

**Shopping in the Political Arena:  
Strategic State and Local Venue Selection by Advocates**

**Thomas T. Holyoke**

Department of Political Science  
California State University, Fresno  
2225 East San Ramon, M/S MF19  
Fresno, California 93740-8029  
559-278-7580  
[tholyoke@csufresno.edu](mailto:tholyoke@csufresno.edu)

**Heath Brown**

Department of Political Science  
Seton Hall University

**Jeffrey R. Henig**

Teachers College  
Columbia University

Long version of the article published in  
*State and Local Government Review* 44(April): 9-20

An earlier version of this paper was presented at the Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, 2008. We would like to thank the Spencer Foundation for funding the data collection part of this research.

## **Abstract**

We study how advocacy organizations strategically select one or more venues for lobbying in a system providing multiple access points to lawmakers in both state and local governments. Advocates unable to make headway at the state level may refocus their efforts locally, or convince new venues to take up an issue. We test venue shopping hypotheses with survey data on charter school advocacy at state and local levels in three states. We find that while ideological congruence between lawmakers and advocates matters, most advocates are also drawn to any venue actively working on an issue. We also find that advocacy resources limit the number of venues targeted and that implementing venues will be targeted when they can be pressured by elected officials to support an advocate's policy preferences.

“Venue shopping” refers to the choices interest group advocates make regarding which policy-making institutions will be on the receiving end of their advocacy as they strive to mobilize political support for their members’ interests. Perhaps it will be a state legislative committee, a local implementing agency, or both. That this choice is strategic was demonstrated by Baumgartner and Jones (1993), who showed how advocates can successfully compete by steering issues from venues where they are disadvantaged to ones where they are favored by the prevailing norms and rules of the game. That these choices have consequences for democratic governance was shown by Schattschneider (1951), who argued that advocates entrenched in venues with sympathetic political officials can maintain a status quo favoring their interests in the face of negative public opinion. Growth in the diversity and competitiveness of state and national group communities (Baumgartner and Leech 2001; Nownes and Freeman 1998) makes it an increasingly common strategy, yet models of venue shopping are few and underdeveloped.

In this paper we lay out a model of strategic advocacy within a set of venues distributed both vertically (state and local governments) and horizontally (reflecting the separation-of-powers) based on the congruence of policy preferences, but shaped by institutional structure and limited by advocacy resources. We propose hypotheses regarding why advocates might target one or more venues based on these three factors, including structural characteristics such as elected versus appointed officials, policy enactors versus implementers, and whether it is a local or state venue. We test these hypotheses with data on charter school advocacy to shape education policy in three states. We find that an alignment of policy preferences with venue officials draws lobbyists, but they are also drawn to any venue where officials have decided to take-up an issue regardless of ideological congruence. Advocacy also becomes more strategic as lobbyists consider the geographic distribution of their groups’ memberships, and while they

prefer venues where officials are elected, they will target implementing agencies whose rulemaking authority can be constrained by overseeing policy enacting venues. Finally, we also find evidence of path-dependence where advocates lobbying a venue at one government level are likely to continue targeting other venues at that same level.

### **Venues and Venue Shopping in the Literature**

Venue shopping probably has not draw more attention historically because scholars saw lawmaking responsibility on most issues as strictly delineated by state, local, *or* federal government jurisdictions (Peterson 1995 explains this succinctly). Instead of an open process where majorities of lawmakers responded to shifts in public demand, scholars assumed that how issues were defined and addressed with policy was jealously controlled by a few officials concentrated in a small number of venues at a single level, often only a legislative committee and an implementing agency with similar policy preferences. Interest group advocates were only invited to lobby if they represented constituencies ideologically aligned with officials controlling these venues while opponents were left bereft of any lobbying opportunities (Hamm 1986). Such beliefs provided no foundation for studying venue shopping.

Growth in the scope of the federal government's authority as a result of the New Deal and Great Society programs, and then the shift to greater responsibilities for state and local levels with the New Federalism of the 1980s, has not only drawn more issues into the public purview, it has also blurred jurisdictional distinctions between policy-making venues within and across these levels, providing more political entrepreneurs with more opportunities to influence those issues. Ambitious policy-makers have expanded the issue jurisdictions of Congress and increasingly professionalized state legislatures (Talbert et al. 1995; King 2000; Loftus 2002), eroding once

fairly clear delineations of responsibility between Washington, D.C., the states, and localities (Grodzins 1966) as they strive to claim control over issues once the province of other levels in the American federal system (Elazar 1994; Peterson 1995; Volden 2005) or thrust new responsibilities on those lower levels through mandates and grants-in-aid (Jensen 2000). Coupled with the expansion of the authority and independence of executive branch agencies (Heclo 1978; Balla 1998), and broader standing rights before the courts (Orren 1978), these jurisdictional changes have opened up a much wider array of decision points in the governmental superstructure where interest groups may initiate or stymie new policies (Gais et al. 1984).

The growing size and ideological diversity of state and national lobbying communities (Gray and Lowery 1996; Baumgartner and Leech 2001) places greater pressure on new groups representing previously un-mobilized populations to exploit these pressure points in order to challenge, or at least get around, the hegemony of established interests (Hamm 1986). For them more venues mean more opportunities to initiate, amend, redirect, or veto policies, a change political scientists are starting to recognize. Baumgartner and Jones (1993) show how groups have used fluid issue jurisdictions to steer nuclear power and tobacco policy into ideologically friendlier, if hitherto uninvolved, venues to bring about policy change. An important attractor of advocates to a venue in a federal structure like the United States, Constantelos (2010) argues, is the ideological compatibility of lawmakers and advocates or similar characteristics making targets sensitive to the organization's policy preferences (Walker et al. 2008), just as Olson (1990), Solberg and Walternburg (2006), and Howard (2007) find that preference similarity matters when deciding when and how to go to court. Holyoke (2003) and McKay (2011), however, argue that it is often the intensity of group conflict that pressures advocates to seek out new venues, though they and McQuide (2010) find that the ability to do so is limited by their

resources. What is needed is a unified model of venue shopping based on preference alignment but that also incorporates characteristics of venue structure, attributes of the groups targeting one or more of them, and the possibility that lobbying one level shapes how, and even if, venues at other levels will be targeted.

Such a model should begin with the literature on the motivations and limitations of lobbyists. Not only is this a logical place to start, but it allows us to see whether otherwise robust findings remain true in a multi-venue context. For instance, interest group scholars have found national and state legislative committees with jurisdiction over issues important to a group's members to be attractive targets because legislators there often have electoral connections to those members, as well as primary responsibility for crafting (or not) new policy (Hojnacki and Kimball 1998; Nownes and Freeman 1998). But learning whether they are still venues of choice when others are available requires us to engage research on other venue types. For instance, Talbert et al. (1995) find that other committee chairs lacking traditional jurisdiction over an issue may try to expand their jurisdiction at the traditional committee's expense by taking-up an issue. Elazar's (1994) and Volden's (2005) work on federalism finds that officials at different government levels often fight for jurisdictional control over issues, or have it thrust on them by funded and un-funded mandates (Jensen 2000). All of these become possible lobbying targets.

Regulatory officials also frequently have broad discretion to implement policy conforming to their own preferences and agency cultures (Downs 1967; Balla 1998), and are often legally required to be open to lobbying (Yackee 2006; Reenok and Gerber 2007). Will lobbyists ignore all of these potential targets when waging contentious advocacy campaigns, or will they see them as new opportunities to initiate, amend, redirect, or veto policy proposals? To find out we lay out a simple model grounded in the lobbying literature, but one that also takes

seriously the differences between venues. Not only differences in the policy preferences of the officials in them, but also their legal responsibilities and structural organization.

## **Strategic Venue Selection**

### **Venues in a Federal Perspective**

We begin by drawing a distinction between horizontal and vertical arrays of venues. Vertical means viewing venues as levels up and down the federal system. Organized interests unable to gain access to a state legislature, for example, may choose to appeal to city councils and mayors instead, or vice versa. By contrast, the horizontal array looks across branches of government within a given level reflecting the separation of powers, or across sub-units within those branches of government. Lobbyists may target executive branch implementing agencies rather than state legislatures, or target different committees within the legislative branch or different agencies within the executive branch depending on the structural attributes of those venues and the ideological attitudes of the policy-makers in them.

We also differentiate venues according to whether they have general versus specialized responsibilities and whether decision makers in them are elected or appointed. Bureaucracies allocate most responsibilities to policy-specific agencies and bureaus, with local level transportation authorities, school districts, economic development commissions, pollution control boards, water districts, and the like constituting more than half of all governmental units in the United States.<sup>1</sup> Unlike general purpose governing bodies, such as city councils, mayors, governors, or Congress, such special district institutions are designed to concentrate attention and expertise on a very narrow set of related policies and typically are structured to maximize responsiveness to technical issues, scientific evidence, and narrow but highly motivated

constituencies. Institutions responsible for making decisions across multiple issue areas, like legislatures, are forced to set priorities and make trade-offs in contexts where competing interests are more accepted and are generally more permeable to interest advocacy.<sup>2</sup>

---- Insert Figure 1 about here ----

Finally, in each level of government, institutional venues also differ according to the extent to which their memberships are constituted through elections. Elected officials presumably are more sensitive to majoritarian principles and pressures, while appointed officials may be freer to base decisions on professional criteria, the broad public interest, or even their own personal desires. In practice, all of these dimensions exist as continua, but for heuristic purposes Figure 1 presents a simplified typology assuming pure forms anchored at the extremes. Yet even this pared down presentation reveals a multiplicity of potential pressure points, each differing in its responsiveness to different types of appeals.

