



Harris, R., & Blum, D. The influence of ALEC on public education in Oklahoma. *Workplace: A Journal for Academic Labor*, 36, 9-31. <https://10.14288/workplace.v36i1.187157>

## **THE INFLUENCE OF ALEC ON PUBLIC EDUCATION IN OKLAHOMA**

**REID HARRIS**

**DENISE BLUM**

OKLAHOMA STATE UNIVERSITY

### **ABSTRACT**

*This research examines the highly influential national organization known as the American Legislative Exchange Council, or ALEC, a corporate bill mill. This inquiry aims to provide more information about the state organization's influence and activity in shaping Oklahoma's education system, raise public awareness about its practices, and advocate for more transparency regarding ALEC's meetings and the legislators who have benefitted from being ALEC members. This research consists of a review of ALEC's website, relevant documents, and two interviews including one Oklahoma Education Association (OEA) representative and one elected official who is an ALEC member. Key findings include revealing ALEC's history, operation, corporate ties, financial record, and its influence on the privatization of education, specifically in Oklahoma.*

### **INTRODUCTION**

The American Legislative Exchange Council, or ALEC, is a non-profit national organization that advocates for the agendas of conservative principles and corporate interests. According to ALEC's website, "the American Legislative Exchange Council is America's largest nonpartisan, voluntary membership organization of state legislators dedicated to the principles of limited government, free markets and federalism" (ALEC website, n.d., para. 1). However, behind that definition lies an expansive network of corporate lobbying and political action aimed to increase corporate profits at public expense without public knowledge. To this claim, Bill Moyers stated on his show that ALEC is the "most influential corporate-funded political force most of America has never heard of" (Moyers, 2012). Working behind closed doors, it uses its power and money to influence policy, including education policy, at the state level (Fischer, 2011).

The structure of ALEC is relatively unusual, providing a case of lobbying that is distinct from other business associations or labor groups as ALEC does not give political contributions or engage in electoral politics. As such, ALEC offers an opportunity to look at other mechanisms that businesses use outside of political donations and campaigning to influence the policymaking process. As an alliance between economic and political elites, ALEC's conservative and pro-corporate members share ALEC's platform to draft and push model bills through legislation to support their own interests while manipulating and corrupting state-level democratic lawmaking processes. Additionally, ALEC is structured to promote a close relationship between corporations and state lawmakers through area-specific task forces that work to pass bills that will be beneficial to those corporate interests (Gunn, 2023). This business partnership promotes federalism, actively pursuing reform that prioritizes state control and privatization.

### **ALEC's Education Legislation**

ALEC's education legislation can be generally defined as "public funding, private management – these four words sum up American-style privatization" (Barkan, 2018, para. 2). Oklahoma's government has supported a wave of anti-public education policy shifts. In 2022, the governor signed into law HB 1775, which banned the teaching of Critical Race Theory (CRT). Misinterpreting what CRT is, the bill has banned the teaching of the history of racial oppression

and instilled a new fear in teachers about teaching practices (Korth, 2022). As of 2024 there have been over 50 anti-LGBTQ, anti-trans, anti-nonbinary bills, restricting healthcare, sports, bathrooms, civil rights and education statewide (Aston, 2024; HRC Staff, 2024). Meanwhile, State Superintendent Ryan Walters continues to sow chaos with bible mandates in schools, threatening the accreditation status of the largest public school district in the state, and misappropriating federal funds. While many believe that removing our State Superintendent might be the answer, this is shortsighted.

ALEC's covert practices are more far reaching than any one individual's power to privatize education and divest minoritized populations of their rights. Instead of positing that a different superintendent will yield a different education system, we argue that those educators, parents, and unionists who are interested in saving democracy and care about the underserved need to turn their attention to understanding how ALEC operates and demand transparency, democracy and justice in the policymaking process. Thus, we aim to answer the following research question: What are the practices and impact of ALEC's education legislation in Oklahoma? In an effort to reveal the way it operates and its influence, some background is necessary.

## THE HISTORY OF ALEC

### The Context and Founders

The formation of ALEC was a response to the ongoing progressive socio-political movements of the second half of the 20<sup>th</sup> century, such as the Civil Rights Movement and the American Indian Movement, which challenged a white supremacy society. As well, the feminist movement emerged demanding gender equality and queer and trans liberation from a heteronormative patriarchy. Progressives demanded environmental protection. Similar movements around the world were bringing about significant changes.

These social shifts in politics and society were met with a swift backlash from the dominant elite, mainly the right-wing American Christian fundamentalists, who wanted to maintain the status quo. Conservative evangelical Christians reacted to racial integration of schools in 1954 by "protecting their children," sending them to all-white private, religious "segregation academies" (Hertel-Fernandez, 2014). In 1971, the federal government dealt a critical blow to segregated education by revoking tax-exempt status from private schools that did not have a racial non-discriminatory policy (Internal Revenue Service, RR71-447, 1971).

Paul Weyrich, a right-wing, evangelical Christian, and co-founder of the Heritage Foundation and Moral Majority, learned in the late sixties what the left was doing effectively, and he started applying those lessons to the Conservatism Movement in the 1970s (Hertel-Fernandez, 2014). He saw the potential to overturn social progressivism and reclaim power through the political process. He founded the American Legislative Exchange Council to specifically work behind the scenes in state legislatures (Hertel-Fernandez, 2014). Such was his zeal that Newt Gingrich noted, "no single person other than Ronald Reagan has done more to create the modern conservative movement than Paul Weyrich" (Viguerie & Tonnessen, 2009).

The flood of funding Weyrich received at the outset from billionaires to support ALEC, however, was not sustainable. In the 1990s, ALEC found itself in a funding crisis with concern that it would be shut down if there was "not a significant influx of money in a short period of time" (ALEC, 1996). An association of corporate capitalists, believing that the country could slip into socialism, formed the "League to Save Carthage" (Mayer, 2016).

Lewis Powell, a member of the League to Save Carthage, an attorney for the tobacco industry, and soon-to-be US Supreme Court Justice at the time, drafted a highly influential memo, called the "Powell Memo," to the Director of the US Chamber of Commerce in 1971 (Mayer, 2016). His memo channeled widespread panic throughout corporate America stating, "businesses must learn the lesson . . . that political power is necessary" (Mayer, 2016, p. 10). Free enterprise was at stake and Powell saw it necessary for corporate America to politicize themselves in the same ways that Weyrich had with evangelical Christians.

Corporate America no longer feared government and became a part of a new lucrative lobbying industry and entered electoral politics. As ALEC was looking for an opportunity to stay financially afloat, it saw the need to function as a business and harness corporate funding. In 1996, it adopted a pay-to-play structure and defined its customer base as

its “profit:” “ALEC’s product is policy, and its customers are state legislators and private sector supporters.” (ALEC, n.d.).

## **ALEC’s History in Influencing Education**

ALEC’s origin in influencing education capitalized on racism. Although not explicitly stated by any charter or private institution, there is a clear “lineage of policies that empowered white families to practice anti-Blackness through their educational choices” (LaFleur, 2020, p. 4). Recent trends in education, like the standards-based movement, school choice and the rise in charter and virtual schools, have roots in exclusivity and, to their advantage, shifting funds away from public schools that are, historically, at the center of the desegregation and integration movements.

With the elimination of the desegregation assistance program under the Reagan Administration and the enforcement of standards-based practices, inequity accelerated in public schools (Orfield, 2018). Reagan’s endorsement of ALEC’s ideology and practices and the report published by the National Commission on Excellence in Education would become the foundation for the future of public education.

This reassertion forced private schools and, subsequently, charter schools to compete with public schools, reducing the funds allocated for public education and social services. These austerity measures, in turn, led to a belief that corporations and competitiveness, and a free-market mentality would save the country from these perceived crises. Ultimately, this philosophy fueled ALEC’s agenda to further privatize the education sector, by exacerbating inequity that was already prevalent in our schools and weakening the role of unions, teachers, and voters in deciding the fate of public education.

