

Marketing, Information, and Parental Choice: A Comparative Case Study of Third-Party, Federally Funded Out-of-School-Time Services

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Information and promotional marketing play central but complex roles in market-based educational programs. This in-depth qualitative study examines these complexities using the case of Supplemental Educational Services, a parental choice program providing federally funded tutoring to low-income students in K–12 public schools. Examining the creation, dissemination, and use of information and promotional marketing is necessary in order to understand how aspects of market theory play out in reality. This kind of inquiry is especially important given that the theory of consumer action behind market-based programs is that parents¹ will make the best decisions for their children’s education, if they have sufficient information on which to base those decisions. Our data and analysis suggest three findings: first, public management of provider marketing can ensure that consumers receive marketing materials legally and appropriately; it can also help to level the playing field among providers with different marketing resources. Second, promotional materials infrequently focus on specific academic components. Third, districts are largely underutilizing their options in terms of sharing information on provider quality with parents. Together, these findings suggest that moderate regulation of marketing and an increased focus on provider academic quality are likely to improve consumer access to useful data.

We want the best for our kids. Education-wise especially . . . It’s great to have the program, but if we don’t have any guidance on how to go about picking the best thing for them, what can we do?

Parent of a Chicago Public Schools student

Market-based programs are built on economic assumptions about markets, such as perfect information about products and services, perfect knowledge of consumer needs and preferences, and consumer access to complete information.² These assumptions are the basis for the expectation that markets can facilitate efficient and accurate matches between suppliers and consumers.

¹Throughout this paper, “parent” refers to parents and guardians. We use the term *parent* for simplicity, but the concept of parental choice, as well as the sample of participants in our study, includes nonparent guardians as well.

²These theoretical assumptions stem from the strategic decision making models in game theory (e.g., Kreps, 1990).

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In reality, multiple imperfections affect outcomes. For example, suppliers may not have the incentive or capacity to disseminate specific information on the quality of their products, and even when information is available, consumers may not know what specific products or services they need, nor may they have the capacity to find, understand, or utilize that information when making economic choices. The overarching consequence of these imperfections in education markets is that students and their families are not getting their educational needs met.

In some markets, third-party organizations produce and disseminate information about suppliers. These organizations may be required by law to produce such information—as in the program examined here—whereas other organizations may simply have an interest in contributing to consumer knowledge (e.g., School Choice Ohio, 2013). Information produced by neutral third parties is distinguishable from information published by suppliers themselves; the former we denote in this paper as *information*, and the latter we define as one aspect of *marketing*. Marketing and information distribution, while related, are separate concepts originating in different disciplines (business and economics, respectively) and play different—sometimes conflicting—roles in public education markets. The purpose of this article is to describe the roles of marketing and information in the implementation of a market-based educational program and, in doing so, investigate how the economic assumptions regarding information and consumer decision making play out in real market situations.

CONCEPTUAL FRAMEWORK

Although the literature defines *marketing* as anything done by a supplier/provider in order to gain market share (Kotler & Fox, 1995),³ we limit our examination to *communication* and *distribution*, which are conceptually most relevant to our research focus. We define *information* as data or evidence that is trying to achieve “objectivity”—that is, independent and/or peer-reviewed—about program details or provider quality. *Marketing* involves a service provider’s creation of “an effective image” (Oplatka, 2002, p. 214), while consumer access to accurate, objective, and sufficient information is a crucial theoretical assumption for the functioning of markets.

The concept of marketing originates within the business literature, but the practice is not exclusive to for-profit organizations or to private goods and services. Lubienski (2005) points out that “it is one of the primary ways in our society that consumers get information on different options” (p. 478). And, as long as there are educational choices—public or private—marketing will exist in some form. Even in the public and nonprofit sectors, marketing concepts can help programs share information more effectively with their target populations (Sensiper, 1999).

Consumers may use both marketing and information to make economic decisions, but it is also possible for the marketing image—meant to attract and persuade—to affect how other information about the program and service quality is perceived by consumers. This influence in turn has consequences for the efficiency of markets. If consumers receive mixed messages from

³*Market share* is defined as the percentage of a market or industry controlled by a particular firm; in the specific case of educational services, it refers to either the proportion of customers served or the proportion of a particular firm’s sales compared to all firms’ sales in that market.

different organizations, it may not be clear which message is most reliable or trustworthy. The availability of complete information is an additional concern; it is possible that neither marketing nor information sources are able to provide a complete informational picture for consumers. Even if the information available *is* objective, incomplete information may lead consumers to make certain economic decisions that they would not make with complete information (e.g., Berliant & Yu, 2013).

Although both marketing and information together may help consumers make decisions, there is an inherent conflict of interest between the purposes of each of these, and this conflict reflects the tension between the public interest in education and private financial interests. The concept of marketing includes persuading the members of the target market to participate in a specific program, presumably over other options. Thus, there is an inherent bias in persuasive marketing materials, whether they are for public or private programs or services. This bias sits in contrast to the economic ideal of consumers having perfect, objective information on which to base decisions.

Despite this inherent conflict, market advocates have made the argument that the public interest in educational quality and the private sector focus on efficiency and productivity have the potential to dovetail in terms of education markets. In other words, proponents argue that informed, individual consumers can make more accurate choices for their children's specific educational needs than can the government, when they are given the power to select among competing education providers. When individual consumers choose the best options for their children, they will weed out the low-quality providers. Thus, increased competition and individual choice are expected to reward the high-quality providers and increase the overall quality of public education (e.g., Hill, Pierce, & Guthrie, 1997). However, this argument assumes that consumers have access to the information needed—about both their own children's needs as well as suppliers' services and products—to make these accurate choices. This study problematizes such an assumption by closely examining the processes of sharing and receiving information for choice purposes.