### **Advocate Motivations and Venue Targets**

In Figure 2 we start using these distinctions between horizontal and vertical arrays of venues of different structural compositions to predict strategic targeting by interest group lobbyists. In this case the vertical distinction is between state and local venues, three at each level. Some of these venues have general responsibilities, marked as  $v^G$ , for making policy across a broad range of issues while more specialized institutions are designated here as  $v^S$ . Now, on what basis will advocates choose between these different types of venues, or how will they select multiple venues to target all at the same time? Keep in mind that venue shopping is not an either-or choice, for advocates may choose target all of them just as they may only choose one out of the array of venues available at all levels of the federal system.

---- Insert Figure 2 about here ----

As we lay out later, advocates often target officials based on the alignment of policy preferences, lobbying their “friends.” Yet advocacy strategy involves more than just finding friendly policy-makers. Preferences, Jones (2001) argues, are rarely the sole determinants of choices and outcomes because the complex structures of political institutions empower some officials while hobbling others, even if the structures themselves are malleable. If venues are hierarchically arranged in a federal system and employ varying rules of membership and jurisdictional responsibility, then advocates, who must strive to represent member interests when issues important to them are being debated, may have to target venues controlled by unsympathetic policy-makers *because* institutional rules allow or require that venue to have a crack at that issue. Just lobbying allies in “friendlier” venues might amount to little more than a waste of resources, which leads us to propose an additional qualifier on Jones’s institutional restriction on preference-based choices – strategy is also shaped by the resources advocates have available. A small group in Tucson may have friends in the state capital, but regularly traveling to Phoenix is beyond its means, and may not be useful anyway if the issue is being taken-up in a local venue, even an ideologically hostile one. Choices are the result of preferences shaped by institutional structure, but limited by the availability of advocacy resources. On this theoretical foundation we build our strategic venue shopping hypotheses.

Our next task is to determine which venues appear in Figure 2, or how to define a set of venues as potential lobbying targets on an issue such as education. Preference and institutional arrangements are helpful here. Institutional rules may delineate jurisdictional boundaries over education policy between legislatures and agencies, concentrating preferences and policy expertise, such as on legislative committees (Squire et al. 2005), but Talbert et al. (1995) argue

that such divisions are mere conveniences and are often redrawn as the policy preferences of officials on issues shift. And not just the preferences of elected officials, for policy specialist agencies too are often run by appointed officials desiring some issue outcomes over others (Downs 1967), even on issues not clearly delegated to them (Niskanen 1971). Nonetheless, institutionally assigned jurisdictions may still require officials to take-up issues whether they want to or not, such as specialist education agencies that must implement policies. State and local venues with either general or special responsibilities, such as governors, legislatures, and school boards, may also be required to implement federal education mandates, or cut funding when revenues decline. Whether officials want to or are forced to take up an issue, these are all targetable venues.

We designate in Figure 2 whether each state or local venue is populated by officials who want to be involved in an issue or are required to be interested in it because of jurisdictional responsibilities (those in the dashed box). All are potential lobbying targets. Venues labeled  $v_i^G$  are generalist, elected-member while those marked  $v_i^S$  are specialist, appointed. The horizontal lines are continua showing each venue's collective policy preference, where policy-makers in the venue prefer to enact or implement policy. We also identify two advocates  $a_1$  and  $a_2$  on both levels symbolizing their freedom to target state *and* local government venues.

### **Development of Hypotheses**

Our first hypothesis is based in the simple alignment of policy preferences. Because the sheer number of organized interests lobbying state capitols, and even many city halls, makes it prohibitively difficult for any single lobbyist to convince any policy-maker to change his or her position on an issue, they often do not try (Nownes 1999; Rosenthal 2000). Instead lobbyists

target “friends,” officials with ideological and/or electoral needs already aligned with those of an interest group’s members (Hojnacki and Kimball 1998; Nownes and Freeman 1998). These policy-makers want to listen to lobbyists for aligned interests and serve those interests in return for electoral support (Ainsworth and Sened 1993; Wright 1996). Appointed officials in implementing agencies may also desire to work with lobbyists for organizations that share their same preferences for policy (Yackee 2006). Knowing they will find ideological friends, advocates target these venues, helping officials there enact new, mutually beneficially policy or defend the status quo. Thus, in Figure 2, lobbyist  $a_1$  will target venues  $v_4^G$  and perhaps  $v_3^G$ , while competitor  $a_2$  may find it easier to gain access to  $v_1^S$  at the state level and  $v_6^S$  at the local. Thus:

H1: *Ceteris paribus, advocates target venues with collective preferences closer to their own.*

Yet preference similarity, Jones (2001) argues, is rarely the sole determinant of political choices because the complex structures of public institutions empower some officials while hobbling others, even when the structures themselves are malleable. If venues are hierarchically arranged in a federal system and employ varying rules of membership and jurisdictional responsibility, then advocates, who must strive to represent member interests when an issue important to them is being debated, may have to target venues controlled by unsympathetic policy-makers *because* institutional rules allow or require that venue to have a crack at the issue. Just lobbying allies in “friendly” venues may amount to little more than wasted resources, which, following McQuide (2010) and McKay (2011), means there needs to be an additional qualifier on Jones’s institutional restriction of preference-based choices: that strategy is also shaped by the resources available to advocates. Strategic venue choices are thus the result of preference alignment shaped by institutional structure, but limited by resource availability.

Attributes of advocates, such as limited resources, or of other venues, such as jurisdictional responsibility or membership by election versus appointment, may change this basic prediction, either by *adding* less friendly venues to the set of those lobbied, or drawing a lobbyist to an unfriendly venue *instead* of a friendly one. Our first alternative hypothesis involves preferences but also begins to consider the influence of institutional structure. Policy-makers in a venue with general jurisdictional responsibilities but very different policy preferences from officials in other venues may decide to initiate policy change by taking-up an issue. Perhaps a new political party has come to power, or a new governor or mayor is elected and they want to press their agenda. Perhaps an appointed, specialist agency officials want to advance their preferences by subverting a statute they do not care for through new rulemaking. A decision to suddenly act on an issue may also be the result of institutional requirements, such as an agency responding to directives from a legislature or chief executive to implement new policies, or elected and appointed city and county officials being forced to enforce state or federal government mandates.

Just taking up a policy turns a venue into a focal point for advocacy. It is “where the action is,” and advocates, regardless of preferences, ignore action venues at their peril. Lobbying a venue shows lawmakers there that an organization’s members have a stake in the issue and that their lobbyist has political and technical information useful to those officials. Staying away, on the other hand, signals that the lobbyist’s members are not stakeholders and concerns they may have regarding policy negotiations can be discounted. A group’s members may also wonder about the quality of their representation if they do not see their lobbyist actually lobbying when issues important to them are being considered regardless of whether or not the venue is “friendly.” In the context of Figure 2, if lawmakers in venue  $v_2^G$  seek to move new policy,

making its designation  $v_2^{GA}$ , their actions should draw both advocates  $a_2$  and  $a_1$  even though neither represents members with preferences similar to those lawmakers. So:

*H2: Advocates are likely to target venues actively working on policy concerning them, regardless of preference congruence or whether venues are general-elected or specialist-appointed.*

Perhaps the clearest example of the influence of institutional structure is when officials in policy specialist venues sympathetic to a group's preferences are forced by other officials to take-up and implement policy in accordance with the more hostile preferences of the overseeing generalist, enacting venue. On nearly every issue there is at least one venue responsible for policy implementation, probably a specialist venue of appointed officials, though many elected school boards also have some implementation responsibilities. Struggles for control erupt when the preferences of implementers differ from those of officials in elected legislatures, but research on agency discretion finds that implementers tend to have the upper-hand unless enactors aggressively use reporting requirements, agency design, budget controls, and oversight hearings, to constrain the agency (Balla 1998; Epstein and O'Halloran 1999; Volden 2002).

This is more complicated in a federal system where implementing venues may be at lower levels of government than enacting venues (they cannot be higher as authority only flows downward). Here again much of the literature focuses on differences in preferences between government levels and the institutional tools officials at higher levels have to constrain the choices of state and local venues (Peterson 1995; Volden 2005). Higher levels may force lower levels to take-up issues they might prefer to avoid through un-funded mandates or conditional spending requirements on grants-in-aid (as Jensen 2000 argues is true on public housing).