## **HOW ALEC OPERATES**

Among the key aspects of ALEC is that they do not operate to influence federal policy and, instead, focus on shaping state-level policy. According to Anderson and Donchik (2016), ALEC works:

closely with the State Policy Network (SPN), which “is made up of free market think tanks – at least one in every state – fighting to limit government and advance market-friendly public policy at the state and local levels”. SPN... was set up during the Reagan administration to create smaller versions of the Heritage Foundation in each of the states. These state-level think tanks publish reports, actively place Op-Ed pieces in local newspapers, and help coordinate the promotion of neoliberal and neoconservative bills in state legislatures. SPN itself sits on ALEC’s Education Task Force. (p. 339)

The key to their influence and power is the organization’s intention that many task forces be interconnected; the implementation of one model bill can potentially serve other model bills. In state-level policymaking, collectively, with close to 2000 legislative members, ALEC successfully advocates “conservative, pro-corporate interests through model legislation, legislator training, and media campaigns” with nearly every member of ALEC being a Republican (Cooper et al., 2016, p. 382).

Across the nation, ALEC writes model legislation for state policymakers to present to the governing body. ALEC itself has acknowledged that the main authors of the model legislation are frequently lawyers from its private sector members. According to ALEC’s senior director of policy, “[m]ost of the bills are written by outside sources and companies, attorneys, [and legislative] counsels.” Lawmakers are allowed to make changes and edit these model bills, but ultimately the bills largely remain the same in language and outcome.

Hertel-Fernández (2014) argues that leveraging weak state policy capacity is ALEC’s winning strategy to influence legislation. Business interests can take advantage of low policy capacity in state legislatures to offer private policy resources to legislators, such as talking points, research assistance, and pre-written model bills. In this way, businesses attract support from stressed, part-time state officials.

To fully support the corporate interests of its members, ALEC works within a grey area of democracy and makes many of its decisions behind closed doors, avoiding media scrutiny (ALEC Exposed, n.d.; Cooper et al., 2016). It succeeds in primarily conservative states that align with the views and goals established by ALEC, making it

increasingly more difficult for their detractors to have any kind of influence on the outcome; thus, increasing ALEC's reach and impact.

## **Money and Politics**

ALEC receives much of its funding directly from membership dues and fees for a seat on a task force. Membership for legislative members is \$100 a year and represents a mere 2% of ALEC's funding. Corporate memberships range from \$7000-\$10,000 with the option of a seat on a task force costing upward from \$25,000 a year or more in membership dues (Anderson & Donchik, 2016; Gunn, 2023). Conference fees are \$750 and \$40,000 to sponsor a conference session (Negin, 2022). Notably, ALEC seems to have many conservative donors who donate money either for their own financial interests and/or because they support ALEC's ideology. In addition, ALEC involves philanthropists who represent corporate interest towards social issues, conflating "business aims with charitable endeavors, making philanthropy cost-effective, impact-oriented, and financially profitable" (McGoey, 2012, p. 185).

## **ALEC's Covert Operation**

Perhaps most concerning regarding this group's role is that their influence among legislatures and on legislation is not publicly evident (Cohen, 2011). One example of their covert methods is not disclosing membership information at both its corporate and legislative levels. In Oklahoma, many lawmakers are legislative members of ALEC, but the exact number is not available. Among those names that have been leaked, Oklahoma's members are largely Republicans representing a variety of industries, including oil, health care, private prisons, and education (Center for Media and Democracy, 2022). It is by design that ALEC remains hidden from the public's eye while influencing lawmakers, donors, and corporations to advance the privatization of public education.

A whistleblower in 2011 leaked over 800 documents and model bills, allowing, for the first time, a glimpse at this practice of model legislation that was previously only available to members, including corporations and lawmakers (Center for Media Democracy, 2022). These leaked documents highlight the ideology behind ALEC as well as the corporate sponsors who will benefit financially from their model legislation (Anderson & Donchik, 2016). Ultimately, corporate sponsors benefit from legislation that diverts funds away from projects for the social good, namely public education and healthcare.

## **The School Reform Movement**

The neoliberal school reform efforts of the Bush and Obama eras created a friendly environment for ALEC to grow in its influence. Under Presidents George W. Bush and Barack Obama, the school reform movement saw two landmark initiatives as allies to overhaul education: the No Child Left Behind Act of 2001 (NCLB) and Race to the Top (RttT), which paved the way for the increase of charter schools in the country (Love, 2023). Private donors and corporate sponsors would be able to use their business techniques to help students become college-and-career ready and to improve the nation's public education through standardization. Ryan (2016) points out that "for these reformers, high stakes testing, and teacher 'accountability' are the defining metrics of success," (p. 31) not decreasing class sizes and improving the school conditions and resources, and funding. Although NCLB and RttT are both federal initiatives, ALEC, which operates at the state level, still stood to benefit from this corporate-backed school reform movement aimed at privatizing education. Fischer and Peters (2016) also noted that in 2015 alone, ALEC pushed a total of 172 model bills aimed at privatization at the state level.

Under the Trump administration, Betsy DeVos, the U.S. Secretary of Education, facilitated ALEC's influence to rapidly increase. As a wealthy businesswoman and megadonor for conservative causes and lawmakers, she promoted a tax credit scholarship that would allocate public money for school vouchers. She also advocated for the expansion of charter schools and the broader goal of school choice. Her policy views and influence on the ways states craft their school choice options, without public awareness and at taxpayers' expense, are central to ALEC's aims within education reform (Kaplan & Owings, 2018).

Relying on racial subjugation to hold on to political power, capitalism depends on an exploitative economic system that is based on disenfranchising racial minorities. One of the most effective and lucrative ways to do this is through the public education system, thereby affecting the masses, as seen with NCLB, RttT, school choice/vouchers. These

branches of white supremacist power —political and economic — serve each other’s interests by privatizing economic and political power at the expense of the human rights and self-governance of communities of color.

As ALEC operates covertly, much of the current understanding of ALEC stems from the leaked documents by the Center for Media and Democracy, as well as journalistic accounts and Oklahoma’s Secretary of Education’s controversial opinions regarding public schools. This study fills a gap in the research by investigating the continued impact that the American Legislative Exchange Council and its allies have had on public education, highlighting its operation in Oklahoma.

## **METHODOLOGY**

This investigation of ALEC’s practices uses a case study methodology, focusing on Oklahoma’s ALEC organization as the unit of analysis. This case study is bounded by the practices of ALEC in Oklahoma’s education system. A critical theoretical perspective was used, as the focus was on how and where power dynamics are embedded in ALEC’s operation. Coming from a constructionist epistemology, knowledge is understood to be created or constructed through humans’ interactions with their realities (Crotty, 1998).

### **Data Collection**

One-on-one interviews and material artifacts were collected from January to August of 2022. Initially, the ALEC website was studied to view published model bills. The bills that sought to expand on charter schools and school choice initiatives, like the Oklahoma Equal Opportunity Education Scholarships were reviewed. Documents provided by the Center for Media and Democracy and ALEC’s goals and agenda were also reviewed.

ALEC’s website also contained valuable sources of information about how they view the state of education in Oklahoma. ALEC releases a report card that grades and ranks each state based on how friendly it is to school choice initiatives, ranking Oklahoma high, while many other education ranking systems identify Oklahoma as falling behind nationally in academic achievement. ALEC’s website offers a variety of video content from speakers and organization figureheads who discuss topics from an ALEC standpoint. These videos, including speeches by former Secretary of Education Betsy DeVos, were beneficial as artifacts to answer why ALEC might be pushing its members to pass certain pieces of legislation. Due to its secretive meetings, these public accounts are important to understanding ALEC as an organization and how it functions.

In addition to ALEC’s website, the Center for Media and Democracy (CMD) offered a verified list of ALEC corporate members as well as a list of Oklahoma legislators who are also members, as CMD is responsible for exposing many of ALEC’s practices.

Other material data sources included pictures provided of the interior of the Oklahoma State Capitol, as well as charts published by the Oklahoma Department of Education on charter schools in the state.

### **Interviews**

Interviews took place during July and August 2022. The first author conducted semi-structured one-on-one interviews with individuals who have connections to ALEC and the Oklahoma Education Association (OEA). An interview with a member of ALEC was conducted for the purpose of understanding how an ALEC member might view this organization’s practices. Relying on information accessed by the Center for Media and Democracy, many members within the Oklahoma legislative body are also members of ALEC, including task force leaders. One of the participants he was able to interview is a current ALEC member and state policy maker who is a proponent of school choice.

