAPCE, 2006). Although not binding, the commission responsible for the administration of the system of public school education crystallizes postures excluded—until that moment—in the social, political and academic field. Similarly, it is responsible for a series of problems against which there are discrepancies of significance: the deep deterioration of the sector, the unequal quality of processes within the school system, insufficient learning goals defined in the official curriculum, and the unfinished reforms of the public sphere. In the latter, on the basis of two factors: one derived from the meager funding and inefficient, and another revealed from the structure of improper management, which refers to the city's bureaucracy and the mayor's unchecked power of the mayor *to do and undo* on the education of his commune,¹⁹ sustained in very similar terms from 1980 until the present.

With the arrival of democracy, teacher associations, students and social and academic movements every now and then showed similar reports to the preceding ones. In the first three coalition governments there were no answers that assumed that complexity, and those that partially touched the subject were blocked, mainly, by representatives of the opposition, exercising its veto power through the Organic Constitutional Law of Education (LOCE for its initials in Spanish). Also, there were fatigues on various fronts of government action, which can be explained by the dominance toward educational reform since 1996—a prime initiative of the governments of the *Concertacionistas*²⁰—and for the learning outcomes, without a significant improvement with regard to what it was expected. That is why; from the same instances of sector direction, the institutional components were neglected that were not urgent or strategic, until its forced return with the student mobilization in 2006.

On the notion of territory

The Advisory Board describes the characteristics of an administering entity of public education in the following way: assume the sole function of the management of institutions and accountability for all learning in their schools; be focused in a particular territory, harmonizing their social, cultural, economic and geographical features; allow the existence of economies of scale in its structure and rely on competent professional teams. The adopted geographical and administrative division ignored the implications of an unsuitable size for the development of its purposes.

The CLEP and APEL are designed more as macro communes and less as a system with closely related subsystems. That is to say, they have an aggregative component rather than synergistic. If the nature of the problem is similar, the new institutions can generate a similar difficulty, if not greater, keeping the proportions. Therefore, it is not only of adding territories to solve some of the problems of economies of scale, thereby reducing costs. An institutional framework is needed that can consolidate and troubleshoot constituent elements of the crisis, from the area of financial, organizational and curriculum management, as are educational organizations. It also requires a systemic vision different from the current that should be built by different principles to the present ones. Additionally, it should have a minimum determined size (flexible) to incorporate efficient processes of teaching and school administration careers, a situation that currently does not occur by a fragmentation of the system and the absence of criteria of common management.

The territorial notion is not incorporated in its sense of a geographic area in which determined population shares productive, social, cultural, economic characteristics, etc. (Gastó, Fuentes, & Donoso, 2005). Although theoretically, in decentralization processes the differences and local needs are inseparable, in practice the Chilean educational municipalization was not associated with the variable *territory* (Castro, 2012) and its consequences are far from desired reasonably. Therefore, it is expected an integration of

¹⁹ Commune refers to a smaller administrative subdivision which corresponds to an urban, rural, or mixed area. A municipality is the organization that is responsible for the local administration in a town or city.

²⁰ Name that receives the center-left political alliance that ruled the country for the first 4 post dictatorship governments.

achieved learning as consideration of the dynamics of displacement of the population and its relationship with the distribution of systems and subsystems of public education, to the end that we can speak of territories and educational systems which operate *as such*, even if their organizations are not articulated (Donoso & Arias, 2013).

From another perspective, regional authorities —or their representatives— are not involved in critical roles and its omission means lower chances of understanding that is not an aggregate of communes what is being seek, but new territorial entities with a new integrated approach. In keeping with this, those who provide the financial resources, that is, the citizens at the central State, either directly or mediated by the regional authorities, should preside over these entities in order to de-mayoralize²¹ the process.