When enacting venue officials succeed in their constraining efforts, agencies ideologically sympathetic to a group find their ability to implement policy the way they prefer

seriously eroded because they have lost some or all of their discretionary authority. Constrained agencies are not likely to be attractive advocacy targets. But when enacting lawmakers are ideologically divided, either within a legislature or in conflict with an elected executive, their competing efforts to pressure implementers may give the latter more freedom to push the policy they and their group ally desire (Shipan 2004; MacDonald 2007). Furthermore, Teske and Kulijev (2000) find that enacting venues often have difficulty reigning-in venues at lower levels, which may be especially true when lower venue membership is constituted by elections and can claim independent legitimacy, such as local school boards resisting state education mandates.

In Figure 2, advocate  $a_1$  would ordinarily prefer to target local implementing venue  $v_5^{S_I}$  because the real preferences of the officials there are at the dashed line and thus closer to those of the group, but the advocate will only lobby there if local officials have enough discretion to implement policy at or near that mark rather than at the solid line preferred by state legislature  $v_2^{G_A}$ . The range of discretion allowed to the implementers, represented by the shaded cone, is determined by factors such as divided government ( $v_3^G$  may be controlled by another party preferring policy favoring  $a_1$ ) and its position at a lower government level from  $v_2^{G_A}$ . If officials in  $v_2^{G_A}$  further increase control, the cone would constrict and shift  $v_5^{S_I}$  even further right, decreasing the likelihood of  $a_1$  targeting it, but increasing the likelihood that  $a_2$  will.

*H3: The less discretion given an implementing venue, the more likely it is to be targeted by groups with preferences congruent with those of the overseeing venue than its ideological allies.*

Now we bring in our third factor, the limitation of finite advocacy resources. Not only can an advocate's financial resources be used as campaign contributions, they are essential for gathering the information lawmakers need in order to know how best to serve the advocate's members with targeted policies and subsidies (Wright 1996). So great can the information

asymmetry between lobbyist and officials be regarding stakeholder preferences on many issues (favoring lobbyists), that the former can use it to persuade the latter to change positions (Austen-Smith and Wright 1994). Resources are therefore independent of preference congruence and allow advocates to establish themselves in additional venues where lawmaker preferences are *incongruent* with the advocate's members. And the opposite is true. As McQuide (2010) points out, advocates with fewer resources can be influential with fewer officials and will target fewer venues. In Figure 2, if  $a_I$  has the resources, he or she may target venues  $v_2^{G_A}$  and  $v_1^S$  in addition to the more ideologically friendly  $v_4^G$  and  $v_3^G$ . Thus:

H4: *The greater the level of disposable financial resources an advocate possesses, the more likely he or she is to target any venue rather than just those with similar preferences.*

There is also a connection between structure and resource limitations that may appear in a federalist context as we incorporate additional venue attributes. Gray and Lowery (1996) argue that a group's political resources, as well as financial, are proportional to its members' geographic distribution. A group with a widely spread membership will have constituent-oriented influence with more elected officials, including officials at higher levels of government where larger geographic areas are represented. A lobbyist whose members are heavily concentrated in a narrow geographic area, such as a city, can only use member resources to influence one or two elected state legislators or just one member of the U.S. Congress.

Yet a large but concentrated membership may allow the lobbyist to be a power-broker in a city's political establishment. The ability to mobilize large numbers of members locally means this geographically concentrated resource can still translate into political power, giving that organization a prominent place in an elected mayor's governing "regime" (Stone 1989), or influence with a city's many elected and appointed agencies and governing boards (Hula et al.

1997) even as it avoids state venues. In Figure 1, if  $a_2$ 's members are concentrated in a city, he or she is more likely to target local, elected venues such as the mayor,  $v_4^G$ , or city agencies  $v_5^{St}$  and  $v_6^S$ , in addition to the more ideologically friendly  $v_1^S$ . Groups with *large* memberships *not* geographically concentrated (such as the AARP) do not face this constraint and may feel their resources are just as effective in city venues as in state as long as venue membership is determined by election. So:

*H5: The more geographically concentrated a group's membership, the more likely its advocate will target local venues, but geographically larger groups will target any elected member venue.*

### **Research Design**

We test our venue shopping hypotheses with data on issue advocacy at the state and local government levels by charter schools. Although not interest groups in the sense that they primarily exist to engage in political advocacy, they suffice for three reasons. First, like most interest groups, charter schools have well defined populations on whose behalf they may advocate. Unlike traditional public education, where students are assigned to schools on the basis of geography, parents *choose* charter schools for their children, giving them a vested interest in the school's survival and ability to provide an education. Because school choice policies have aroused fierce opposition from traditional public education interests, such as teachers' unions and school board associations, charter school survival has become a political issue (Henig et al. 2003). Pluralist theory was criticized for assuming that political threats lead to the mobilization of latent interests, but it appears that this is what happened with charter school policy. Charters have engaged in nearly continuous advocacy since the early 1990s to survive.

Second, while laws creating charter schools are proposed and enacted by state governors and legislatures, responsibility for implementation is often imposed on sometimes unwilling local school districts, mayors, and city councils. Not only must charter schools lobby to survive, but there are many involved venues, and venues with potential for involvement, to which they can make their case, making this policy well suited for studying venue shopping. Finally, Salisbury (1984) finds that lobbying communities are disproportionately populated by organizations that are not, strictly speaking, interest groups. Nonprofits lobby government for grants, service contracts, and policy change (Salamon 1995; Reid 1999; Berry and Arons 2003), just as businesses seek regulatory exemptions and tax breaks (Vogel 1989). Charter schools seek all of these things (citation removed), and, as mentioned above, have more of a well-defined constituency than most institutions that lobby, making them a fit subject for studying advocacy.

The analysis presented here uses data drawn from a survey we conducted of the population of charter schools in Arizona, Michigan, Pennsylvania, and the District of Columbia. We selected these jurisdictions using multiple decision criteria. First, we selected states that had charter schools in place for several years in order to have a large enough sample and for firm decision-making processes to emerge in most schools. The four selected states had their charter school laws in place by 1997, and charter schools operating by 1999. Second, because we are interested in how schools with close ties to for-profit firms might differ from more community-oriented charter schools with strong nonprofit backgrounds, we limited our focus to states containing school districts in which at least one of the major for-profit charter management firms had established a presence. Third, among those states that met the preceding criteria, we sought to maximize variation in state political ideology and racial diversity, as operationalized by Erikson et al. (1993) and Hero (1998), respectively. Arizona and the District of Columbia,

compared to Pennsylvania and Michigan, score relatively high on Hero's index of culture (which essentially reflects racial and ethnic diversity); Arizona is much more conservative than the others on the Erickson, Wright, and McIver index.

This combination of criteria means that these states cannot be assumed to be representative of all states with charter school legislation. As a demographically and politically heterogeneous group of states with relatively established and organizationally diverse charter school populations, however, they are good windows into how the phenomenon may look as it matures over time. We sent a survey to the principal or director of every charter school in each of the selected states in January 2002. A list of school addresses was drawn from state and national databases of schools and school districts. We included only schools that were open as of the 1999–2000 school year and verified that schools opened before 1999–2000 were still in operation whenever possible.

We received a total of 270 surveys for a response rate of 35 percent. This is not as robust a response rate as we had hoped for, but it is relatively good when measured against the track record of other efforts to get information on charter schools, which are often quite small, often quite overwhelmed, and sometimes quite suspicious of outsiders. By comparison, the Center for Education Reform, a highly visible organization that takes a pro-charter school position, reports a response rate of just over 20 percent in its 2002 Annual Survey of Charter Schools (CER, 2002). Our efforts were complicated somewhat, too, by the anthrax scare that affected postal service during the fall of 2001. To gauge how representative our sample is, we compared our responses to those of the 1999–2000 Schools and Staffing Survey (SASS) conducted by the U.S. Department of Education. In our survey the responding schools had a mean enrollment of 276 students, comparable to the mean enrollment of 220 in the SASS data set for the same

jurisdictions; 62 percent of the schools responding to our survey reported offering a theme, while 56 percent of the SASS charter schools reported that they offered “programs with special instructional approaches.” The fact that our sample comprises somewhat larger schools is likely accounted for by the fact that our survey was conducted two years after the SASS effort; as one would expect, and as our data show, charter schools have been generally getting larger as the schools and movement mature. We also conducted semi-structured personal interviews with school operators in two cities of each state, interest group advocates both for and against charter schools, and multiple policy-makers in state and local venues to get a better sense of the issue context in each state (more information is available in Brown et al. 2004).

### **Venues to Lobby**

The District of Columbia has a unique relationship with the federal government, so venue shopping there by advocates cannot be meaningfully compared to Arizona, Michigan, and Pennsylvania so we do not use it, leaving us with 247 school surveys. These three states do have comparable venues, and our first task was identifying which ones took an interest, or were required to take an interest, in charter school policy. Although we asked school leaders about the amount of contact they had with officials in eight types of venues, we limit ourselves here to six. Specifically, we asked about the frequency of *initiating* contact with state legislators representing the school’s legislative district, and another about contacting legislators from other districts, with no distinction made between upper and lower chambers or on what committees these legislators served (school officials we interviewed often did not understand these distinctions), and pooled the responses to create a single per-school observation of contact with “the state legislature.” We also asked about the level of contact with the elected council of the city / town the school was

located in, but we found that few school leaders indicated having contacted this venue. As it was not clear what role, if any, city councils played in charter school policy, this venue was dropped.