This was followed by an interview with a representative for OEA in an effort to gain insights into public education advocates’ views on ALEC and offer a contrasting voice from those who might oppose ALEC and school choice. Members from the largest teacher union in Oklahoma, OEA, as well as individuals whose scholarly field of expertise is policy, offered valuable insights as to how this organization ignores the democratic processes and harms public schools. In this instance, an OEA representative, who is a public education advocate, was interviewed. This allowed

perspectives from the two schools of thought regarding ALEC's influence and methods. The participants who agreed to be interviewed had foreknowledge about ALEC's role in Oklahoma politics.

## **Data Analysis**

Material artifacts and interviews were transcribed within two weeks after collecting them. The data were reviewed multiple times. In the preliminary stages of analysis, the first author assigned preliminary codes, wrote analytic memos and interpretive jottings. The author used both inductive coding and deductive coding. Inductive coding allowed for emergent codes, while deductive coding incorporated pre-known concepts, such as "covert activity," "pay-to-play," and "privatization" (Saldaña, 2021). In addition, memoing and reflections were used to aid in processing the codes into categories and the categories into the final themes.

## **Limitations**

As ALEC's success depends on its covert operation and it does not publish the names of its private sector members, interviewing was limited. A total of seven interview invitations, or a third of the partial list of current ALEC members, as provided by SourceWatch, were sent to more ALEC members and never received responses. Legislators, knowing the topic of this study, were not responsive either to interview requests. This study could benefit from the views of more private sector members and from legislators who are Democrats.

## **ALEC'S PRACTICES WITH THE OKLAHOMA STATE LEGISLATURE**

In this section, evidence is presented to illustrate the complex relationship that ALEC has with the Oklahoma state legislature. Firstly, we discuss ALEC's commitment to passing Oklahoma legislation that is primarily beneficial to its corporate members. Secondly, we provide the underlying goals of ALEC's practices in Oklahoma. Lastly, we critically analyze those practices in an effort to illustrate ALEC's influence. To this final point, we offer counterargument from a union representative to offer a voice from groups who view ALEC's practices contentiously. Revealing these layers is part of the larger purpose of making visible what is intentionally kept under wraps, with the goal of educators and unionists being able to make an informed plan of how to expose and decrease ALEC's influence on public education.

## **The Oklahoma Legislature and Its ALEC Members' Corporate Ties**

Upon entering the Oklahoma State Capitol, one is greeted by what is commonly referred to as the Ring of Honor, signifying the bond between corporate and private monies and Oklahoma politics. It showcases

The names of the dome's major corporate and private sponsors. The names of 13 donors who contributed \$1 million or more to the \$21 million dome project have been inscribed in 6-inch-tall letters in a ring at the base of the 155-foot-tall dome. (News on 6, 2002, para. 1-2)

Although public tax dollars helped fund the construction of the dome, that recognition is encircled by some of the most powerful corporations in the country including ConocoPhillips, Hobby Lobby Stores, Halliburton Company, Southwestern Bell Telephone Company, and General Motors.



*Figure 1: Ring of Honor (Cooper, 2022)*

Each of these corporate entities has a history of supporting ALEC’s agenda in their respective fields, even if they have since abandoned ALEC after poor publicity. For example, Southwestern Bell Telephone Company is a subsidiary of AT&T which ended its membership with ALEC in November of 2018. AT&T, which “long held a seat on ALEC’s Private Enterprise Advisory Council, and was a regular high-level sponsor,” (Armiak, 2018, para. 5) cut ties due to ALEC’s embrace of its convention headlining speaker that year, David Horowitz, and the persistent hate speech throughout his presentation targeting the Muslim community (Armiak, 2018). While ConocoPhillips has not made any public statements regarding its previous ALEC membership, it seems it cut ties with the organization in 2013. This was, in part, due to their own investors challenging the company’s involvement with ALEC and the model legislation drafted, which is detrimental to the work being done to combat further environmental disasters, including “legislation that kills carbon pricing and renewable energy targets, turns over public lands, and prevents fracking disclosure laws” (Leber, 2012, para. 4). In addition to Oklahoma policy makers’ corporate ties, many are current or former members of ALEC. (See Appendix A for a list).

## **Policy Influence**

Although some people assume that ALEC is the entity largely responsible for influencing policy, one current ALEC Oklahoma representative stated that he “looked at it the other way around, which is us participating in ALEC” (Personal interview, August 2, 2022). ALEC legislative members and corporate members vote on policy together before it is approved as model legislation. However, when “over 98% of its revenue comes from sources other than legislative dues, primarily from corporations and corporate foundations,” (Source Watch, 2022, para. 1) that claim becomes unclear, especially when, as one OEA representative argues, “they’ve got their logos all over everything, at least when you go to conference. So, there’s the typical silver, gold, platinum, bronze type levels of sponsorship for different things” (Personal interview, August 2, 2022). This implies that the balance of power throughout ALEC’s voting process values the views of its corporate members and sponsors over those of elected representatives. Additionally, it becomes clear that there is a hierarchy in how those corporate bills are promoted, likely based on corporate membership contributions. The conclusion is that ALEC’s corporate sponsors, which include Koch

Industries and K12 Inc. – a for-profit virtual school available in Oklahoma – are, in fact, influencing policy by seeking out legislative members who might push those corporate-sponsored bills.

## Oklahoma Governors Relationship With ALEC

Among the bills that have passed into law since Governor Stitt took office is a 2021 bill, known as HB 1775, which outlaws the teaching of Critical Race Theory in K-12 and colleges. This has not only been endorsed by ALEC, but the organization also claims responsibility for it with the president and CEO of ALEC, Lisa Nelson, on record stating “let’s start calling it ‘teaching racism’ instead of Critical Race Theory” (Armiak, 2021, para. 16). Indeed, Stitt went on record in a video statement similarly arguing “as governor, I firmly believe that not one cent of taxpayer money should be used to define and divide young Oklahomans about their race or sex” (Governor Kevin Stitt, 2021, 0:16). When asked to speak further on the “dismal” state of education in Oklahoma, an OEA representative whom I interviewed responded to Governor Stitt’s bill arguing that it is:

The misrepresentation of truth or misrepresentation of reality... People are willing to turn a blind eye to the fact that someone is truly misappropriating monies, not being truly transparent, not being accountable, but because they could string together the right words that would make someone fear that that’s truly going to come to fruition when in reality it is not happening in the classroom... critical race theory is not taught in K12 and it’s the bastardization of certain words, phrases, terms, twisting what they mean, twisting their origins. What it’s doing is just igniting fear. (Personal interview, July 26, 2022).

As is currently playing out in the public arena, this fear mongering and misrepresentation of the truth, as well as the blind eye turned to internal governmental scandals, has made public education, particularly Tulsa Public Schools, a key target of the governor going as far as requesting a special audit of the district for teaching Critical Race Theory, resulting in an accreditation demotion (Bikales, 2022).

Governor Stitt’s predecessor, Mary Fallin, has had a long history of partnering with the organization, and was even honored with ALEC’s Legislator of the Year award in 1993 (ALEC, 2013) when she was a state representative, and has also spoken approvingly of ALEC’s agenda since. Although, in 2018 during the Teacher Walkout, ALEC disapproved of the agreed-upon tax increases that would ensure a teacher pay raise that year, and blamed OEA and Oklahoma teachers for tax increases (Griffith, 2018) on sectors that ALEC often promotes, like oil and tobacco. Although the outcome of the Teacher Walkout of 2018 was in opposition to ALEC’s budget reform policy and practice of vilifying unions, the position from one representative of OEA is that Governor Fallin’s view of unions and education was in step with ALEC’s view on public education. They argued that “had Governor Fallin not come out and said ‘come to the Capitol on Monday and thank your legislators for this pay raise and then be back in your classrooms on Tuesday’, that was the mistake made there because it was so incredibly dismissive of all the emotion and all the feelings of not being heard, the feelings of lack of significance were absolutely encapsulated in that one statement” (Personal Interview, July 26, 2022). This highlights the importance of continued resistance to public leaders and legislators who are adversarial toward public education. Myart-Cruz and Caputo-Pearl (2020), argue that “these are not the plans of educational advocates but of industrialists trying to build their market share” (p. 158). Although ALEC is a staunchly conservative organization, it continues to benefit all who support neoliberal policies.