Special resources

None of the initiatives of law provides for special resources for public education, although there are differences between one and another one: the first one considers specific funding for the Annual Students Enrolled (CLEP for its initials in Spanish), whereas the second one does not finance the Local Agencies of Public *Education* (APEL for its initials in Spanish). Additionally, it does not propose explicitly new funding formats to respond to previous evaluations. The system of subsidies and individual costs does not respond directly to the nature of the educational phenomenon and its management, not only because of the inadequate relationship between variable revenue versus fixed costs, but because there are many costs shared by students of different socio-economic status and learning that it is not possible to isolate. Therefore, the direct support to the educational unit is needed under a different form (Morduchowicz, 2011).

The content of the financing of the public school system in terms of principles, instruments and amounts did not record substantial progress, despite its demand during the social conflicts mentioned, and it was essentially delayed for ideological reasons. It is incomprehensible that there has not been a government policy vision to alleviate the impact of the financial aspects in the substantiation of the neoliberal model imposed on education. In fact, public discussion has been scattered and at times virtually zero.

Regional context

The Council proposes four forms of organization: municipalities and associations of municipalities, regional governments, regional educational services and national service under the Ministry of Education. However, the management of the school system at regional levels is not covered in the project analysis, particularly necessary considering the regulation of the educational offering, the inefficiency in the expenditure and the quality of education provided, because:

...while in some areas there is oversupply of elementary and secondary schools, in others there is a chronic shortage, which could be due to a lack of planning, which prevents to efficiently cope with the changes that occur in the population distribution: to problems of financing and capital faced by municipalities; to failures of coordination of the system that make it impossible to realize good planning of public and private investment in education, to the inexistence of low-quality school closing (CAPCE, 2006, p. 111).

The omission of the regional level might be that the above-mentioned guidelines do not have a degree of political consensus and are considered secondary either non-negotiable, depending on the perspective under which are analyzed. In addition, it would require a constitutional reform that would allow the transfer of such functions to those regional instances. In this way, it is possible to think that the need to intervene and/or correct somewhat the market, or at least decrease some of its flaws (Comisión Económica para América Latina [CEPAL], 2000; González, 2003), situation that involves giving powers to entities to regulate supply —issue of utmost importance in the pro market *promise*, which did not have the strength or political will for its inclusion and debate.

²¹ Today the system depends more on the mayor than on the municipality; the expression is used as a sign of change.

What is certain is that the macro modifications that are installed with the Superintendence and the Agency of Quality are not related, in their fundamental ideas and values, with what is omitted. Additionally, a new institutional framework necessarily involves the redesign of the local bodies of the same Ministry of Education, and to a lesser extent of the other institutions put in place, an aspect not explicitly displayed in the proposals of law. It is difficult to understand a sub-national redesign *without altering* the institution of the Ministry of Education, at least in their territorial units.

Sustainability of the system

Policies for public education must overcome the four-year management that defines Governments administration at all levels of public administration. This is because in education impacts are slow to evolve and require adequate anticipation of measures in order to produce the transformations in the indicated deadlines. Such circumstances tend to exceed the management political times and the opportunities to define decision-making and the implementation of plans, thereby delaying those projects that will not be executed during the government in turn.

Stability of the processes

The initiatives do not make explicit the need for the stability of the processes and the people involved in education. In other words, their purpose is to create and maintain a sub-national system of education, independent from any political authority and having a significant degree of autonomy. For these purposes, they are one-person positions adjusted to technical criteria and organizational designs, symmetric between responsibility and authority. This means, not to a direct and exclusive dependence of the mayor or a Council of mayors. That is to say, not to a direct and exclusive dependence of the mayor or a Council of mayors. However, it is imperative to integrate a systemic view to changes, not as an addition or an extension of parts, even more if it is giving life to a new institutional body.

Private subsidized educational institutions

The exclusion of the private subsidized institutions of the initiatives leaves out what should constitute certain minimum norms in education funded by the State regarding the selectivity and the possibility that parents exercise the choice of schools. Even though there are those who defend the right of schools to establish processes of selection and/or admission of students (Correa & Ruiz-Tagle, 2010), it is a central debate of the student mobilizations and it is reviewed by the literature on this topic (Atria, 2012), although it is not addressed by these projects.