In addition to the state legislature, our venues included the governor's office (contact usually made with an aide), the state education agency, local school district boards (which implements policy in all three states), and district superintendents who often have oversight responsibilities for charter school curricula. Henig and Rich (2004) argue that mayors often play crucial roles in local education, from dispensing vacant buildings to charter schools for their physical location to taking over whole school systems, and so they were also included. Thus we have six venues, three state and three local; members of four are elected (governor, legislature, school board, and mayor) and two appointed (superintendent and state agency, except in Arizona where the education secretary is elected); three are generalist, multi-issue venues (governor, legislature, and mayor) and three specialist (state agency, school board, and superintendent).

Our dependent variable is a simple binary indicator formed from the coded answers to closed-ended survey questions asking how frequently charter school leaders "actively initiate" contact with officials in each venue. It is coded 0 if they reported no contact or contact only "a few times a year," and 1 for "about once a month" or "about once a week."<sup>3</sup> Unfortunately, this does not allow us to know whether advocacy was pro-active (agenda setting) or re-active. On average charter schools in these states made advocacy contact in 1.2 venues with a standard deviation of 1.39. Some were wary of politics, with 42% lobbying in no venues and 31% in only one. Others were quite active, 12% lobbying in two venues and 15% lobbying in more than two, although only 2% targeted all six. In Figure 3 we break this out by venue type and state with the percentage of schools lobbying "once a month" or "once a week." Elected legislatures were the

“hottest” venue, especially state legislatures where the policies were originally made, with elected local school boards turning also turning out to be venues of choice.

---- Insert Figure 3 about here ----

This is an interesting subtlety because in all three states the elected school districts were also implementers. Whether this shows that local school boards, which were often hostile to charters, were favorite targets because they were elected legislative bodies, were at a lower level of government, or because they might be constrained by state legislatures even though they were at lower levels of government is unclear. Beyond this there is no clear attraction to venues with elected members over appointed as governors and mayors were largely avoided, perhaps because governors, having initiated these policies, are leaving policy maintenance to legislatures (they are not “action” venues). There is only a hint of “level” preference between states and localities favoring states. Schools in Arizona and Pennsylvania do appear to be avoiding appointed, specialist district superintendents, but this is the only real evidence of a preference to avoid appointed venues and may still really reflect an enactor – implementer relationship.

---- Insert Table 1 about here ----

A potential concern readers might have regarding our advocacy contact variable might be that it is distorted because we do not distinguish between methods of contact. Cheap and simple methods like e-mail and snail mail may be more widely used than phone calls, personal meetings, and testifying before committees. The easy methods of contact might produce more contacting than the harder methods so that the easy types have a greater positive co-variance with the dependent variable of overall venue contact than the hard tactics. In Table 1 we present the correlations of contact type to venue type, but while we find that the correlation coefficients are higher in venues like the state legislature and state agency, this is true for all forms of

contact. Thus there does not seem to be systematic variation by contact method that we need to account for. And two points are worth keeping in mind. First even the relationships we do find in the data are relatively weak, with no coefficient greater than 0.40 (and only two over 0.30). Second, the method-of-contact measures are not venue specific, so the most that can be said is that schools reporting greater levels of contact with a particular venue are also more likely to use it in other venues, which is what the correlations clearly show. It does not necessarily mean that they used this particular contact method with this particular venue. Thus there is no need to use any of the other political data from the surveys, such as contact method, to “improve” the basic contact dependent variable.

### **Operationalizing the Hypotheses**

Our biggest challenge was constructing a policy preference measure comparable across all six venues allowing us to determine whether policy-makers there were collectively supportive or opposed to charter schooling, a difficulty even more acute at lower levels of government such as school boards (see Mitchell and Badarak 1977). We tackled the problem by falling back on a classic measure that we felt is apt here – political party affiliation. Rarely used because many issues do not break along party lines (Poole and Rosenthal 1997, p. 6), and does not even do so in school choice policy in many other states, but in our field interviews we found that support and opposition *does* divide sharply by party in these three states. At the time of the study, Republican governors and legislators pushed it while it was resisted by Democrats in state legislatures and school boards.

The difficulty was identifying the way each venue leaned in terms of partisan affiliation. For local school boards we used geographic information system technology to obtain maps of

each school district containing one of our responding schools and superimposed over it the election precincts. For precincts largely contained within a school district (frequently the case) we found the percentage of voters selecting George Bush, an avid proponent of school choice, in the 2004 election and assumed that these same voters were also shaping the make-up of officially non-partisan elected school boards.<sup>4</sup> Superintendents were harder because while these states elect *county* superintendents, our question regarded *district* superintendents appointed by local school boards. Given the high rates of contact schools had with superintendents, we did not want to drop them from the analysis, so we assumed that their actions towards charter schools would reflect those of the appointing school board and assigned them the board's ideology score.

Governors were coded 1 if they were Republican, and in Pennsylvania the head of the state education agency was coded 1 because he was appointed by Governor Tom Ridge (R) while Michigan's head was appointed by a Democrat-controlled state education board. Arizona elected a Republican education secretary. For state legislatures we obtained data on the percentage of Republicans in each lower and upper house in 2002 and averaged them. Republicans controlled both chambers in Michigan and Pennsylvania, controlled the Arizona House and were tied with Democrats in the Senate, effectively dominating in all three states.

Finally, mayors in Pennsylvania are elected in partisan elections and were coded 1 for Republican and 0 for Democrat. Rather than go back to votes in the 2004 election as a source of data for non-partisan mayors in Arizona and Michigan, risking a multi-collinearity problem with our school board and superintendent ideology measures, we investigated the histories of each mayor along with newspaper accounts to code them as Republican (coded 1) or Democrat.<sup>5</sup> Since many of these codes are already binary, we convert the state legislature ideology codes to binary indicators as well, a legislature coded 1 when Republicans are the majority. The final

variable has a mean of 0.66 and standard deviation of 0.48.<sup>6</sup> Unfortunately, this coding strategy still left many venues, all local, un-codable. Rather than drop these school-venue observations, we used a multiple imputation statistical technique to replace these missing ideology values, as well as missing observations on charter school revenue and expenses (see below for H4).<sup>7</sup>

Whether officials in a venue are actively working on charter school policy, regardless of whether they are trying to expand or contract it, came from open-ended questions in our interviews asking respondents which policy-makers they believed were currently seeking to amend the state's law. In Arizona and Pennsylvania respondents without exception indicated the state legislature, so we coded a dummy variable operationalizing H2 as 1 for the legislative venue in those states and 0 otherwise. In Michigan the only venue identified as actively working on charter school policy was a temporary body called the McPherson Commission. Everybody else stopped working until it decided whether to increase the number of charter schools operating in the state. The commission is not in our data set, so all Michigan venues were coded 0 (measure has a mean of 0.12 and standard deviation of 0.32).

The hypothesis regarding the level of discretion overseeing venues give to implementers (H3) required three steps to operationalize. First, we had to identify which of the six types of venues had implementing authority in each state. The law in Arizona gives the state education agency and local school districts, including both school boards and local superintendents, authority to open charters and oversee their operations. In Michigan authority is given to school districts and state universities (although we have no data on the latter), and in Pennsylvania only local school boards are implementors, so these venues were coded 1.

Second, we had to determine whether the governor or legislature would *want* to constrain the authority of officials in these specialist implementing venues, which we assumed was true if

there was an ideological difference. State legislative venues in all three states have ideology codes of 1 (Republican), so if the ideology score for an implementing venue was 0, a new ideology dummy representing a desire to constrain was coded 1.<sup>8</sup> Third, we had to determine whether the implementing venue *could* be constrained. Assuming that a state venue would have a harder time controlling a local venue than one on its own level (Teske and Kuljiev 2000), an ordinal variable was coded 0 for no constraint if the implementer was local *and* if the governor was of a different party than the legislature (true in Pennsylvania) because the research finds that agencies have greater discretion during divided government (Shipan 2004). We coded it 1 if only one of these two conditions was true, and 2 if neither were true so that higher values indicate *greater* constraint over the implementer. Finally, we multiplied the want-to-constrain variable by the can-constrain variable and expect the product to exhibit a positive effect because schools want officials in an implementing venue with an ideology code of 0 to be constrained. Only then would they choose to lobby there (mean 0.14 and standard deviation 0.35).

Hypothesis H4 on resources required data on disposable financial resources, those beyond what a school needs for operation. Charters are required by law in every state to register as nonprofits and report their income and expenditures to the Internal Revenue Service. We obtained records on nearly all of our schools from the GuideStar nonprofit database, found the total annual revenue and total expenditure, and then subtracted one from the other for disposable resources.<sup>9</sup> For 67% of schools this turned out to be debt. Strictly speaking, H4 holds that more available revenues means a school should be more likely to target any venue independent of ideology, which is achieved by simply using the resource data. We decided to try for a sharper test of this hypothesis by testing for the opposite effect, Alternative H4 - that when a school is in debt resources will matter less and ideological congruence more. To do this we reversed the

revenue variable (higher values mean more debt) and multiplied it by the ideology dummy so that the *more* a school is in debt, the *more* ideology matters and we will see a positive estimate.