## Charter School Expansion

Charter schools have operated in Oklahoma as early as 1999 due to Oklahoma’s Charter School Act. The conversation has shifted recently toward charter school expansion and how charter schools fit into ALEC’s objective to promote school choice. “Here’s the crazy thing,” an OEA Representative said:

We do have school choice. When we talk about school choice and the vouchers, again, it’s creating the smoke screen of what the reality of it really is going to be. It looks great on paper, it’s always touted as the marginalized populations are going to get an opportunity to go to these incredible private schools or these incredible charter schools, and they will be given the same opportunities and it will create equity and equality, and they’re going to get the same chances that these other children are getting because

they're able to attend that particular school. We don't have the conversation about transportation, and we don't have the conversations about the cost differential of that voucher... There will be a handful that will come through and look like a success and we will ignore everyone else that this did not work for, and we will ignore how we have left the state of public schools in the aftermath" (Personal interview, July 26, 2022).

This notion, that Oklahomans already have school choice, and that charter schools are well-established, illustrates the impact that charter schools and the push to privatize education have had on public education. Surprisingly, the representative for OEA agreed that Oklahomans should have the right to choose, but where that opinion differs from many of the lawmakers who would otherwise agree is that public money should not be funding that choice.

Throughout the research, charter school expansion has consistently been illustrative of ALEC's education legislation agenda, providing its members opportunities to expand their reach from the private sector into the public sector. Figure 2 below highlights just how much growth Oklahoma's charter schools have seen in the past decade.

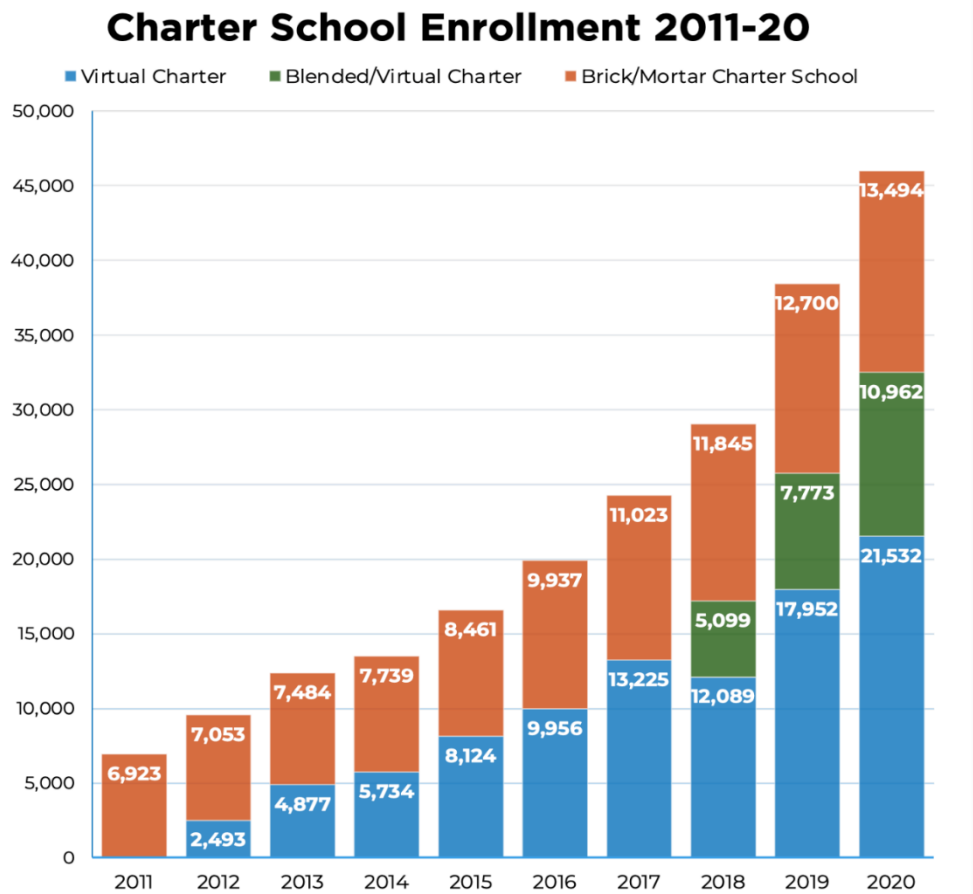


Figure 2: Charter School Enrollment 2011-20 (Oklahoma State Department of Education, Office of Accountability, 2020, p. 11)

According to the Oklahoma State Department of Education (2020), Oklahoma passed “the Oklahoma Charter Schools Act in 1999” and in 2015 “made the biggest jump in charter law rankings because of the overhaul of its law, including statewide expansion, school and sponsor accountability, and replication of high-quality charters” (p. 4). Oklahoma’s own Charter School Act has almost the exact wording as ALEC’s Charter School Act in 1995 (see Appendix B for a comparison). According to the Center for Media and Democracy, which is responsible for exposing much of ALEC’s practices in 2011:

This model legislation would allow for charters from the state to create and operate schools outside of traditional public schools. These schools would be exempt from state laws and regulations that apply to public schools. These schools would be funded on a per-pupil rate, the same as public schools, even if they lack the facilities and other services that traditional public schools provide. This is an early charter school proposal that allows states to be a chartering entity directly. (ALEC Exposed, n.d., para. 2)

The direct correlation between Oklahoma's Charter School Act and ALEC's model bill is indicative of a larger drive to privatize the education system, even if the organization attempts to distance itself from bills like this. The Center for Media and Democracy points out that "after the launch of ALECExposed.org in 2011" ALEC sought to dissociate itself from this model legislation, "but it has done nothing to get it repealed in the states where it previously pushed for it to be made into law" (ALEC Exposed, n.d., para 1). Although ALEC has tried to dissociate itself from this piece of legislation after its practices were brought to light, it has shown to be successful throughout the country with 45 states now having passed charter school laws (Rafa et al., 2020, para. 3).

ALEC has even stated its own goals and desires within the education system arguing that

Instead of throwing more money at the problem, it's time to let parents take back control over their children's education by allowing them to apply competitive pressure to schools and educational providers. Innovative, parent-empowering choices such as charter schools, voucher programs, tax credit scholarships, homeschool, and education savings accounts allow each child the opportunity to reach his or her potential. (ALEC, n.d., para. 3)

This is a clear indication of how ALEC views education and why the organization views the push to privatize our education system as beneficial. ALEC argues that too much public funding is spent on public education, that the quality of education is diminishing, and that school choice initiatives like charter schools allow taxpayer dollars to be redirected to schools of their choosing, thus depleting the public sector of its funds.

## **Charter School Performance**

A common claim among school choice proponents is that charter schools, while they do offer students an alternative path, outperform traditional public schools in academic achievement and, by doing so, a portion of public funds should be diverted away from public schools. The issue lies with ALEC's assertion that public schools receive a disproportionate amount of tax dollars despite claims of a weakening quality of education that public schools offer. However, the data suggests that claims (made by ALEC) that charter schools increase student performance are not entirely accurate. A study conducted by the National Conference of State Legislators (NCSL), a non-profit organization referenced by the ALEC state representative as "more bipartisan than ALEC" (Personal interview, August 2, 2022), has shown that this claim does not depict the entire picture. NCSL, which also has an education task force, has concluded that:

The most rigorous studies conducted to date have found that charter schools are not, on average, better or worse in student performance than the traditional public school counterpart... (National Conference of State Legislators, n.d., para. 2)

Charter school expansion continues to impair traditional public-school funding. It is also worth pointing out that much of the data in this research measured success in attendance rather than performance, a point of measure that suggests ALEC's effectiveness in messaging and misleading the public. Indeed, it is the lack of accountability within charter schools that ALEC endorses.