The general distinction between private marketing and the economic concept of information becomes even more complicated when market-based reforms are used in the public education arena, due to the roles of government regulation and management. Each market-based reform takes place in a different local and policy context, with different levels of government intervention; however, the presence of some type of government role is common across all reforms—as the term *reform* refers specifically to a government-led modification to the existing system of public education. Considering that the stated political purpose of market-based reforms focuses on the role of markets as a way to better match consumer preferences with supplier services, the ways in which program information and supplier marketing influence the efficiency and/or quality of the matching or choosing processes are central to the market's ability to meet this purpose. If the market, in reality, cannot meet this goal, the use of the market as a tool for increased quality in education—however that may be measured—may be problematic.⁴

⁴The authors recognize that education markets have been shown to be problematic for a variety of reasons (e.g., Bulkley & Burch, 2011; Burch, 2009; Cucchiara, Gold, & Simon, 2011); however, this discussion is beyond the scope of this study and literature review. The authors believe that the current study further contributes to this larger research base on problems with education markets.

Purpose of the Study and Research Questions

We investigate these issues by examining Supplemental Educational Services (SES), an out-of-school-time, market-based tutoring program governed by federal legislation and implemented by states, districts, and private service providers. Examining concrete examples of information and marketing processes of a given market-based system in practice is crucial in order to understand how the market assumptions play out in implementation. This paper contributes to the small but growing empirical literature on the role of information in market-based programs (e.g., Garn, 2001) by examining the dissemination, exchange, and consumption of information and marketing by stakeholders, using in-depth qualitative methods. The study teases out the roles of marketing and information for SES in three state/district contexts and reveals how marketing and public information contribute to the choice process. We then compare these observed contributions to one of the assumptions provided by market proponents: that education markets can operate efficiently because parents have the information to make the best choices.

The following research questions guide this study:

- How do supplier marketing, government regulation of marketing, and government involvement in information distribution interact to influence market conditions in the case of Supplemental Educational Services (SES)?
 - How do providers utilize marketing techniques? What aspects of a provider's services are included in their marketing materials?
 - How does government (e.g., agencies, policy texts) regulate provider marketing?
 - How does government, if at all, produce information on quality?
 - How do parents respond to provider and agency marketing and information dissemination?

These questions are purposefully descriptive in order to compare theoretical assumptions with the realities of implementation. Neither our questions nor our data set examine measurable consequences or effects. The purpose is to determine whether the assumptions on which market theory is based actually exist—or could potentially exist—in real education markets. We also recognize that parents sometimes generate their own information-sharing channels, including social networks and involvement in schools or community-based organizations (e.g., André-Bechely, 2005). However, this aspect of parent involvement in choice is outside the scope of the current study; we are primarily focused on the generation and sharing of information by providers and regulatory organizations.

LITERATURE AND CONTEXT

Existing empirical literature specifically examining the ways in which marketing and program information processes occur and interact is sparse (exceptions include Acosta, Burch, Good, & Stewart, 2013; Garn, 2001; Lubienski, 2005, 2007). The following discussion examines existing empirical literature on the ways in which marketing and/or information is used in market-based programs.

Method of Communication

The method(s) by which marketing and information are communicated are significant because of one of the assumptions of perfect information: in order for all eligible consumers to know and understand their available choices, they must have access to complete information about those choices. Equity is a related concern, as some consumers have more access or resources regarding the ability to gather, analyze, and utilize information. A few studies examine the ways in which the method of information-sharing impacts choice processes. For example, Marschall (2000) found that more established market-based programs resulted in more equitable information-sharing with all parents. Over time, less advantaged parents learned how to access and use the information available, rather than only those who were savvy about school systems and who tended to have higher income and higher educational levels, and the program offered better school/district support for all parents during the choice process. Without this kind of institutional support, only individual parents with private information-seeking resources and capacity are able to fully participate (e.g., André-Bechely, 2005; Ball, 2003).

Existing SES studies also discuss problematic issues related to provider marketing, such as the common occurrence of parents not understanding that they had more than one option and, as a result enrolling with the first provider that made contact (Acosta et al., 2013). Burch (2009), in her case study of one urban school district, found that parents within that district had mixed experiences. Some parents felt that there was not enough information provided about important academic features, such as the instructional method used by the provider. On the other hand, parents also felt that “a lot of information [is] sent to parents at once; it is hard to process or even to know from whom it is coming” (p. 70). These findings—also supported by Acosta et al.’s (2013) five-site study—suggest that although parents are receiving information, the types of materials and/or the method of sharing may need to be revised.

Ross et al. (2008) and Koyama (2010) both point to the school as a significant locus of parent information for SES. One of Ross et al.’s findings suggests that school staff have more accurate information about provider services due to staff members’ proximity to school-based programs. In Koyama (2010), school staff in some cases “distilled” the overwhelming amount of parent information materials from various providers into a “fact sheet” meant to be more user-friendly. Koyama’s ethnographic study of SES in New York City also shows that there may be disconnects between district- and school-level staff, which can lead to parents not receiving correct or timely information about eligibility and options.