For H5 on geographic breadth of the membership, in this case the parents of the school's student body, we asked a question regarding the number of students in each school and multiplied it by data from a question regarding the area of student recruitment. Schools recruiting students only from their neighborhood were coded 0, recruiting district-wide coded 1, and from many districts coded 2. This, in turn, was multiplied by a dummy coded 1 if the venue's membership is constituted by election rather than appointment (mean of 185.56 and standard deviation of 234.49 for the final variable) as this variable should have no influence on appointed officials. Thus schools with larger, more geographically diverse student bodies should be more likely to target elected venues at either level than appointed (the components for this and other multiplicative variables are included in our statistical model).

We also created three control variables. Schools may lobby more if they employed somebody on staff to monitor government for political developments or grant opportunities, so in our survey we asked whether such a staff member was employed and coded a dummy 1 if there was. Schools may also be more or less likely to lobby if they are members of an advocacy organization (which existed in all three states), so we asked and coded a dummy variable 1 if they were. Finally, schools located in a state capital may be more likely to lobby a state venue because it is geographically convenient, so we coded a dummy variable 1 if the school was in the Phoenix, Harrisburg, or Lansing metropolitan areas.

## Multivariate Analysis and Discussion of Findings

Advocates may target several venues at once, so we cannot use a multinomial model where only a single outcome out of a set is possible. Instead we arrange our data to have an observation of each school's choice of whether to lobby each venue, six observed venue choices per school. Our dependent variable is the binary record of contact with lawmakers in each venue suggesting a logit model, but this creates two problems. One is level dependence. Perhaps schools prefer, or feel compelled, to lobby either a state or local venue because they are already lobbying another venue at that level; lobbying the state legislature may not be independent of lobbying the governor. In other words, there is probably a nested quality to multi-level venue lobbying by interest groups.

There may also be systematic differences in political cultures or other unknown factors from one state to another that must be controlled for. To address these problems we used a mixed-effects logit model where the variables operationalizing our hypotheses and controls are estimated as fixed-effects (estimated as if it were a standard logit model) while differences between states and levels are estimated as random-effects (controlling for between level and between state variation).<sup>10</sup> This model's estimates are given in the first results column in Table 2. It is also worth trying to learn whether one level of government is systematically preferred, so we coded a binary variable 1 if the observed venue was at the local level and re-ran the model with only state differences estimated as random-effects, the results in the last column.

---- Insert Table 2 about here ----

Many of our variables incorporate dummies indicating venue types from a small set of venues which, along with the large number of multiplicative terms, may introduce enough multicollinearity into the estimate to significantly distort the standard errors. In correlation tests, six

of the variables co-vary at  $r > 0.30$ , although in four of these cases there were correlations between a multiplicative term and one of its components. In the other two cases the correlation did not exceed 0.40. Still, we re-estimated the model using OLS regression and conducted a variance inflation test. If the inflation score for any variable exceeds 10, then multi-collinearity may be a problem, but the highest score was only 1.86.

In the first model, where schools and venues are nested by state and local government levels, all hypotheses (counting Alternate H4 in place of H4) except H5 on geographically concentrated groups preferring local venues, are supported, and H5 *is* supported in the second model where a venue's level is used to estimate contact in the fixed-effects part of the equation. Predicting changes in the likelihood of targeting a venue for changes in key explanatory variables is not possible when missing values are filled by multiple imputation, so we focus here on what these results mean for our argument that strategic lobbying is a function of preference alignment shaped by institutional structure (including multiple government levels) but limited by resources (or facilitated by resources when advocates have a lot on which to draw).

Consistent with the lobbying literature, the attraction of lobbying policy-makers with similar preferences draws advocates to venues where they are found, as seen in the positive sign on H1. Yet while lobbyists still lobby their ideological friends in a multi-venue context, we see that the story also is more complex. Selecting venues is not an either/or choice, for with sufficient resources (as we see in the support for Alternate H4) advocates will target more and more venues, including those where preferences are not aligned. We tried to push this hypothesis a little further by creating a count variable of the number of venues each school leader contacted monthly or weekly, one observation per school, and estimated it with a poisson regression model using the charter school resource variable as the key predictor (results available on request). The

estimate was positive and statistically significant ( $p < 0.005$ ), but since none of the venue-specific explanatory variables could be included, it is of limited value.

The other independent variables explore aspects of the multi-venue structure providing advocates with so many options. Whenever officials in a venue, regardless of its type, location, or preference alignment, decide to take-up an issue, perhaps because it is routine for them to do so, they wish to extend their jurisdiction, or they are forced to by an enacting venue or higher-level mandate, lobbyists respond with advocacy (H2). Admittedly this is not a surprising finding. Political groups exist to provide representation for social interests before government, so lobbyists risk their credibility with both members and policy-makers if they fail to be seen representing those interests when issues important to members are under consideration. Whether venue officials are friendly, hostile, or indifferent, lobbyists must go where the action is in the federal structure.

Yet the arrangement of venues in the federal system also allows lobbyists to be more strategic in their selections. Implementing venues where officials are appointed may be harder to pressure, even when their issue specialization directly affects the interest group's members (as education policy implementation affects charter school parents). Constituent resources are less useful for exerting influence in such venues and H1 suggests that advocates are avoiding them when they are not already ideologically compatible. Yet this changes when officials in other venues with institutionally-derived authority over the implementer, including venues higher up in the federal system imposing mandates, are willing *and* able to force officials in the implementing venue to be sympathetic to the interest group's policy demands (H3). Advocates for smaller groups with geographically concentrated members are also more likely to strategically lobby local venues rather than state venues where their influence is significantly more diluted (H5). It

is this institutional structure, both of individual venues and their relationship to each other in the federal hierarchy, that makes strategy possible, especially when resources are limited.

---- Insert Table 3 about here ----

That the constituent concentration hypothesis was only significant when the level variable was entered in the model (and was significant) suggests that we should try to further test the idea that there is a level preference or path dependence in venue shopping. If a venue at one level was lobbied, then perhaps it is more likely that other venues at the same level will also be lobbied. We re-ran the original model with only state differences estimated as random-effects, but we now include a new binary variable in place of the original level of government indicator. For each school we identified the venue most frequently lobbied (in most cases it was elected state legislatures or local school districts) and whether it was at the state or local level and then removed that observation from the data set. For each school's remaining five venue observations we then coded a new dummy 1 if the observed venue was at the same level as the removed most-intensely-lobbied venue and re-estimated the model (results available on request). The results are displayed in Table 3. The dummy indicating level path-dependence was positive and significant, and all of the other results remained unchanged in terms of significance, though the range of student recruiting variable has now become negative. This result suggests that charter schools were picking government levels to lobby as much as they were picking specific venues.

### **Conclusion**

Beyond these specific empirical results, we believe that this paper makes three contributions. First, it not only contributes to the emerging literature on strategic lobbying by laying out a simple but concise theoretical foundation applicable to many types of decisions

lobbyists must make in the pursuit of member interests of which venue shopping merely one type. Much of the literature is about *how* advocates gain access and influence with policymakers in different venues, but strategic lobbying is about *why* one action is taken, or why one venue is selected, instead of, or in addition to, others. We argue such decisions are primarily driven by preference alignment, but then directed towards other venues by institutionally imposed jurisdictions, venue compositions, and structured relationships, including the often contentious relationship between state and local venues as well as enacting and implementing venues. All choices then constrained by the resources a lobbyist actually has.

Our work also makes a direct, and hopefully significant, contribution to the emerging body of research on venue shopping. In this case we explored venue selection in a federalist context, choosing between several different type of state and local venues. Future work might explore the interplay within horizontal levels of government in much greater detail, for we only used a few simple venue characteristics and relationships. Or future work might focus on the even more complex relationship state and local venues have with the federal government. It would be interesting to see if our theoretical foundation applies to venue selection in other federal systems, such as the European Union which scholars have started studying in a venue shopping context (e.g., Constantelos 2007; Princen and Kerremans 2008; Ram 2010).

Finally, we feel that one other contribution of our work is that it uses the question of how advocates pick venues to lobby as a way to start bringing together a variety of different subfields of political science research focusing on specific venues. We drew not only on the lobbying literature, but also on the literature on legislatures, implementing agencies, local political regimes, and on federalism. Indeed, there may be something unifying about questions of venue shopping and how this can pull together the scattered and isolated subfields of political science.