Another document that the Center for Media and Democracy uncovered was a model bill drafted by ALEC called the Next Generation Charter Schools Act. According to the Center for Media and Democracy project ALEC Exposed (n.d.), this bill which was approved by ALEC's Education Task Force:

Attempts to have state taxpayers subsidize charter schools, which may be non-profit or for-profit schools, to compete with public schools, while exempting these charter schools from complying with any of the legal requirements that govern public schools, such as teacher and principal qualification

standards, wage and hour requirements, benefits, employment negotiation rules, athletic, intramural or extra-curricular program requirements, or even construction or safety rules. (para. 2)

Although the Next Generation Charter School Act was an early piece of legislation that ALEC adopted in 2007 (ALEC Exposed, n.d., para. 1), it has had a major impact on Oklahoma schooling.

ALEC views Oklahoma as the eighth best education system due to its charter school expansion, and other school choice initiatives like private schools, virtual programs, and even homeschooling, which is completely unregulated in the state of Oklahoma (see Appendix C). These criteria are a large portion of ALEC's goal to privatize education and use taxpayers to further this goal. This is a dramatic shift when compared to other annual report cards, which rank Oklahoma as 49<sup>th</sup> among the 50 states in academic achievement (EdWeek Research Center, 2021). School choice options should not be the true measure of a state's education performance but in a moment of bipartisanship many tout school choice as a step in the right direction, and progress for neoliberalism.

## **A Matter of Perspective: OEA Versus ALEC**

Public education for every individual is a fundamental right to a functioning democracy. It is of great concern that a non-profit organization works to weaken the public education system and is intent on destroying union representation among teachers and staff. As Anderson and Donchik (2016) point out, "unions are an ideological target of ALEC, but also represent an obstacle to profit making in a highly labor-intensive field like education" (p. 334). Likewise, influencing lawmakers to pass legislation that uses public funds for private investments, albeit covertly, is unjust. As one OEA representative explained it:

They take these legislators on incredible junkets to these wonderful places, where they just entice them. And they pander to the current climates and pander to the super majority to that overarching push for a neoliberal agenda. We're moving away from the collective and moving toward the individual. So, it doesn't matter if this is going to hurt 98% of your population, it's going to help 2%, and guess what? You're part of that 2%. So, this is going to end up helping you. One of the representatives, when we talk about the vouchers, is that he's a huge proponent of vouchers, pushes them all the time. Well, of course he does, his children go to private schools. He personally would benefit from the vouchers, which I look at as being a conflict of interest. (Personal interview, July 26, 2022).

ALEC can entice legislators when its agenda can benefit the elite, rather than for the collective good.

Additionally, the ALEC member made a point to discuss the relationship between ALEC and its members:

I think if you're looking for how a legislator might be influenced, I don't think it's any different than any other relationship a legislature establishes with a lobbyist or a representative of some organization. There is a heavy effort to get a legislator's attention by all these entities but also just hired lobbyists because they want the ability to come in and talk to you about things that they're interested in. It's easier if you have a relationship. I was told it was a relationship business and I see that I first got in it. (Personal interview, August 2, 2022)

Noteworthy, the ALEC member does not mention the individual benefits of being a member of this organization. Instead, he views it as a political relationship similar to that of others, like lobbyists and special interest groups.

ALEC's primary agenda for education policy is centered around privatization and individual choice. From the perspective of the OEA representative, this potentially threatens the public sector since it treats people as consumers, without regard for the role of those public services. The OEA representative explains further:

The intent is [to] get rid of unions and if we can water down the education system and we can privatize those things that were for the collective good – again, I go back to healthcare and the prison system and education – we privatize those things, we place people in a position of being a commodity. (Personal interview, July 26, 2022)

This is what the commodification of schooling looks like, where education is seen as a “private good that students must obtain to become qualified workers and move up the socio-economic ladder... Other goals associated with learning, such as developing the whole child or preparing citizens for a democratic society, become less critical” (Min, n.d., para. 17). Of course, this is a matter of perspective since many ALEC members do not see privatization, or ALEC’s methods, as dishonest or harmful to the collective good. “People criticize this cut-and-paste legislation. The truth is everybody’s statutes are different, and if you’re going to run something like that in your state, you like that idea, you’re going to fit into your statutes and adjust accordingly” (Personal interview, August 2, 2022). An OEA representative counter argues this claim highlighting a payroll deduct bill designed to target unions, stating:

We actually had one that passed, but because they didn’t change two or three phrases or lines to it, it actually went against our state statute. It couldn’t even go into effect; they hadn’t even bothered to do their own research to determine what they needed to change to make it align with state statutes. (Personal interview, July 26, 2022)

One could argue that this instance is an outlier; nevertheless, this cut-and-paste legislation, or “Mad Libs legislation” (Personal interview, July 26, 2022) offers its members an easy and accessible means of pushing policy without much thought, especially when much of the legislation that passes is indistinguishable from its model form. As underscored by the Center for Public Integrity,

Americans elect their state lawmakers to... make laws. But sometimes, a lawmaker introduces a bill in his or her own name that isn’t born of thoughtful deliberation or responses to constituent needs. Rather, the lawmaker offers up what’s known as “model legislation” – prefabricated bills often written by moneyed special interests that want the government to help them achieve a political goal. (Levinthal, 2019, para. 1-3)

That is the draw to ALEC, “there was some material right there I could get my hands on. It was understandable” the ALEC state representative argued.

I look at [ALEC] as a resource. So, if I want some expertise on something, I know who to call. I think all those forums have the same resources available to people. A lot of money sponsoring those. There’s a lot of money in the background that keeps those forums up and working, and I doubt we know where all that money comes from. (Personal interview, August 2, 2022)

It is worth noting, however, that this ALEC state member says that members are not obligated to support every bill. However, this state member points out that ALEC’s claim as a nonpartisan organization has increasingly grown to represent the conservative and Republican policy agenda as Democrats have grown more cautious about their association with ALEC.

The ALEC member is adamant that ALEC could be a bipartisan organization; that it is possible for elected officials of different backgrounds and politics to utilize the resources that ALEC offers. In fact, throughout the interview, they made it clear that they do not view their membership as a binding commitment, but as a partnership for a common goal. It is unfortunate, according to the ALEC member, that this organization has become fodder for conservatism, stating that “the biggest mistakes that Democrats made is when they moved away from ALEC and participating in ALEC. All that’s left is kind of the center and the right” (Personal interview, August 2, 2022). To members of ALEC, this might explain the conservative ideology that is common throughout the organization’s model legislation.

Currently, there is only one Democrat in Oklahoma who is associated with ALEC (Personal interview, August 2, 2022). The reason, according to this member, is education. It “divides [the debate] so differently” (Personal interview, August 2, 2022). The reason for this sharp divide could be due to public education advocacy. However, this ALEC member also argued that the Teacher Walkout of 2018 had a lot to do with the dwindling memberships, as more teachers were inspired to become involved in politics, a result of the disregard that so many public educators felt at the time.

While examining model bills released by the Center for Media and Democracy, it is apparent that with every piece of legislation the Center for Media and Democracy has highlighted that “an online for-profit school company was the corporate co-chair in 2011” (Center for Media & Democracy, n.d.). As it turns out, a for-profit school, Connections Academy, received monetary benefits from its connection to ALEC. Together, the Academy and ALEC have “pushed a national agenda to replace brick and mortar classrooms with computers and replace actual teachers with ‘virtual’ teachers” (SourceWatch, n.d., para. 4). Oklahoma currently has a charter agreement with Connections Academy, which is owned by Pearson, an education corporation.

The impact of having a corporate figure as co-chair of ALEC’s education task force certainly impacted the state of education in Oklahoma in recent years. “You can look at Epic,” the OEA representative argued, referring to the current allegations of embezzlement and racketeering (Palmer, 2022). “They’re not held to the same accountability standards as your brick and mortar public schools. It’s not a level playing field, and there needs to be a little bit more accountability and transparency” (Personal interview, July 26, 2022). Until recent scandals, Epic Charter Schools, the state’s largest school district, was able to avoid accountability.