Content

Scholars do not agree on the ideal informational content that parents need to have in order to make a “good” decision, partly because the economic definition of a “good” decision is one that matches the individual consumer’s preferences. These preferences may be academic achievement, or they may be a host of other characteristics, as Harris and Larsen’s (2014) study in New Orleans demonstrated. Lubienski (2007) suggests that educational services fall into a category of consumer goods—“credence goods”—whose qualities “might never be fully assessed” (p. 123), and decades of research on educational productivity substantiates this categorization of education (e.g., Goldhaber, Goldschmidt, & Tseng, 2013; Hanushek, 1979, 1986; Harris & Sass,

2011; Monk, 1997; Rivkin, Hanushek, & Kain, 2005). Because reliable information on education providers' effectiveness regarding student achievement is largely unavailable, consumers of educational services are at an informational disadvantage.

Researchers also have examined the format of information in parental choice programs. Hastings, Van Weelden, and Weinstein (2007) demonstrate that the sharing of "simplified" information resulted in parents choosing higher quality schools (compared with choosing behavior when given more persuasive or more detailed materials). Heinrich's (2009) analysis of SES suggests that parents needed some assistance in understanding what kind of information they might need or want. Similarly, Hara's (2007) finding—that parents within one school experienced the same set of school and district information in a wide variety of ways—points to the possibility that parents have a variety of barriers as well as varying levels of resourcefulness regarding how to notice, seek out, fully comprehend, and apply information to make a decision.

Unintended Consequences Regarding Marketing or Information

A few studies find that there are unintended consequences related to marketing and information in market-based programs. First, Lubienski (2005) finds that the introduction of a school-choice market spurred investment and innovation in marketing processes alone—rather than in the programs themselves. The economic explanation for this unintended focus on marketing is that investment in actual program content, curriculum, and instruction is risky; the quasi-market for education and demand for programming is too unpredictable to consider such an investment a safe business decision. Marketing, on the other hand, is a cheap investment and has high returns relative to its cost. Second, Henig (2007) documents a shift in marketers' focus from the intended individual consumer to an implementing agent or organization, such as the school or district. These larger entities are usually in a position to facilitate a greater volume of consumer attention (i.e., all of the families of students attending a given school). Koyama (2010) documents a similar pattern of marketing to schools in order to achieve official agreements with schools regarding on-site access and other benefits, and Stewart's (2013) study of later (2009–2012) SES implementation finds a similar pattern as well.

Two additional studies suggest another unintended consequence: that available, accessible information regarding school effectiveness and other academic quality indicators does not always result in increasing market shares. Economic theory assumes that an increase in quality of a product, combined with consumer knowledge of that quality compared to other products with lesser quality, will result in more demand for the higher quality product; this theory is applied to education markets as well (e.g., Hill et al., 1997). Mizala and Urquiola's (2013) study examining the market effects of accessible third-party, value-added school quality indicators on enrollment in voucher schools suggests that the availability of this data does not consistently or significantly affect schools' market share. This finding suggests either that there may be a lack of trust in the validity of such information and/or that there may be other, more powerful variables in parents' demand for schools, as Harris and Larsen (2014) found. These researchers observed that available public and private information about school quality were not the only factors influencing school choices; the authors found child-care programs and certain extracurricular activities to

play stronger roles in consumer demand for schools than simple measures of academic quality (Harris & Larsen, 2014).⁵

Supplemental Educational Services Policy Background

SES offers a uniquely bounded case through which we can examine how marketing and information play out in practice. Unlike private education markets or state- or district-controlled school choice systems, SES is governed by federal statute, and therefore all SES programs in all states have a thread of continuity, despite variations in implementation. SES is a provision of the No Child Left Behind Act of 2001 (NCLB) requiring districts to offer free out-of-school-time tutoring to eligible students in schools that have failed to meet certain proficiency levels on state tests for three or more years. Districts must contract with state-approved third-party entities and pay for the services out of Title I funds, and eligible students may choose from any state-approved provider in their districts.⁶ The provision is intended to help students in low-performing schools increase achievement and, as a result, help schools with low-performing designations raise their schoolwide achievement levels.⁷

The SES legislation includes both requirements and restrictions for public agencies regarding specific aspects of marketing and information distribution. For example, districts must allow providers to market their programs in some fashion, while not violating federal privacy laws around student data. A variety of legal resources at the federal, state, and local levels govern the sharing of SES information with parents. Local interpretations of these requirements—as well as various barriers or challenges to implementation—influence the functioning of the SES market. The law itself does not govern providers because they are private contractors. However, federal guidance does offer a few ideas regarding how districts and providers can work together to inform parents of the availability of services. These include the provider catalog, provider fairs, and “relying on SES providers” to market their programs directly to parents and students (U.S. Department of Education, 2007, p. 17; see also U.S. Department of Education, 2009, Section H-17). Although the district is not required to assist or facilitate provider marketing, the guidance does demand logistical coordination between the district and providers in order to “help ensure that providers have ample time to market their services” (U.S. Department of Education, 2007, p. 39).

In response to early implementation experiences, federal nonregulatory guidance began to address issues regarding provider marketing and business practices. The major issues addressed in

⁵An additional strand of research on parents’ demand for schools focuses on the role of neighborhood and peer effects (e.g., Dougherty et al., 2009). However, because the focus of this study is out-of-school-time programming, this strand is not as relevant as the role of program quality, and thus we do not examine this literature here.

⁶The federal government has approved waivers for the SES provision in many states as of 2012 as part of the reauthorization of the Elementary and Secondary Education Act (ESEA). Although two of our three cases received waivers in the final year of data collection (2012–13), both of these districts continued to offer programs similar to SES while transitioning into the new policy context set in motion by the waiver.