**Figure 1**  
**Dimensions of a Venue Typology**

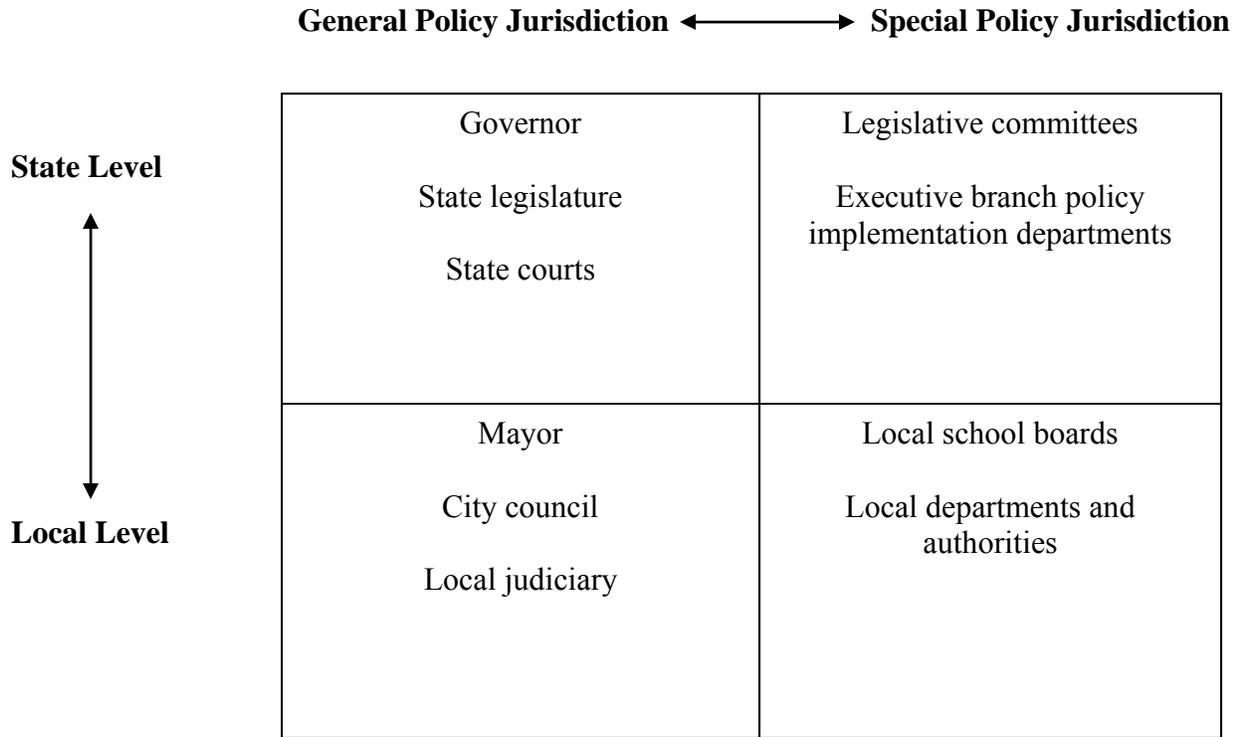
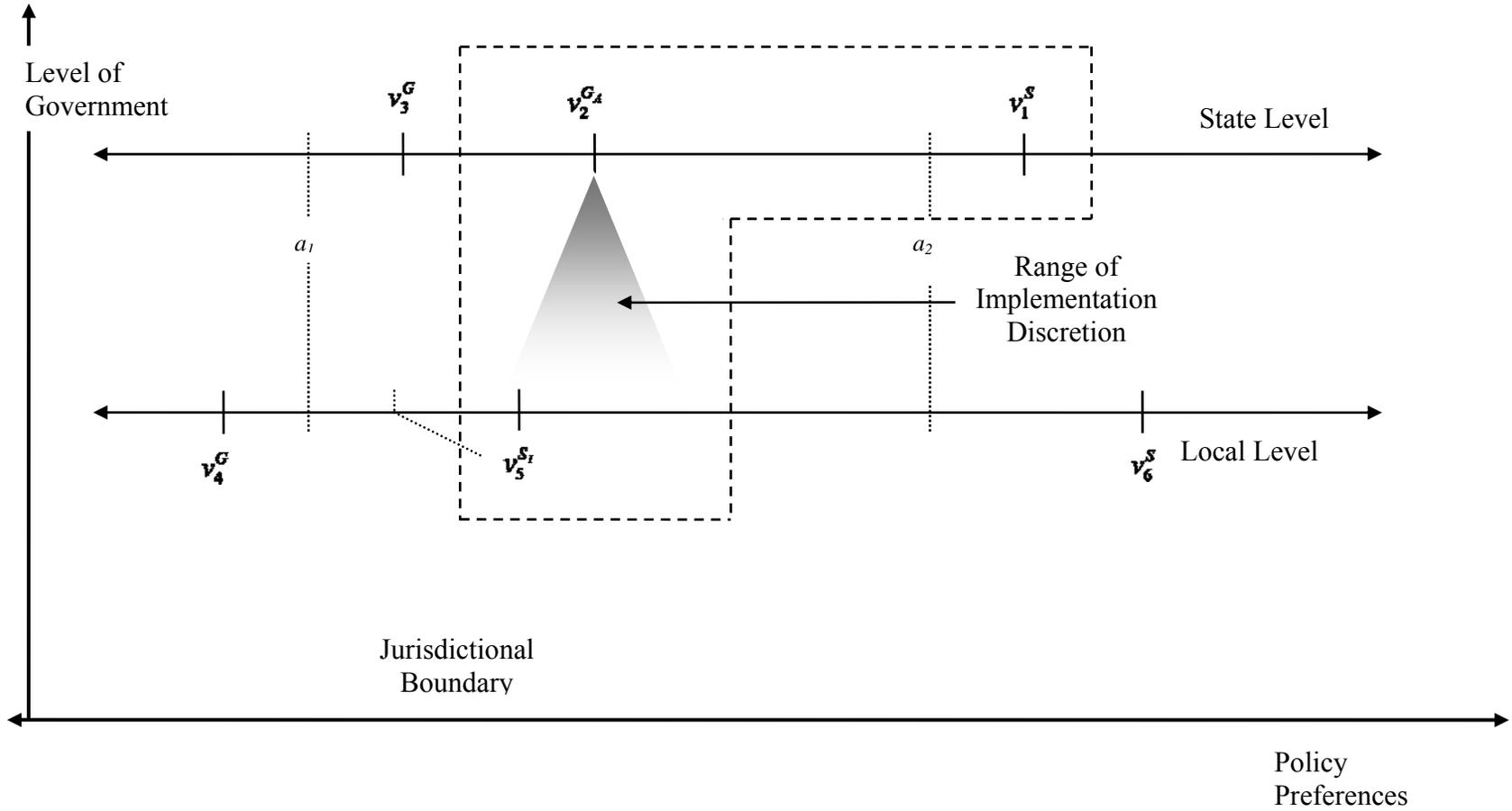
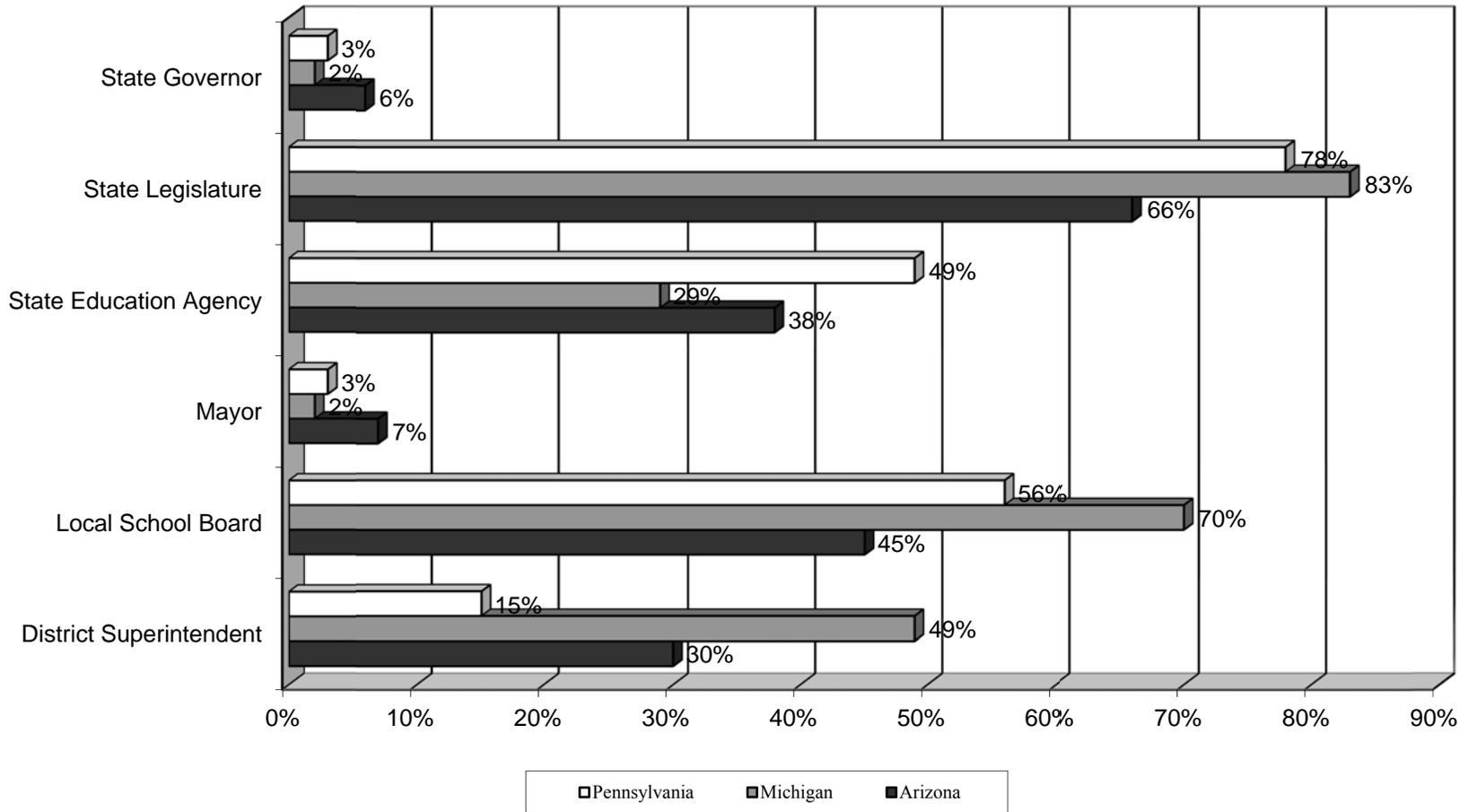