Recently, Oklahoma representative members of ALEC have been under investigation for violating campaign finance laws. The Center for Media and Democracy recently submitted a complaint arguing that top-ranking ALEC legislative representatives in Oklahoma, “have violated Oklahoma’s prohibition on corporate campaign contributions and reporting requirements through the giving and receipt of illegal in-kind campaign contributions” (Center for Media & Democracy, 2022, para. 1). The secrecy of this group and its updated list of members may imply that many Oklahoma ALEC members are also in violation of this campaign finance law. This is indicative of the disregard that ALEC has for democratic values since campaign finance laws “are one attempt to attenuate the role of money in politics and promote egalitarian policy outcomes” (Flavin, 2015, p. 77). Ignoring a law meant to equalize the balance of power, ALEC’s practices here are questionable at best.

Corporate members and legislative members are voting on policy outside of the public’s view or knowledge. “Is it the current reality and is it how we do politics?” one OEA member ponders, “and the answer to that is ‘yes’... They’re not doing anything that is not being done or hasn’t been done” (Personal interview, July 26, 2022). As well-established as lobbying might be in state and national politics historically, ALEC’s influence is unique because it is a non-partisan, non-profit organization, not a registered lobbying group although it operates like one. Accepting that this is how politics works, school choice and competition in education will endure. It is important to recognize that ALEC’s role in education

Is not a positive thing... because of making things more difficult, or the hardships it’s placed on educators and in the classroom, which ultimately translates into things being more difficult for our students and the different components that have spiraled because of [school choice]. (Personal interview, July 26, 2022)

If ALEC membership among Oklahoma lawmakers has shrunk, if an ALEC member can point to more teachers being voted into office as one reason for it, then that makes it difficult to make sense of the model legislation that affects our schools and further justifies the need for union representation for teachers.

## CONCLUSION

Oklahoma continues to face an entity with a far-reaching impact on education policy. Often at the center of ALEC’s agenda is school choice, and vouchers in recent years. As charter legislation grows increasingly common and bipartisan, ALEC has turned its attention to vouchers, union busting, bible mandates, anti-trans legislation and the vilification of critical race theory. As is representative of ALEC’s federalist ideals, there is growing concern that private interests are replacing the public good, a foundational element of public education.

An understated point requiring much attention is that state legislators are vulnerable to groups like ALEC and business influences, as most states suffer from weak policy capacity. Faced with constraints on their time and resources, legislators turn to private groups for policy ideas, research assistance and administrative support. By offering these policy resource bundles, appealing free trips and conferences, ALEC easily seduces legislators who are already ideologically oriented towards the policies businesses are promoting. However, in some cases, even more progressive

legislators, with little time to do the necessary research, are duped by ALEC's model bills. ALEC's national legislative chair explained that state legislators are more receptive to business lobbying groups, such as ALEC, compared to national lawmakers because of the lack of staff at the state level (ALEC, 1983).

In closing, due to the covert nature of this group's practices, many of the findings reveal darker truths about this organization's disregard for democracy for the sake of achieving the policies it endorses. As a result, this study showed how ALEC functioned and its history of generating greater income and opportunity inequality through its model bills. This continues to happen through education, in advancing school choice while divesting from public education; in stripping the history of BIPOC and LGBTQ populations to support white, cisgender, heterosexual Christian nationalism. ALEC's proposals represent one mechanism through which conservative and Republican governments can and have changed resource distribution in a state economy to benefit the elites.

In response, educators, unionists, and parents need to demand transparency in their state policy making process. We encourage reading and tracking bills, as well as talking to and/or writing state representatives. Additionally, it is important to organize and to confront and strategize ways to educate state representatives and other educators, parents, and unionists. Organizing can help make change possible in the name of democracy and in the name of minoritized populations who have suffered from ongoing oppression for too long. Additionally, more research is needed to investigate business power: the strategies, structure and success of groups representing corporate interests.

## REFERENCES

- ALEC. (n.d.). *About. ALEC*. American Legislative Exchange Council. <https://alec.org/about/>
- ALEC. (n.d.). *Education*. American Legislative Exchange Council. <https://alec.org/issue/education/>
- ALEC. 1983. "First Reading: Interview with ALEC National Chairman Buz Lukens." University of California, Berkeley Bancroft Library: People for the American Way Collection, Carton 6, Folder 27.
- ALEC (1996, May 30). Spring Joint Board of Directors Meeting, American Legislative Exchange Council, Koch Industries <https://archive.org/details/6309218-1996-ALEC-Spring-Joint-Board-of-Directors>
- ALEC. (2013, April 26). *Governor Mary Fallin to address legislators from across the United States*. American Legislative Exchange Council. <https://alec.org/press-release/governor-mary-fallin-to-address-legislators-from-across-the-united-states/>
- ALEC. (2022, January 3). *Video highlights from States and Nation Policy Summit 2021*. American Legislative Exchange Council. <https://alec.org/article/video-highlights-from-states-and-nation-policy-summit-2021/>
- ALEC Exposed. (n.d.). *Main page*. ALEC Exposed. [https://www.alecexposed.org/wiki/ALEC\\_Exposed](https://www.alecexposed.org/wiki/ALEC_Exposed)
- ALEC Exposed. (n.d.). *Charter schools act exposed. Charter Schools Act Exposed*. ALEC Exposed. [https://www.alecexposed.org/wiki/Charter\\_Schools\\_Act\\_Exposed](https://www.alecexposed.org/wiki/Charter_Schools_Act_Exposed)
- ALEC Exposed. (n.d.). *File: 2D1-charter schools act exposed.pdf*.
- ALEC Exposed. *Charter School Act Exposed*. [https://www.alecexposed.org/wiki/File:2D1-Charter\\_Schools\\_Act\\_Exposed.pdf](https://www.alecexposed.org/wiki/File:2D1-Charter_Schools_Act_Exposed.pdf)
- ALEC Exposed. (n.d.). *Next generation charter schools act exposed*. ALEC Exposed. [https://www.alecexposed.org/wiki/Next\\_Generation\\_Charter\\_Schools\\_Act\\_Exposed](https://www.alecexposed.org/wiki/Next_Generation_Charter_Schools_Act_Exposed)

- ALEC Exposed. (n.d.) What is ALEC. ALEC Exposed. [https://www.alecexposed.org/wiki/What\\_is\\_ALEC](https://www.alecexposed.org/wiki/What_is_ALEC)
- Anderson, & Donchik, L. M. (2016). Privatizing Schooling and Policy Making: The American Legislative Exchange Council and New Political and Discursive Strategies of Education Governance. *Educational Policy (Los Altos, Calif.)*, 30(2), 322–364.
- Armiak, D. (2018, December 5). *AT&T drops ALEC for hosting hate speech*. PR Watch. <https://www.prwatch.org/news/2018/11/13428/att-drops-alec-hosting-hate-speech>
- Armiak, D. (2021, September 7). *ALEC claims credit for voter suppression and anti-critical race theory laws at secret meeting*. EXPOSEDbyCMD. <https://www.exposedbycmd.org/2021/09/07/alec-claims-credit-for-voter-suppression-and-anti-critical-race-theory-laws-at-secret-meeting/>
- Aston, A. (2024, February 20). Oklahoma legislature considering over 50 bills targeting LGBTQ+ issues. What do they say? *The Oklahoman*.
- Barkan. (2018). Death by a thousand cuts: the story of privatizing public education in the USA: The “pro-choice” education reform movement is gradually undermining US schools. *Soundings (London, England)*, 70(70), 97–116. <https://doi.org/10.3898/SOUN.70.07.2018>
- Bikales, J. (2022, July 31). Oklahoma downgrades school district over complaint it shamed white people. *The Washington Post*. <https://www.washingtonpost.com/education/2022/07/30/crt-oklahoma-tulsa-schools-shame-white/>
- Center for Media and Democracy. (2022, June 24). DocumentCloud. <https://www.documentcloud.org/documents/21018951-oklahoma-alec-care-complaintdocx>
- Cohen, R. (2013, June 14). The hidden influence of the American Legislative Exchange Council. *Non Profit News: Nonprofit Quarterly*. <https://nonprofitquarterly.org/the-hidden-influence-of-the-american-legislative-exchange-council/>
- Cooper, Heldman, C., Ackerman, A. R., & Farrar-Meyers, V. A. (2016). Hidden corporate profits in the U.S. prison system: the unorthodox policy-making of the American Legislative Exchange Council. *Contemporary Justice Review : CJR*, 19(3), 380–400. <https://doi.org/10.1080/10282580.2016.1185949>
- Cooper, J. (2022). Ring of Honor [Photograph]. Oklahoma State Capitol.
- Crotty, M. (1998). *The foundations of social research: Meaning and perspective in the research process*. SAGE.
- Education Report Card. (n.d.). Report Card on American Education. <https://www.alecreportcard.org/>
- EdWeek Research Center. (2021, September 2). Quality counts 2021: Educational opportunities and performance in Oklahoma. *Education Week*. <https://www.edweek.org/policy-politics/quality-counts-2021-educational-opportunities-and-performance-in-oklahoma/2021/01#:~:text=State%20Overview,a%20grade%20of%20D%2Dplus.>
- Feagin, Orum, A. M., & Sjoberg, G. (1991). *A Case for the case study*. University of North Carolina Press.