⁷Many scholars have critically examined the stated goals as well as the perhaps hidden purpose(s) of No Child Left Behind; however, these examinations are outside the scope of this study. For the purposes of this study, we assume that the SES provision is included for two purposes: To help low-performing schools raise the achievement levels of their low-income students, and to expand market-oriented educational options in the public school system.

the federal guidance on SES include whether a state can regulate the use of provider incentives for enrollment, attendance, or achievement and how to prevent and address “unfair or illegal business practices” (U.S. Department of Education, 2009, p. 6). Further requirements or restrictions regarding provider practices are written in state- or district-level policies. These policy documents reveal how the legal context for SES marketing and information distribution is complex, oftentimes due to policymakers’ attempts to balance the private financial interests of providers (and choice interests of consumers) with the public interests of student confidentiality and stewardship of taxpayer funds, for example.

METHODOLOGY

Qualitative case study methodology, including semistructured interviews, focus groups, and archival analysis, is appropriate for examining the complexities of program/policy implementation in different local and state contexts. Although using qualitative methodologies may seem an unlikely choice for studying the dynamics of certain economic concepts, we believe that these methods of inquiry are critical for understanding how theoretical assumptions embedded in policies play out in real situations (Dumas & Anderson, 2014). Qualitative research can demonstrate how these assumptions may succeed or fail in the reality of implementation.

In order to understand the ways in which the processes under study interact and evolve, we utilize four years of data for each district case, which come from a larger, mixed-method study of the implementation and impact of SES in six urban school districts across the country.⁸ These six districts were chosen to be part of the study due to their *proactive* roles in implementing SES, as well as their willingness to collaborate on quantitative data-sharing and qualitative fieldwork requirements. Each of the cases involves a school district, the contracted tutoring providers, the state educational agency (SEA), and the parents of eligible students. We chose to focus specifically on three of the districts because their site data had the greatest depth and breadth and were interconnected in terms of geography and shared providers.

Interview/focus group data were gathered from multiple levels of each case, including providers, districts, states, and parents (see Table 1). In each district, six providers were chosen for the qualitative sample based on a mix of criteria, in order to achieve *maximum variation* (Patton, 2001). The characteristics on which we based the sample included market share/number of students served; location of services; format of services; class size; student attendance/retention patterns; number of years serving the district; tax status; and capacity to serve students with disabilities and/or limited English proficiency. Administrators in state agencies, districts, and providers were identified using *snowball sampling* (Patton, 2001), or networking among informants. Example interview questions include, “What does your instructional approach specifically offer to students, or what makes it unique?” and, “In what ways do you communicate with parents?”

Recruiting parents for participation in focus groups proved to be more challenging, and we used a variety of communication methods, including mailings, backpack flyers, posters in community locations, and sharing flyers via tutors or provider administrators. We also provided a monetary incentive for participation, which led to increased word-of-mouth communication among parents about the focus groups. Example focus group questions included, “What information did you get

⁸Additional reports and analysis from the larger study of SES can be found at <http://www.sesiq2.wcer.uw.org>

TABLE 1
Interview/Focus Group Sample by District and Stakeholder Type

Chicago	Total
State administrators	1
District administrators	7
Provider administrators	17
Parent focus groups (total number of parents in parentheses)	2 (32)
Milwaukee	
State administrators	1
District administrators	6
Provider administrators	18
Parent focus groups (total number of parents in parentheses)	2 (44)
Minneapolis	
State administrators	1
District administrators	9
Provider administrators	18
Parent focus groups (total number of parents in parentheses)	2 (66)

or receive to help you choose a provider? How did you receive it?” and, “Did you feel like you had a choice?”

Archival documents from each level of the cases comprised our third type of data. These included marketing materials from providers; information disseminated from districts and states; state applications from providers; federal and state legal documents; district guidance; and state and district websites. These multiple data sources allowed us to compare key observations of informants with policy and program documents (Denzin, 1978); they also provided a rich data set in which to search for alternative interpretations to pursue (Stake, 2000).

Our analysis utilized a comparative case study model (Stake, 2000; Yin, 2009) and consisted of two phases of coding and memo writing (Saldaña, 2013). The first phase was within-case coding and analysis, which focused on the context of each individual case and its “contextual variables” (Merriam, 1998, p. 194). An initial coding scheme for this first phase was created based on the conceptual framework. The authors coded the data using NVivo and used a common memo template in spreadsheet format, which allowed the authors to compare patterns across these codes and across sites during the second phase of analysis. The second phase, cross-case analysis, examined similarities, differences, and overarching patterns. The rationale for including multiple cases was to achieve theoretical replication (Yin, 2009) and investigate whether certain conditions of markets—information—exist in the context of a particular program. The multiple case study design helps us to understand whether these conditions are influenced systematically by the overarching policy context, by the local context, and/or by implementation variation among the cases.

Limitations of this study include issues related to scope as well as the inability to connect qualitative responses to actual demand patterns. Parent-level influences on information—such as information-sharing among parents—is outside the scope of this study; in addition, interviews with school staff would be useful for further understanding how stakeholders at this level interpret the requirements, what kind of guidance they get, and what kind of actions they take regarding parental choices.

FINDINGS

Three main themes emerge from the analysis. First, district management of marketing involves both facilitating and restricting district- and school-based channels of marketing dissemination, such as overseeing the use of school administrators as additional intermediaries between providers and families. Second, provider marketing methods and content had some differences by site, but also had some similarities that were notable, particularly a lack of information on curriculum, instruction, and assessment. The third area focuses on issues related to compiling and disseminating information on the quality of provider services: (a) the multiple and conflicting sources of data on provider quality and (b) perceived legal restrictions on SES evaluation and data sharing.