Figure 2: Array of State and Local Venues



**Figure 3: Percentage of Charter Schools Lobbying Each Venue**



**Table 1**  
**Correlations Between Venue and Contact Method**

<b>Method of Contact</b>	<b>Governor</b>	<b>Legislature</b>	<b>State Education Agency</b>	<b>Mayor</b>	<b>School District</b>	<b>District Superintendent</b>
Mail	0.19***	0.36***	0.33***	0.17**	0.20***	0.17*
Email	0.18**	0.27***	0.27***	0.13	0.11	0.15*
Telephone	0.14*	0.20***	0.29***	0.06	0.12	0.06
Meeting	0.26***	0.22***	0.25***	0.09	0.05	0.16*
Testifying	0.21***	0.21***	0.19***	0.10	0.11	0.18**

\*  $p < 0.05$

\*\*  $p < 0.01$

\*\*\*  $p < 0.005$

**Table 2: Maximum Likelihood Estimates of Venue Choice**  
ML Estimate (robust standard error)

Explanatory Variable	Controlling for State and Government Level Variation	Controlling for State Variation
Variable is Ideologically Friendly (H1)	0.97*** (0.24)	0.89*** (0.23)
Venue Officials are Actively Working on Issue (H2)	2.03*** (0.23)	1.96*** (0.22)
Implementing Venue is Constrained (H3)	0.92** (0.33)	0.78** (0.29)
School has Disposable Resources (H4)	0.01 (0.03)	0.01 (0.03)
Disposable Resources X Venue Ideology (Alt. H4)	0.01*** (0.01)	0.01*** (0.01)
School Recruits Students Locally (H5)	0.50 (0.28)	0.61* (0.27)
Venue is Composed of Elected Officials	-0.11 (0.15)	-0.08 (0.14)
Charter School is Located in the Capitol City	0.22 (0.17)	0.21 (0.17)
School has Staff Dedicated to Government Work	0.26 (0.16)	0.27* (0.16)
Implementing Venue Can be Constrained	-1.94*** (0.34)	-2.14*** (0.33)
Geographic Scope of Student Recruitment	-0.68 (0.59)	-0.75 (0.58)
School is Member of an Advocacy Organization	0.31* (0.15)	0.30* (0.15)
Observed Venue is Local	-	-2.51*** (0.60)
Constant	0.59 (1.06)	2.12* (1.02)
F- statistic	14.56***	14.30***

\*  $p < 0.05$     \*\*  $p < 0.01$     \*\*\*  $p < 0.005$

**Table 3: Venue Shopping Estimates with Government Level Dependence**  
ML Estimate (robust standard error)

Explanatory Variable	Controlling for State and Government Level Variation
Variable is Ideologically Friendly (H1)	1.01*** (0.25)
Venue Officials are Actively Working on Issue (H2)	2.17*** (0.33)
Implementing Venue is Constrained (H3)	0.86** (0.33)
School has Disposable Resources (H4)	0.01 (0.03)
Disposable Resources X Venue Ideology (Alt. H4)	0.01*** (0.01)
School Recruits Students Locally (H5)	-0.41*** (0.33)
Venue is Composed of Elected Officials	-0.38* (0.16)
Charter School is Located in the Capitol City	0.17 (0.19)
School has Staff Dedicated to Government Work	0.04 (0.19)
Implementing Venue Can be Constrained	-1.63*** (0.31)
Geographic Scope of Student Recruitment	0.34 (0.56)
School is Member of an Advocacy Organization	0.25 (0.17)
Venue is at the Same Level as Most Heavily Lobbied Venue	1.40*** (0.15)
Constant	-0.52 (0.86)
<i>F</i> - statistic	15.22***

\*  $p < 0.05$

\*\*  $p < 0.01$

\*\*\*  $p < 0.005$

## References

- Ainsworth, Scott H. and Itai Sened. 1993. "The Role of Lobbyists: Entrepreneurs with Two Audiences." *American Journal of Political Science* 37(August): 834 – 866.
- Austen-Smith, David and John R. Wright. 1994. "Counteractive Lobbying." *American Journal of Political Science* 38(February): 25 – 44.
- Balla, Steven J. 1998. "Administrative Procedures and Political Control of the Bureaucracy." *American Political Science Review* 92(September): 663 – 673.
- Baumgartner, Frank R. and Bryan D. Jones. 1993. *Agendas and Instability in American Politics*. Chicago: University of Chicago Press.
- Baumgartner, Frank R. and Beth L. Leech. 2001. "Interest Niches and Policy Bandwagons." *Journal of Politics* 63(November): 1191 – 1213.
- Berry, Jeffrey M. and David F. Arons. 2003. *A Voice for Nonprofits*. Washington, D.C.: Brookings Institution Press.
- Brown, Heath, Jeffrey R. Henig, Natalie Lacireno-Paquet, and Thomas T. Holyoke. 2004. "Scale of Operations and Locus of Control in Market Versus Mission-Oriented Charter Schools." *Social Science Quarterly* 85(December): 1035-1051.
- Constantelos, John. 2007. "Interest Group Strategies in Multi-Level Europe." *Journal of Public Affairs* 7(February): 39 – 53.
- Constantelos, John. 2010. "Playing the Field: Federalism and the Politics of Venue Shopping in the United States and Canada." *Publius: The Journal of Federalism* 40(3): 460-483.
- Downs, Anthony. 1967. *Inside Bureaucracy*. Boston: Little Brown.
- Elazar, Daniel J. 1994. *The American Mosaic: The Impact of Space, Time, and Culture on American Politics*. Boulder, CO: Westview Press.

- Epstein, David and Sharyn O'Halloran. 1999. *Delegating Powers*. New York: Cambridge University Press.
- Erickson, Robert G., Gerald C. Wright and John P. McIver. 1993. *Statehouse Democracy*. New York: Cambridge University Press.
- Gais, Thomas L., Mark A. Peterson, and Jack L. Walker Jr. 1984. "Interest Groups, Iron Triangles, and Representative Institutions in American National Government." *British Journal of Political Science* 14(April): 161-185.
- Gray, Virginia and David Lowery. 1996. *The Population Ecology of Interest Representation*. Ann Arbor: University of Michigan Press.
- Grodzins, Morton. 1966. *The American System*. Chicago, IL: Rand McNally.
- Hamm, Keith E. 1986. "The Role of 'Subgovernments' in U.S. State Policy Making: An Exploratory Analysis." *Legislative Studies Quarterly* 11(August): 321 – 351.
- Hecl, Hugh. 1978. "Issue Networks and the Executive Establishment." In *The New American Political System*, ed. Anthony King. Washington, D.C.: American Enterprise Institute.
- Henig, Jeffrey R., Thomas T. Holyoke, Natalie Lacireno-Paquet, and Michele Moser. 2003. "Privatization, Politics, and Urban Services: The Political Advocacy Behavior of Charter Schools." *Journal of Urban Affairs* 25(February): 37-54.
- Henig, Jeffrey R. and Wilbur C. Rich. 2004. *Mayors in the Middle*. Princeton: Princeton University Press.
- Hero, Rodney E. 1998. *Faces of Inequality*. New York: Oxford University Press.
- Hojnacki, Marie and David C. Kimball. 1998. "Organized Interests and the Decision of Whom to Lobby in Congress." *American Political Science Review* 92(December): 775 – 790.
- Holyoke, Thomas T. 2003. "Choosing Battlegrounds: Interest Group Lobbying Across

- Multiple Venues.” *Political Research Quarterly* 56(September): 325 – 336.
- Holyoke, Thomas T., Heath Brown, and Jeffrey R. Henig. 2012. “Shopping in the Political Arena: Strategic State and Local Venue Shopping by Advocates.” *State and Local Government Review* 44(April): 9-20.
- Howard, Robert M. 2007. “Controlling Forum Choices and Controlling Policy: Congress, Courts and the IRS.” *Policy Studies Journal* 35(1): 109 – 123.
- Hula, Richard C., Cynthia Y. Jackson, and Marion Orr. 1997. “Urban Politics, Governing Nonprofits and Community Revitalization.” *Urban Affairs Review* 34(March): 459 – 489.
- Jensen, Laura S. 2000. “Federalism, Individual Rights, and the Conditional Spending Conundrum.” *Polity* 33(Winter): 259 – 282.
- Jones, Bryan. D. 2001. *Politics and the Architecture of Choice*. Chicago: University of Chicago Press
- King, James. 2000. “Changes in Professionalism in U.S. State Legislatures.” *Legislative Studies Quarterly* 25(May): 327 – 343.
- Kirst, Michael and Katrina Bulkley. 2000. “‘New Improved’ Mayors Take Over City Schools.” *Phi Delta Kappan* 80.
- Loftus, Tom. 2002. *The Art of Legislative Politics*. Washington, D.C.: CQ Press.
- MacDonald, Jason A. 2007. “Agency Design and Postlegislative Influence over the Bureaucracy.” *Political Research Quarterly* 60(December): 683 – 695.
- McKay, Amy Melissa. 2011. “The Decision to Lobby Bureaucrats.” *Public Choice* 147(February): 123-138.