- Fischer, B. (2011, August 15). *ALEC: Facilitating corporate influence behind closed doors*. PR Watch. <https://www.prwatch.org/news/2011/08/10964/alec-facilitating-corporate-influence-behind-closed-doors>
- Fischer, B., & Peters, Z. (2016, September 12). *Cashing in on kids: 172 ALEC education bills push privatization in 2015*. PR Watch. <https://www.prwatch.org/news/2016/03/13054/cashing-kids-172-alec-education-bills-2015>.
- Flavin. (2015). Campaign Finance Laws, Policy Outcomes, and Political Equality in the American States. *Political Research Quarterly*, 68(1), 77–88. <https://doi.org/10.1177/1065912914554041>
- Griffith, J. (n.d.). *Oklahoma state of the state: Governor Fallin delivers stern tax and spend message*. American Legislative Exchange Council. <https://alec.org/article/oklahoma-state-of-the-state-governor-fallin-delivers-stern-tax-and-spend-message/>
- Gunn, E. (2023, August 2). *Democratic lawmakers attend ALEC meeting to see what might be on the Legislative Agenda • NC Newsline*. NC Newsline. <https://ncnewsline.com/2023/08/02/democratic-lawmakers-attend-alec-meeting-to-see-what-might-be-on-the-legislative-agenda/>
- Hertel-Fernandez, A. (2014). Who Passes Business’s “Model Bills”? Policy Capacity and Corporate Influence in U.S. State Politics. *Perspectives on Politics*, 12, 582 - 602.
- HRC Staff. (2023, March 7). *Human rights campaign condemns Oklahoma Senate passage of three... Human Rights Campaign*. <https://www.hrc.org/press-releases/human-rights-campaign-condemns-oklahoma-senate-passage-of-three-anti-lgbtq-bills-and-slams-oklahoma-house-for-censuring-rep-turner>
- Internal Revenue Service. (1971). Revenue Ruling 71-447 C.B. 230.
- Kaplan, & Owings, W. A. (2018). Betsy DeVos’s education reform agenda: What principals—and their publics—need to know. *NASSP Bulletin*, 102(1), 58–84. <https://doi.org/10.1177/0192636518763084>
- Korth, R. (2022, September 8). *FAQ: What we know about teaching since Oklahoma’s so-called critical race theory ban went into effect | StateImpact Oklahoma*. StateImpact Oklahoma. <https://stateimpact.npr.org/oklahoma/2022/09/08/faq-what-we-know-about-teaching-since-oklahomas-so-called-critical-race-theory-ban-went-into-effect/>
- LaFleur. (2020). Centering race in contemporary educational privatization policies: the genealogy of U.S. “private school choice” and its implications for research. *Race, Ethnicity and Education, ahead-of-print*, 1–21. <https://doi.org/10.1080/13613324.2020.1798384>
- Leber, R. (2012, May 7). *Four big oil companies are members of ALEC Task Forces*. ThinkProgress. <https://archive.thinkprogress.org/four-big-oil-companies-are-members-of-alec-task-forces-1f2880ce36d/>
- Levinthal, D. (2019, November 20). *Why you should care about 'model legislation'*. Center for Public Integrity. <https://publicintegrity.org/inside-publici/model-legislation-statehouse-bills/>

- Love, B. L. (2023). *Punished for dreaming: How school reform harms black children and how we heal*. St. Martin's Press, an imprint of St. Martin's Publishing Group.
- MacLean, N. (2021). *How Milton Friedman exploited White Supremacy to privatize education*. Institute for New Economic Thinking. <https://doi.org/10.36687/inetwp161>
- McGoey. (2012). Philanthrocapitalism and its critics. *Poetics (Amsterdam)*, 40(2), 185–199. <https://doi.org/10.1016/j.poetic.2012.02.006>
- Malin, J. R., Lubienski, C., & Mensa-Bonsu, Q. (2019). Media Strategies in Policy advocacy: Tracing the justifications for Indiana's school choice reforms. *Educational Policy*, 34(1), 118–143. <https://doi.org/10.1177/0895904819881187>
- Mayer, J. (2016). *Dark money: The hidden history of the billionaires behind the rise of the radical right*. Doubleday.
- Min, S. (n.d.). *Commodification*. Neoliberalism Guide for Educators. <http://neolib.uga.edu/commodification.php>
- Moyers, B. (2012, September 28). United States of ALEC (video). <https://billmoyers.com/segment/united-states-of-alec/>
- Moyers, B., & Winship, M. (2012). *Moyers & Company: United States of ALEC*. United States; Bill Moyers.
- Myart-Cruz, C., & Caputo-Pearl, A. (2020). The LA Strike: Learning Together to Build the National Movement We Need. In *Strike for the Common Good: Fighting for the Future of Public Education* (pp. 148–161). essay, University of Michigan Press.
- National Conference of State Legislatures. (n.d.). *Research*. Charter Schools: Research and Report. <https://www.ncsl.org/research/education/charter-schools-research-and-report.aspx>
- National Education Association. (2019). *Action guide on charter schools*. National Education Association.
- Negin, E. (2023, April 25). *How the American Legislative Exchange Council turns disinformation into law*. The Equation. <https://blog.ucsus.edu/elliott-negin/how-the-american-legislative-exchange-council-turns-disinformation-into-law/>
- News On 6. (2020, March 31). Dome donors recognized in Ring of Honor. News on 6. <https://www.newson6.com/story/5e3682212f69d76f620969de/dome-donors-recognized-in-ring-of-honor>
- Oklahoma State Department of Education (2020). Charter School Enrollment 2011-20 [Graph]. Office of Accountability.
- Orfield, G. (2018). In J. H. Ballantine, J. Z. Spade, & J. M. Stuber (Eds.), *Schools and society: A sociological approach to education* (pp. 336–340). essay, SAGE Publications, Inc.

- Palmer, J. (2022, June 24). *Epic co-founders, former CFO arrested on embezzlement, racketeering charges*. Oklahoma Watch. <https://oklahomawatch.org/2022/06/23/epic-co-founders-former-cfo-arrested-on-embezzlement-racketeering-charges%E2%80%9C>
- Rafa, A., Erwin, B., Kelley, B., & Wixom, M. A. (2020, January 28). *50-state comparison: Charter School Policies*. Education Commission of the States. <https://www.ecs.org/charter-school-policies/>
- R. Harris (personal interview, July 26, 2022).
- R. Harris (personal interview, August 2, 2022).
- Ryan. (2017). Who is behind the assault on public schools? *Monthly Review (New York. 1949)*, 68(11), 31–42. [https://doi.org/10.14452/MR-068-11-2017-04\\_2](https://doi.org/10.14452/MR-068-11-2017-04_2)
- Saldaña, J. (2021). *The coding manual for qualitative researchers* (3rd ed.). SAGE.
- SourceWatch. (n.d.). *American Legislative Exchange Council*. SourceWatch.  
[https://www.sourcewatch.org/index.php/American\\_Legislative\\_Exchange\\_Council](https://www.sourcewatch.org/index.php/American_Legislative_Exchange_Council)
- SourceWatch. (n.d.). *Connections Academy*. SourceWatch.  
[https://www.sourcewatch.org/index.php/Connections\\_Academy](https://www.sourcewatch.org/index.php/Connections_Academy)
- SourceWatch. (n.d.). *Oklahoma ALEC politicians*. SourceWatch.  
[https://www.sourcewatch.org/index.php/Oklahoma\\_ALEC\\_Politicians](https://www.sourcewatch.org/index.php/Oklahoma_ALEC_Politicians)
- Sullivan, L. (2010, October 29). “Shaping State Laws With Little Scrutiny.” NPR Morning Edition.
- Viguerie, R. & Tonnessen, A. T. (2009). *How two political entrepreneurs helped create the American Conservative Movement, 1973-1981: The ideas of Richard Viguerie and Paul Weyrich*. Edwin Mellen Press.
- YouTube. (2021). Governor Stitt's Statement on Hb 1775. YouTube. Retrieved July 30, 2022, from <https://www.youtube.com/watch?v=1SCZQEd2PIw>

## APPENDICES

### APPENDIX A: OKLAHOMA ALEC POLITICIANS

This is a partial list of Oklahoma politicians who are current or former ALEC members as listed by SourceWatch, an extension of the non-profit organization the Center for Media and Democracy.