Managing Provider Marketing

Several patterns in our data revealed that public management of provider marketing can ensure that consumers receive marketing materials legally and appropriately, and that it can also help to level the playing field among providers with different marketing resources. For example, most district and state SES stakeholders found provider marketing materials and/or methods to be problematic in the parental choice process. Creating policies and encouraging certain behaviors allowed government agencies to mitigate the negative impact of such practices. In all three sites, district or state education agencies created some type of restriction on material incentives (e.g., gift cards) in order to force providers and consumers to focus primarily on the marketing of academic characteristics (e.g., impact on academic achievement, tutor-to-student ratio). One state created administrative rules governing the content of providers' marketing materials. This kind of action allowed providers to conduct private marketing—as emphasized by federal nonregulatory guidance—but also allowed districts and states to regulate marketing to ensure that parents and students did not receive false or misleading information about services. A state agency employee offered an example of how these rules were applied:

A few years ago, I had a provider who put in his marketing flyer that he was the number one provider. And so I said, on what basis are you making that claim? Our rules say that providers cannot disparage other providers, so if you're number one, what does that make all the other providers? And if you can't back up that number one claim in some form or fashion, then, you know, you're just making up crap that makes your fellow providers look bad, which would strike me as being not in the spirit of that administrative rule.

The rationale given by this state agent echoes both the purpose of marketing—to increase market share over other providers—as well as the purpose of information, which is to make sure that consumers have correct, complete information about their options.

Methods of marketing had implications for school and district personnel, and thus these implementing agents influenced allowable marketing methods both directly and indirectly. For example, in one extreme case, in response to conflicts between schools and providers, a district decided to stop requiring schools to allow on-site providers, and instead of using the school, this district decided to support provider marketing by offering to facilitate mailings. By limiting marketing to mailings, the district felt that it could have more control over the marketing process, preventing conflicts between schools and providers. The district allowed providers to choose to

target certain segments of the eligible population for mailings; these mailings went through the district, allowing providers to send information to parents' homes without violating the Family Educational Rights and Privacy Act (1974, 20 U.S.C. § 1232(g); 34 CFR § 99), which restricts student data sharing.

The school building was, across districts, indicated as the most important channel for distributing educational information, and all districts used local policy to manage providers' marketing via schools. All three districts in this study created new responsibilities for personnel located in the schools for informing parents about the SES program; some of these personnel were also responsible for overseeing provider behaviors in the school building. Provider fairs, where parents could attend to meet provider representatives and ask questions about programs, were also school-based; in one case, the district centralized the rules and procedures for provider fairs, requiring the school-based coordinators to organize them and requiring providers to sign a "Certificate of Compliance" regarding marketing practices.

One district's decentralized governance structure resulted in schools having much more influence on SES programming than in the other two districts. Due to this decentralization, schools in this district could make site-based decisions about provider marketing, both in terms of controlling it and/or facilitating it. District staff purposefully used this situation to create an incentive for providers to build strong relationships with school administration. Providers discussed the benefits of these relationships:

The attitude of the leader of the school makes such a difference. You'll walk into a school who views you as one more tool in their tool kit to increase student learning. . . . And they want as many kids as they can in the program. . . . You'll see the schools where you'll have cooperative relationships with the school. You'll get tons of kids registered. . . . You get great attendance rates. And there's good communication in the school. There's more data sharing and everyone benefits. And then you get a school where you feel like you're swimming upstream all year long. And you just can't be as effective when you're constantly fighting to just get the work done. (Provider administrator)

As described in the above quote, although there could be benefits, allowing schools to dictate distribution policies for providers' marketing materials also created the potential for school-by-school differences in access to information about SES.

Even in more centralized implementation systems, however, there were cases of school-level resistance to provider marketing. Providers discussed this type of situation, and parents in focus groups indicated that they had concerns with district or school staff fully implementing information requirements. When school administrators resisted SES providers or the program as a whole, parents did not get information as easily as they may have with school administration assistance. This example demonstrates how decentralizing SES processes to the school level may be problematic in terms of ensuring that parents and students retain the power to get provider information and choose among all of the SES providers. On the other hand, if a principal has a legitimate reason to suspect that a particular provider will not serve his or her students well, resisting such a provider could well be a benefit to the school community. However, most parent responses did not clearly indicate whether parents' lack of received information was due to the method of communication, lack of implementation, or other issues.

An additional issue regarding the heavy involvement of the school in SES implementation was the emerging pattern of providers marketing their services directly to the school administration. One district decided to limit the number of school-based providers to five per school. Principals

had some control over which five providers would be assigned to their schools, and thus providers realized that marketing to the principal was necessary in order to gain access to the school building itself. As a result of this pattern, the district started providing an SES handbook to principals as well as to parents, with information on all providers. Another district had a “preferred provider” system, which was another way of giving the schools some power in giving information without limiting choice:

Providers would go to schools to talk to the principals and meet with the learning teams and say, “Here’s my toolkit as a provider, this is what my curriculum is, and this is how it can align to your school improvement plan.” And then from there learning teams would make a decision out of all the providers. . . . We let principals know that . . . they could send a letter home to parents saying, “These are our preferred providers and this is why, but as a parent you ultimately have the right to choose.”
(District administrator)

These examples echo the observations in Henig (2007) and Koyama (2010) regarding school-mediated marketing of choice options, and they suggest both advantages and disadvantages for parents in terms of how they receive information. Parents in focus groups expressed confusion about both systems, while at the same time expressing a need for provider recommendations. However, these expressions of confusion may also reflect a larger issue with the complexity of the program and its requirements.