- McQuide, Bryan. 2010. "Interest Groups, Political Institutions, and Strategic Choices: What Influences Institutional Lobbying Strategies?" Paper presented at the Annual Meeting of the American Political Science Association, Washington, D.C., September 2-4.
- Meier, Kenneth J. 2001. "Structure, Politics, and Policy: The Logic of Mayoral Control." Paper presented at the Russell Sage Foundation conference on "Mayors, Minorities, and Urban School Reform" New York, New York, May 18-19.
- Mitchell, Douglas R. and Gary W. Badarak. 1977. "Political Ideology and School Board Politics." *Urban Education* 12(April): 55 – 83.
- Niskanen, William A. 1971. *Bureaucracy and Representative Government*. Chicago: Aldine–Atherton
- Nownes, Anthony J. 1999. "Solicited Advice and Lobbyist Power: Evidence from Three American States." *Legislative Studies Quarterly* 24(February): 113 – 123.
- Nownes, Anthony J. and Patricia Freeman. 1998. "Interest Group Activity in the States." *Journal of Politics* 60(February): 86 – 112.
- Olson, Susan M. 1990. "Interest-Group Litigation in Federal District Court: Beyond the Political Disadvantage Theory." *Journal of Politics* 52(August): 854-882.
- Orren, Karen. 1976. "Standing to Sue: Interest Group Conflict in the Federal Courts." *American Political Science Review* 70(September): 723-741.
- Peterson, Paul E. 1995. *The Price of Federalism*. Washington, D.C., Brookings Institution Press.
- Poole, Keith T. and Howard Rosenthal. 1997. *Congress: A Political-Economic History of Roll Call Voting*. New York: Oxford University Press.
- Princen, Sebastian, and Bart Kerremans. 2008. "Opportunity Structures in the EU Multi-Level System." *West European Politics* 31(November): 1129 – 1146.

- Ram, Melanie H. 2010. "Interests, Norms and Advocacy: Explaining the Emergency of the Roma onto the EU's Agenda." *Ethnopolitics* 9(June): 197 – 217.
- Reenok, Christopher M. and Brian J. Gerber. 2007. "Political Insulation, Information Exchange, and Interest Group Access to the Bureaucracy." *Journal of Public Administration Research and Theory* 18(September): 415 – 440.
- Reid, Elizabeth J. 1999. "Nonprofit Advocacy and Participation" In *Nonprofits and Government*, Eds. Elizabeth Boris and C. Eugene Steuerle. Washington, D.C.: Urban Institute Press.
- Rosenthal, Alan. 2000. *The Third House: Lobbyists and Lobbying in the States*. Washington, DC: Congressional Quarterly Press.
- Salamon, Lester. 1995. *Partners in Public Service*. Baltimore: Johns Hopkins University Press.
- Salisbury, Robert H. 1984. "Interest Representation: The Dominance of Institutions." *American Political Science Review* 78(March): 64 – 76.
- Schattschneider, E.E. 1951. *The Semi-Sovereign People*. New York: Holt, Rinehart and Winston.
- Shipan, Charles R. 2004. "Regulatory Regimes, Agency Actions, and the Conditional Nature of Congressional Influence." *American Political Science Review* 98(August): 467 – 480.
- Solberg, Rorie Spill and Eric N. Waltenburg. 2006. "Why Do Interest Groups Engage the Judiciary?" *Social Science Quarterly* 87(September): 558 – 572.
- Stone, Clarence. 1989. *Regime Politics: Governing Atlanta*. Lawrence: University of Kansas Press
- Squire, Peverill, Keith E. Hamm, Ronald D. Hedlund, and Gary F. Moncrief. 2005. "Electoral Reforms, Membership Stability, and the Existence of Committee Property Rights in American State Legislatures." *British Journal of Political Science* 35(January): 169-181.
- Talbert, Jeffrey, Bryan D. Jones, and Frank R. Baumgartner. 1995. "Nonlegislative Hearings and

- Policy Change in Congress.” *American Journal of Political Science* 44(May): 383-405.
- Teske, Paul and Andrey Kuljiev. 2000. “Federalism, Preemption, and Implementation of the 1996 Telecommunications Act.” *Publius: The Journal of Federalism* 30(1): 53 – 67.
- Vogel, David. 1989. *Fluctuating Fortunes*. New York: Basic Books.
- Volden, Craig. 2002. “A Formal Model of the Politics of Delegation in a Separation of Powers System.” *American Journal of Political Science* 46(January): 111 – 133.
- Volden, Craig. 2005. “Intergovernmental Political Competition in American Federalism.” *American Journal of Political Science* 49(April): 327 – 342.
- Walker, Edward T., Andrew W. Martin, and John D. McCarthy. 2008. “Confronting the State, the Corporation, and the Academy: The Influence of Institutional Targets on Social Movement Repertoires.” *American Journal of Sociology* 114(July): 35-76.
- Wright, John R. 1996. *Interest Groups and Congress*. Boston: Allyn and Bacon.
- Yackee, Susan Webb. 2006. “Sweet-Talking the Fourth Branch.” *Journal of Public Administration Research and Theory* 26(January): 103 – 124.
- Zimmerman, Joseph F. 2001. “National – State Relations: Cooperative Federalism in the Twentieth Century.” *Publius: The Journal of Federalism* 31(2): 15 – 30.

---

<sup>1</sup> In addition to the national government and fifty states, the 1997 Census of Governments identified 87,453 local government units, including 13,725 school districts and 34,683 special districts (U.S. Census Bureau 2000, Table No. 490).

<sup>2</sup> One of the hottest contemporary school reform notions draws its basic sustenance from this belief that general-purpose governmental institutions consider different kinds of inputs and apply different decision-making criteria. What some have labeled “the Chicago Model” involves shifting formal authority for many education policy decisions away from the issue-specific venue

---

of school boards to the general-purpose portfolio of big-city mayors (Kirst and Bulkley 2000; Meier 2001).

<sup>3</sup> The question was “Please indicate how frequently someone from your school actively initiates contact with the following people or institutions in order to inform them of interests and concerns regarding government policies or their implementation” (underscore in the survey).

<sup>4</sup> We feel that this is a logical approach given that the 2004 election represented a fairly clear-cut choice between conservative candidate George Bush and liberal John Kerry. Voting percentages were obtained either through secretaries of state or from county departments of elections.

<sup>5</sup> In a large majority of cases the mayor either had a history in a party, such as serving on a central committee, or went on to higher office in a partisan election. In the remaining cases we coded their affiliation based on party affiliation mentioned in their local newspapers.

<sup>6</sup> To get a sense of our measure’s validity we used data from our field interviews with school leaders and public officials. In every interview we asked questions regarding whether he or she believed officials in each venue were supportive of, or opposed to, charter schools, with “yes,” “no,” or “don’t know” response categories. We did do interviews outside of the cities of Phoenix, Tucson, Grand Rapids, Detroit, Philadelphia, and Pittsburgh, so this only yielded data regarding the perceived “friendliness” of the mayors, school boards, and superintendents overseeing 49% of schools in our data set. Still, with this smaller data set we calculated the percentage of times subjects indicated that officials in a venue were supportive of charter schooling. We then correlated this with our ideology measure for a somewhat re-assuring  $r = 0.60$ .

<sup>7</sup> In STATA we used the “mi” command structure. Because we are replacing three variables, and there is no relationship between missing ideology values and financial values, the multivariate normal regression method was used (“mvn” command) to estimate 10 iterations of the missing

---

values with our dependent variable, all independent variables, and other school-level information variables in our data set, as is normal in such operations. Results are available on request.

<sup>8</sup> This new ideology dummy correlates with the original at  $r = 0.80$  and was so excluded from the statistical models reported below due to serious multi-collinearity problems.

<sup>9</sup> So the estimate would not be a remotely small number, the amounts were divided by 100,000.

<sup>10</sup> Since we ran the model in a multiple imputations setting, the STATA command took the form of “mi estimate: xtmeologit” followed by the dependent and independent variables.