In this sense, what lay behind the debate is the definition of education as property or niche²², leaving out considerations on the regulation of supply provided with State funds for educational institutions officially recognized as cooperating with the educational function of the State. In this way the dynamic nature of the school system is avoided and the interaction of municipal and private subsidized institutions, with failures of coordination and oversupply because of the absence of a rationality that is not the one of the market behind the educative offerings or low enrollment as a structural condition in the system, derived from the decrease in the ratio teacher/student (OECD, 2012), situations that make the system more expensive without any regulation.

Finally, the subsistence of a precarious logic with respect to the public that has to do with the nation and in a descending scale, with the region and its territory —where a part of the system is excluded— shows that there is not an articulated public-private vision, and that this is less territorial and more asymmetrical. To think of a de-municipalization project without considering that it is a mixed system, with a private participation (private paid and private subsidized institutions) that largely exceeds the municipal one is not enough according to the current challenges.

²² García-Huidobro (2010) points out that we are talking about public education in at least three ways: (a) in its more restrictive definition, in accordance with its administration and property, this would be the municipal education; (b) according to their funding, it would be the municipal education and the private subsidized; and (c) by its function, which would include the entire school system (municipal, private and private subsidized).

Discussion and final considerations

Both proposals of law presented to the Parliament have the same purpose of changing the sub-national institutions or the municipalization with measures for strengthening public education. The similarities and omissions of the legislation analyzed reveal that the new institutionalism maintains the administration of the elementary and secondary schools under the responsibility of mayors, and that the proposals do not include special resources, for example, to develop their institutional projects, a complicated issue to sustain because of the realized diagnoses. Likewise, they do not establish changes iterated with regard to the financing of the public education or are silent on the whole of the community education, constituted by the public and private educational institutions.

We believe it is important to refer to the three areas that a reform to the sub-national institutions of education should consider to make more effective its promise of improvement. First, the political sphere and macro decision making in which is inserted and as this gives an account of the diagnosis that sustains the problem. In this case, it is estimated that profound changes and modifications are required, in response to the ideas of the new Government in this area (2014).

Second, if you assume as territorial unit the municipalities and the eventual associations, it is necessary to redefine the link between the new authorities and the old ones (Mayor) in the nascent institutions. This matter must be based on new approaches to public management. Projects are, basically, more an adaptation of the existing ones rather than a new institutional design. Thus, the wording of the current stage (mid-year of 2014), a third measure in this field should consider addressing the weaknesses identified and be translated into an effective project in this regard.

Third, the de-municipalization projects must define the gains in efficiency and economies of scale from the perspective of territory and of equity, in the first instance. An initiative of law will require, sooner or later, the inclusion of all the educational institutions that operate with public funding, since it is the only way to respond to the failures of coordination within the system and the problems in the effectiveness of spending. It requires a discussion and thorough analysis, essentially in terms of the solution to be achieved and the time it will require.

Finally, it is possible to reach a cross-recognition of the limitations, gaps and inconsistencies of the inherited institutional changes, but certainly by considering the proposed bills, it has not been possible to achieve shared visions. If there are no clear positions on the three areas described above, these projects are presented as reforms that, at best, —bypass the problems of implementation and funding— professionalizing the local education system and marginally improving its efficiency, increasing their operation life but without reducing them to a minimum size.