For providers and districts, these examples highlight issues involving the decision whether or not to centralize information and marketing processes, each of which come with potential benefits and limitations. For centralization, the strengths tend to be consistency and clarity in expectations, and equal treatment of all providers. With decentralization, local actors have the authority to respond quickly and with relevance to local needs—though local actors have often been observed to interpret and implement requirements in unintended ways (e.g., Haynes & Licata, 1995; Levinson, Sutton, & Winstead, 2009; Weatherly & Lipsky, 1977). In the case of information sharing, the option for schools to work with providers around marketing their services may make it easier for parents to receive and understand providers’ relative qualities, especially in terms of educational effectiveness. Positioning schools to endorse certain providers or to allow providers to work on-site may help parents choose a high-quality provider, but it may also prevent parents from getting information about other providers that may be a better fit for their children. Because there have been no studies on whether district-chosen or -endorsed providers are of “higher quality” than those not endorsed, it is impossible to say whether the process of endorsement helps or hinders the ability of parents to get the amount and types of information they need.

Provider Marketing: Method and Content

Methods by which providers marketed their programs to parents and students primarily fell into four categories: provider fairs, mailings, school (“backpack”) flyers, and community-based outreach. Provider fairs offered avenues for families to talk with provider representatives one-on-one, although the majority of observations about provider fairs revolved around either learning tool incentives (computers or other technology) or existing relationships. In some cases, existing relationships between families and community organizations or families and teachers influenced

the effectiveness of the marketing method. In this example, families tend to sign up with a provider that has a “familiar face”:

Because they know me, they’re like what is this? What is Ms. [teacher name] advertising? And then I’ll tell them about the program. . . . But then they see all these other providers, but they don’t know that person. So they go with the face that they know. At least that’s the feedback that I had from my coordinators. . . . And parents can still go up to them. I mean, they still have the opportunity to go to any other provider at the fair, but I think it’s the familiar face. (District SES coordinator)

This example is especially relevant, as the majority of tutors employed by school-site SES companies in two of the study districts were teachers from those schools—including the district-operated provider and multiple private, for-profit providers.

The content of provider marketing materials fell into seven categories: evidence of achievement/growth; testimonials/evidence of satisfaction; curriculum/instructional approach; mission/philosophy/values; progress-monitoring systems; staff qualifications or description; and logistical details (e.g., number of hours, tutor-student ratio, location, subjects offered). We rated each piece of marketing by category and into three levels: no information offered from the category, vague or subjective information, or unambiguous and/or evidence-based information. A few patterns around these categories emerged by district (see Table 2); the *strength* of each category was based on prevalence and quality (e.g., clarity) of the content. A rating of “weak” reflected one specific example or multiple vague examples, a “moderate” rating reflected two to three specific examples, and “strong” evidence reflected more than three specific examples in the marketing literature from providers in the district in the aggregate.

Minneapolis and Chicago were nearly equal on the strength of evidence of achievement/growth; in each of those districts, at least one provider gave some evidence of growth, such as citing results from a district-wide study. In Milwaukee, by contrast, the only reference to growth was the phrase “proven academic gains.” Chicago provider materials had the strongest information regarding evidence of satisfaction and mission/philosophy/values. Marketing materials from Chicago included quotes from staff and parents and charts showing parent satisfaction survey data, whereas the materials from providers in the other two districts did not include any

TABLE 2
Prevalence and Quality of Marketing Content by District

	Chicago	Milwaukee	Minneapolis
Strong evidence	Satisfaction Mission/philosophy Logistical details	Logistical details Staff qualifications	Logistical details
Moderate evidence	Achievement/growth Progress monitoring		Achievement/growth
Weak evidence	Curriculum/instruction Staff qualifications	Achievement/growth Satisfaction Mission/philosophy Progress monitoring Curriculum/instruction	Satisfaction Mission/philosophy Progress monitoring Curriculum/instruction
No evidence			Staff qualifications

information in this category other than number of students previously served. Chicago providers also had the clearest statements regarding organizational philosophy and mission. In the other two districts, mission/philosophy tended to be quite vague, such as “Student success is achievable.” The level of detail around progress monitoring was fairly similar across the three districts, with providers either mentioning the use of learning plans or progress reporting, or mentioning nothing in this category. Only one provider, in Chicago, mentioned the use of assessments and pre–post score comparisons.

All three districts demonstrated strong patterns regarding logistical details, yet none of the three districts displayed strong curriculum/instructional approach patterns. The materials that did include information on curriculum and/or instructional approach tended to be vague (e.g., “research-based curriculum”). The most common description of curriculum was alignment to state standards. In Milwaukee, evidence for staff qualifications in marketing materials was the strongest of all three districts. Every piece of marketing available for analysis included information about teacher certification. Most of this information was clear and detailed (e.g., “state certified or retired certified”). In Minneapolis, the opposite was true; no marketing materials available for analysis included any information on staff qualifications whatsoever. Chicago fell between these two extremes; most of the materials in Chicago included ambiguous statements about staff, such as “experienced and energetic.”

Looking at the amount of information and level of detail provided by these marketing materials as a whole, especially in the areas related to academics (curriculum/instruction, staff qualifications, achievement/growth, and progress monitoring), it is clear that the provider-created materials alone do not provide sufficient detail for parents and students to make informed decisions about a choice of provider. This is true even when provider materials contain strong evidence in one or more areas of content related to academics. However, because all three districts do facilitate a provider handbook, the additional provider marketing materials analyzed here may be viewed as supplements to the default information that parents get from the school district. These booklets contained provider-generated program descriptions from all approved providers (e.g., number of hours, location, subject areas). One district also created a one-sheet provider summary to facilitate easy comparison by parents, and in another district, this booklet included evaluation information as well (see following section for more detail).