The original article was received on March 4th, 2014

The revised article was received on July 14th, 2014

The article was accepted on August 4th, 2014

References

- Atria, F. (2012). *La mala educación. Ideas que inspiran al movimiento estudiantil en Chile*. (1st ed.). Santiago, Chile: Catalonia-CIPER.
- Ball, S. (2008). *The education debate*. Bristol: The Policy Press.
- Bellei, C., Cabalín, C., & Orellana, V. (2014). The 2011 Chilean student movement against neoliberal educational policies. *Studies in Higher Education*, 39(3), 426-440.
- Bellei, C., Contreras, D., & Valenzuela, J. P. (2010). Viejos dilemas y nuevas propuestas en la política educacional chilena. In C. Bellei, D. Contreras, & J. P. Valenzuela (Eds.), *Ecos de la revolución pingüina. Avances, debates y silencios de la reforma educacional* (pp. 11-27). Santiago, Chile: Pehuén Editores S. A.
- Bellei, C., & Cabalín, C. (2013). Chilean student movements: Sustained struggle to transform a market-oriented educational system. *Current Issues in Comparative Education*, 15(2), 108-123.
- Bertoglia, L., Raczynski, D., & Valderrama, C. (2011). *Años de política educativa descentralizada con efectos tardíos en calidad y equidad de la educación. ¿Ausencia de enfoque territorial? ¿Ausencia de enfoque territorial? Santiago, Chile: RIMISP.*
- Casassus, J. (2010). Las reformas basadas en estándares: un camino equivocado. In C. Bellei, D. Contreras, & J. P. Valenzuela (Eds.), *Ecos de la revolución pingüina. Avances, debates y silencios de la reforma educacional* (pp. 85-110). Santiago, Chile: Pehuén Editores S. A.
- Castro, M. (2012). Descentralización educacional en Chile: itinerario sin territorio. *Revista Innovar*, 22(43), 77-92.
- Centro de Estudios de Políticas y Prácticas en Educación, CEPPE (2011). *¿Qué hacer con la educación municipal? Santiago, Chile: Pontificia Universidad Católica de Chile.*
- Comisión Económica para América Latina y el Caribe, CEPAL (2000). *Equidad, desarrollo y ciudadanía*. Santiago, Chile: Naciones Unidas.
- Consejo Asesor Presidencial para la Calidad de la Educación, CAPCE (2006). *Informe final del Consejo Asesor Presidencial para la Calidad de la Educación*. Retrieved from <http://mt.educarchile.cl/>
- Correa, S., & Ruiz-Tagle, P. (2010). *Ciudadanos en democracia*. (1st ed.). Santiago, Chile: Editorial Debate.
- Donoso, S. (2013). *El derecho a la educación en Chile. Nueva ciudadanía tras el ocaso neoliberal*. Santiago, Chile: Bravo y Allende Editores.
- Donoso, S., & Arias, O. (2011). Diferencias de escala en los sistemas de educación pública en Chile. *Ensaio*, 19(71), 283-307.
- Donoso, S., & Arias, O. (2013). Desplazamiento cotidiano de estudiantes entre comunas de Chile: evidencia y recomendaciones de política para la nueva institucionalidad de la educación pública en Chile. *EURE*, 39(1), 39-73.
- Donoso, S., & Benavides, N. (2014). *La débil institucionalidad local de la educación pública chilena: el caso de los jefes comunales de educación* (Working paper). Talca: Universidad de Talca, IIDE.
- Elacqua G., Martínez, M., & Aninat, C. (2010). ¿Cómo fortalecer la educación municipal? Capacidad y responsabilidad política. In S. Martinic, & G. Elacqua (Eds.), *¿Fin del ciclo? Cambio en la gobernanza del sistema educativo* (pp. 101-130). Santiago, Chile: Unesco-Pontificia Universidad Católica de Chile.
- Espínola, V., & Claro, J. P. (2010). El sistema nacional de aseguramiento de la calidad: una reforma basada en estándares. In C. Bellei, D. Contreras, & J. P. Valenzuela (Eds.), *Ecos de la revolución pingüina. Avances, debates y silencios de la reforma educacional* (pp. 51-84). Santiago, Chile: Pehuén Editores S. A.
- Eyzaguirre, S. (2012). Fortalecimiento de la educación escolar pública: ¿Desmunicipalización? *Puntos de Referencia*, 340. Retrieved from http://www.cepchile.cl/dms/archivo_4958_3061/pder340_SEyzaguirre.pdf
- Fernández, J. M. (1999). *Manual de política y legislación educativas*. España: Editorial Síntesis.
- García-Huidobro, J. (2010). Para hacer pública la educación pública. In S. Martinic, & G. Elacqua (Eds.), *¿Fin de ciclo? Cambios en la gobernanza del sistema educativo* (pp. 81-100). Santiago, Chile: Unesco-PUC.
- Gastó, J., Fuentes, V., & Donoso, S. (2005). *Identificación de territorios para la planificación y gestión del territorio*. Santiago: Ministerio de Planificación.
- Gobierno de Chile (2006). *Mensaje de la presidenta del país sobre el estado de la Nación*. Santiago, Chile: Presidencia de la República.
- Gobierno de Chile (2008). *Mensaje de la presidenta de la República con el que inicia un Proyecto de Ley que Fortalece la Educación Pública nº 1151-356*. Retrieved from <http://www.fide.cl/BajarDocumento.php?Id=206>

- Gobierno de Chile (2010). *Mensaje de la presidente de la República con el que inicia un Proyecto de Ley que Fortalece la Educación Pública n° 1727-357*. Retrieved from <http://www.educacion2020.cl/>
- Gobierno de Chile (2011a). *Políticas y propuestas de acción para el desarrollo de la educación chilena*. Retrieved from http://www.gob.cl/media/2011/08/propuestas_agosto_2011.pdf
- Gobierno de Chile (2011b). *Mensaje del presidente de la República con el que inicia un Proyecto de Ley que Crea las Agencias Públicas de Educación Local y Establece Otras Normas de Fortalecimiento de la Educación Estatal n° 397-359*. Retrieved from <http://www.politicaseducativasuc.cl/>
- González, P. (2003). Estructura institucional, recursos y gestión en el sistema escolar chileno. In C. Cox (Ed.), *Políticas educacionales en el cambio de siglo. La reforma al sistema escolar chileno* (pp. 597-660). Santiago, Chile: Editorial Universitaria.
- Ley n° 18.962 (1990). *Orgánica Constitucional de Enseñanza*. Santiago, Chile: Diario Oficial.
- Ley n° 20.501 (2011). *Calidad y Equidad de la Educación*. Santiago, Chile: Diario Oficial.
- Ley n° 20.541 (2011). *Modifica el plazo contemplado en el artículo vigésimo transitorio de la Ley n° 20.501 sobre Calidad y Equidad de la Educación*. Santiago, Chile: Diario Oficial.
- Marcel, M. (2012). *Modelos alternativos de descentralización y la experiencia chilena*. Santiago, Chile: Cieplan.
- Marcel, M., & Raczynski, D. (2009). *La asignatura pendiente. Claves para la revalidación de la educación pública de gestión local en Chile, Colección Cieplan*. Santiago, Chile: Uqbar editores.
- Martinic, S., & Elacqua, G. (Eds.). (2010). *¿Fin del ciclo? Cambio en la gobernanza del sistema educativo*. Santiago, Chile: Unesco-PUC.
- Mineduc (2010). *Calidad para todos*. Santiago, Chile: Ministerio de Educación.
- Mineduc (2013). *Bases estadísticas, Ministerio de Educación, Chile*. Santiago: Mineduc.
- Morduchowicz, A. (2011). Teoría y práctica de la estimación de costos educativos. *Revista de Financiamento da Educação, 1*(8), 20.
- Neave, G. (2001). *Educación superior, historia y política*. Barcelona: Gedisa Editorial.
- Organización para la Cooperación y Desarrollo Económico, OCDE (2004). *Revisión de políticas nacionales de educación*. Santiago, Chile: Ministerio de Educación.
- Organización para la Cooperación y Desarrollo Económico, OCDE (2012). *Education at a glance 2012: OECD indicators*. Retrieved from <http://dx.doi.org/10.1787/eag-2012>
- Observatorio Chileno de Políticas Educativas, OPECH (2009). *De actores secundarios a estudiantes protagonistas*. Retrieved from <http://www.opech.cl/Libros/doc5.pdf>
- Programa de Evaluación Externa de Calidad, PEEC (2011). *Informe final: segunda etapa. Fortalecimiento de la institucionalidad pública*. Retrieved from <http://www.mineduc.cl/usuarios/mineduc/doc/>