Finally, at the time of our data collection, the nonregulatory guidance on SES and various state regulations had clarified many early issues around allowable marketing activities. Thus, the promotional marketing materials that we collected and analyzed from 2009–2013 do not include the use of illegal incentives, nor were they distributed using prohibited means. However, several providers did mention the importance of being able to market their programs in terms of offering some kind of technology (defined as a “learning tool”) or other benefits, such as field trips or provision of food. District and state policies varied on whether these types of incentives—arguably related to academic interests—were permitted in programs and/or marketing. At the time of our study, none of these districts permitted nonacademic incentives in marketing as rewards for enrollment.

Information on Provider Quality

Districts and states were required by law to provide information to parents about the availability of the program and all approved providers; however, the regulations around sharing information

about program and relative provider quality were less clear-cut (for policy details, see Stewart, 2013). This area appeared to be the most confusing implementation issue for districts and states regarding SES information sharing, according to agency stakeholders. At the same time, this area was one of the main concerns of districts and schools, given the accountability structure of NCLB. Getting students into programs that have been proven to result in achievement gains—and keeping them out of ineffective programs—was a primary stated goal of district staff regarding SES. This section discusses two challenges related to the dissemination of program and provider quality information to parents: (a) the multiple and conflicting sources of data on provider quality and (b) perceived legal restrictions on SES evaluation and data sharing.

Sources of Data on Provider Quality

Evaluation data regarding the quality of SES providers primarily come from three sources: states, districts, and independent evaluations. Federal law mandates that states monitor both district and provider implementation of SES, as well as the “quality and effectiveness of the services offered by approved providers” (SEA Responsibilities for Supplemental Educational Services, 2002, 34 C.F.R. § 200.47(a)(4); No Child Left Behind, 2002, § 1116(e)(4)(D); U.S. Department of Education, 2009, p. 4). Two states in our sample contracted external evaluations of the SES providers; the other state did only desktop audits and site visits, which met the minimum requirements of state monitoring but did not result in any reports for parents or other stakeholders on provider quality. Evaluations included impact analyses and/or implementation (process) studies, and methodologies for quantitative and qualitative data collection and analysis varied among them.

One district administrator connected this information problem at the state level with the decentralized nature of the program, as well as lack of support on how states can evaluate and disseminate information in a consistent way:

It would be nice to have more direction from the federal government . . . stuff like measuring provider effectiveness, ‘cause this is gonna be bad news in the long run, if every state has created their own system for evaluating providers, that means at no point are you gonna be able to say this provider is uniformly bad across the country, because it’s apples and oranges from state to state.

Compounding the state-by-state differences is the fact that individual districts and independent agencies have also completed evaluations. Although not required by law, all three districts have completed multiple evaluations of SES at the district level in order to better understand the program and/or to offer data to their state agencies, which lacked the resources to undertake their own evaluation efforts. There have also been several independent evaluations of SES, focusing either on these individual districts or on multi-district samples (e.g., Heinrich & Burch, 2011; Ross et al., 2008; Steinberg, 2011).

These evaluations each offer contributions to the body of information on SES provider quality. However, very few of these evaluations found consistent, reliable results, and there was no resource or guide for parents indicating which results might be most accurate or specifically relevant to their own children’s needs. Although multiple evaluations of the same program can increase the quality of the research base, it can be a problem for parents looking at conflicting results. Additional challenges in the evaluations analyzed here were issues regarding readability

of information, monolingual presentation, and technological accessibility, such as the necessity of navigational skills around state, district, and other institutional websites.

Although evaluation data were not directly accessible to many parents, all three districts did attempt to utilize existing evaluation data on SES in ways that were aimed at helping parents choose high-quality providers. One of the districts inserted results directly from evaluation documents into the district's parent handbook. This district also linked the state SES website, which included evaluation results from 2008–2011, from the district SES web page. The other two districts included each provider's total tutoring hours in parent information and shared with parents research showing that a minimum threshold of SES tutoring hours is needed in order to see effects (Heinrich & Burch, 2011):

The providers do have a right to set their hourly rates as long as it's approved by the state, but if forty hours really did make a difference, can we inform our parents that, "Hey, you can choose whoever you want, but these are the providers that provide 40 hours of service, that's what research shows makes a difference." . . . Some of the providers who had the higher hourly rates, the parents did look at our forms, since we put on there, "You get 40 hours of service with this company, you get 20 with this one, which one do you want?" (District SES administrator)

However, despite the availability of multiple district and third-party evaluations on program and provider quality (see above), the inclusion of information on tutoring hours alone by two of the three districts seemed to be insufficient data by which parents could compare provider quality.

Perceived Restrictions on Data Sharing

This may be explained, however, by a disconnect between district and federal understandings of legal requirements and the subsequent conservative approach to information sharing taken by districts. As a consequence of this conservative approach, parents received no *systematic*, helpful guidance from school or district representatives. District and school-based individuals were likely to have the most accurate and up-to-date knowledge regarding which providers can best improve student achievement, garnered from their access to tutoring observations and provider and tutor interactions. However, parents rarely received this kind of information, due to agencies' conservative interpretations of the legal parameters, as one district administrator explains:

I felt like we were really in a bind, we were supposed to help parents make a choice but we weren't really allowed to give preference over, one over the other, so it's like, well, how do we do that? So we'd do, you know, "do you need tutoring in English or tutoring in another language," things that I think weren't very helpful to parents, and I feel like with the new regulations we have more permission to really say what we know, and I think that'll influence providers.⁹

The exception in the data was a small handful of parents who mentioned that school staff did help them pick a specific provider, although the criteria used for this decision making were unclear. Based on our reading of the legal sources and interviews with state agency representatives (see Stewart, 2013, for legal analysis of relevant documents), this conservative approach seemed unwarranted, and the data suggest that the quality of information made available to parents was

⁹Although this example discusses the potential of policy changes in favor of sharing more information, later interview data from this district showed that these changes did not come to fruition in implementation.

ultimately hindered because of these interpretations. Although each district had a different state context and a different interpretation of the federal SES policy, all three districts in our sample chose to err on the side of conservative data sharing—that is, not taking any action that could be construed as bias or subjectivity regarding provider quality.

IMPLICATIONS AND RECOMMENDATIONS

The data presented in this analysis show how federal, state, and local policies, as well as provider practices, influence whether parents receive information and how useful that information is for parental choice. These policies and practices change how the market for SES plays out in reality. Several assumptions from market theory do not play out in implementation as expected; these implementation realities may change the ability of the market model to facilitate efficient provider–consumer matches or changes in demand based on consumer access to information. Without information, consumers cannot make economically rational (that is, utility-maximizing) choices about which provider will best serve their children’s needs.

Our findings suggest a few specific implications for policy and practice. First, all of the districts in this study have implemented multiple pathways, primarily via school channels, for getting information to parents and for overseeing provider marketing. The addition of schools as a critical level of implementation introduces variation in how and whether these pathways actually facilitate successful implementation—school staff may have their own agendas regarding student enrollment, or may not even be aware of the legal boundaries of their roles in the SES recruitment and choice processes. Second, although provider marketing may increase the amount of information for parents, it is unlikely to be complete. The lack of information in provider marketing about curriculum, instructional approach, or assessment and progress monitoring reveals the insufficiency of private marketing materials to inform parents about key service details. Third, the observed disconnect between state, district, and school understandings of the law highlights a policy area needing clarification and guidance. Because districts largely are underutilizing the full range of options allowed by the law in terms of reporting information on provider quality to parents, guidance and/or training from the state or federal level should be able to remedy this disconnect.

Our specific policy and practice recommendations are aimed at creating more complete information for parent consumers of education programs such as SES. Considering the assumption of perfect information for perfect competition, one policy solution would be increased clarification and enforcement of the district and state roles in information dissemination. Increased production and dissemination of information could be considered a step toward more perfect information about educational options, without eliminating the potential informational role of private provider marketing. There are, however, arguments against an increased public role in market-based programs; some theorists (e.g., Kanstoroom & Palmaffy, 2002) have argued that a strong focus on regulation can cripple a program’s ability to operate efficiently and/or its potential to achieve positive outcomes. With that said, increased intervention by public agencies for the purposes of increasing the quality and accessibility of objective information should not serve as a barrier to program operations.

Our analysis of provider marketing shows that although materials may reach parents when district or school materials do not, the kinds of information included in marketing materials

are insufficient for parents to make a fully informed decision. These observations strengthen our recommendations that districts and states increase their involvement in information production and dissemination, and that provider marketing continue to be allowed and encouraged by public agencies. However, private marketing must continue to be regulated, as noted by district and state administrators. In a program such as SES, in which the consumers are bounded by means-tested eligibility criteria and geography, marketing techniques may easily cross into inappropriate inducements, invasion of privacy, or manipulation of the target market. Based on our analysis, local and state agency regulations seem to have corrected most of these problematic techniques, but the possibility remains that regulations may be too stringent (that is, inhibiting the flow of necessary provider information) or not strong enough. We recommend that state and local agencies remain flexible and consider solutions that both maintain parent access to information and choice as well as protect parents from inappropriate uses of marketing.

We also recommend that parties conducting government and independent evaluations consider creating an evaluation report or summary that is accessible to the general public and/or to the specific target market. The complexity of educational evaluations, without interpretation or presentation into a more accessible format, resulted in issues of access for parents. Although there were some attempts to make evaluation results available in locations and formats that were accessible to parents, these attempts were insufficient to get useful information into parents' hands. We also recommend that state or district agencies create evaluation summaries and share such data with parents proactively, if evaluators do not make accessible reports of this type available. The problem of competing methodologies and their respective degrees of achieving validity and reliability remains, but allowing a regulatory entity to sift through evaluation results and make some decisions as to which results are the most reliable and valid, which are then shared with parents, could be a partial solution.

Although the findings of this study, as in all qualitative research, are closely related to the particular contexts of the cases and the specific program under examination, they contribute to the broader literature on education markets because the tensions between marketing and information that we observe in SES are common across the spectrum of education markets, including traditional public schools, charter schools, and voucher programs. Even within the broader field of educational research, "perfect information" about school quality has not been achieved. The difficulties of compiling, analyzing, and disseminating information about school quality are well established in the literature (e.g., Hanushek, 1979; Monk, 1997; Rivkin, Hanushek, & Kain, 2005); these difficulties are a primary reason why comparative information on schools and especially individual teachers is highly contested (e.g., Angrist & Guryan, 2008; Milanowski, Kimball, & Odden, 2005). If perfect information is unattainable by expert statisticians and econometricians, it is unreasonable for policymakers to hope that high-quality information about the variety of educational programs would be available in all local communities with choice policies. Thus, if it is impossible for an education market, in reality, to meet the assumption of perfect or even near-perfect information, then the use of the market as an education reform intended to increase academic outcomes reflects a flawed policy design. The findings of this study should be taken into consideration by policymakers hoping to rely on the assumed efficiency of markets in educational contexts.

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