#### House of Representatives

1. Rep. Sherrie Conley (R-20)
2. Rep. Dean Davis (R-98)
3. Rep. Denis Crosswhite Hader (R-41)
4. Rep. Dell Kerbs (R-26)

5. Rep. Mark Lepak (R-09)
6. Rep. Charles McCall (R-22)
7. Rep. Kevin McDugle (R-12)
8. Rep. James Olsen (R-2)
9. Rep. Logan Phillips (R-24)
10. Rep. Ajay Pittman (D-99)
11. Rep. Randy Randleman (R-15)
12. Rep. Cynthia Roe (R-42)
13. Rep. Todd Russ (R-55)

### **Senate**

1. Sen. Michael Bergstrom (R-1)
2. Sen. Nathan Dahm (R-33)
3. Sen. Julie Daniels (R-29)
4. Sen. Kim David (R)
5. Sen. Darcy Jech (R-26)

### **County Commissioners**

6. Commissioner Mitch Antle (Washington County District 1)

### **Officeholders**

7. Oklahoma Insurance Commissioner Glen Mulready

### **U.S. Representatives**

8. Rep. Stephanie Bice (R-05)

### **Former Representatives**

9. Rep. Gary Banz (R-101)
10. Rep. Gus R. Blackwell (R-61)
11. Rep. Kevin Calvey (R-82)
12. Rep. Bobby Cleveland (R-20)
13. Rep. Ann Coody (R-64)
14. Rep. Marian Cooksey (R-39)
15. Rep. Doug Cox (R-5)
16. Rep. David Dank (R-85)
17. Rep. Lee R. Denney (R-33)

18. Rep. Travis Dunlap (R-10)
19. Rep. John Enns (R-41)
20. Rep. Devrel Fincher (R-11)
21. Rep. Lisa Johnson-Billy (R-42)
22. Rep. G. Harold Wright, Jr. (R-57)
23. Rep. Sally R. Kern (R-84)
24. Rep. Charles D. Key (R-90)
25. Rep. Dan Kirby (R-75)
26. Rep. Scott Martin (R-46)
27. Rep. Steve C. Martin (R-10)
28. Rep. Mark E. McCullough (R-30)
29. Rep. Randy McDaniel (R-83)
30. Rep. Skye D. McNiel (R-29)
31. Rep. Glen W. Mulready (R-68)
32. Rep. Don Myers (R-82)
33. Rep. Tom Newell (R-28),
34. Rep. Leslie Osborn (R-47)
35. Rep. Pat Ownbey (R-48)
36. Rep. Pam Peterson (R-67)
37. Rep. Ronald Peters (R-70)
38. Rep. Marty Quinn (R-9)
39. Rep. Larry Rice (D)
40. Rep. Phillip Richardson (R-56)
41. Rep. Mike Sanders (R-59)
42. Rep. Colby Schwartz (R-43)
43. Rep. Michael Thompson (R-2)
44. Rep. Sue Tibbs (R-23)
45. Rep. Weldon L. Watson (R-79)

### **Former Senators**

46. Sen. Bill L. Brown (R-36)
47. Sen. David Holt (R-30)
48. Sen. Rob Johnson (R-22)
49. Sen. Clark Jolley (R-41)
50. Sen. Ron G. Justice (R-23)
51. Sen. Kyle Loveless (R-45)
52. Sen. Jabar Shumate (D-11)
53. Sen. John W. Ford (R-29)
54. Sen. Brian Crain (R-39)

- 55. Sen. Brian Bingman (R-12)
- 56. Sen. Cliff Branan (R-40)
- 57. Sen. Cliff A. Aldridge (R-42)
- 58. Sen. Glenn Coffee (R)
- 59. Sen. Howard Hendrick (R)
- 60. Sen. David F. Myers (R-20)
- 61. Sen. Jonathan Nichols (R-15)
- 62. Sen. Paul Scott (R-43)
- 63. Sen. Gary Stanislawski (R-35)
- 64. Sen. Ervin Yen (R-40)

## APPENDIX B: CHARTER SCHOOL ACT COMPARISON

This is a side-by-side comparison between the language used in ALEC’s Charter School Act and that of Oklahoma’s Charter School Act. Particularly noteworthy is the near-exact language in the “Purpose” sections. While ALEC’s bill text describes charter schools as “exempt from state laws and regulations that apply to public schools” in the summary of the text, Oklahoma’s bill uses similar language in Section 42.18. Charter Requirements.

### ALEC Bill Text

---

#### Summary

This legislation allows groups of citizens to seek charters from the state to create and operate innovative, outcome-based schools. These schools would be exempt from state laws and regulations that apply to public schools. Schools are funded on a per-pupil rate, the same as public schools. Currently, Minnesota operates the most well-known program.

#### Model Legislation

#### Section 1. {Title.}

#### Section 2. {Purpose.}

The purposes of this bill are to:

- (A) improve pupil learning;
- (B) increase learning opportunities for pupils;
- (C) encourage the use of different and innovative methods of teaching;
- (D) require the measurement of learning outcomes and create different and innovative forms of measuring outcomes;
- (E) establish new forms of accountability for schools; and
- (F) create new professional opportunities for teachers and other educators, including the opportunity to be responsible for the learning program at the school site.

#### Section 3. {Applicability.}

This Act applies only to charter schools formed and operated under this Act.

---

### **Section 42.11. Charter Schools Incentive Fund.**

A. There is hereby created in the State Treasury a fund to be designated the "Charter Schools Incentive Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies appropriated by the Legislature, gifts, grants, devises and donations from any public or private source. The State Department of Education shall administer the fund for the purpose of providing financial support to charter school applicants and charter schools for start-up costs and costs associated with renovating or remodeling existing buildings and structures for use by a charter school. The State Department of Education is authorized to allocate funds on a per-pupil basis for purposes of providing matching funds for the federal State Charter School Facilities Incentive Grants Program created pursuant to the No Child Left Behind Act, 20 USCA, Section 7221d.

B. The State Board of Education shall adopt rules to implement the provisions of this section, including application and notification requirements. (70-3-144)

### **Section 42.12. Oklahoma Charter Schools Act.**

This act shall be known and may be cited as the "Oklahoma Charter Schools Act". (70-3-130)

### **Section 42.13. Purpose.**

A. The purpose of the Oklahoma Charter Schools Act is to:

1. Improve student learning;
2. Increase learning opportunities for students;
3. Encourage the use of different and innovative teaching methods;
4. Provide additional academic choices for parents and students;
5. Require the measurement of student learning and create different and innovative forms of measuring student learning;
6. Establish new forms of accountability for schools; and
7. Create new professional opportunities for teachers and administrators including the opportunity to be responsible for the learning program at the school site.

## **APPENDIX C: ALEC'S REPORT CARD ON AMERICAN EDUCATION**

This is ALEC's Report Card on American Education, showcasing how ALEC perceives Oklahoma's education system. Oklahoma is currently ranked eighth in the nation, largely due to school choice and charter schools, but scores lower for teacher quality.

# Report Card Ranking

CURRENT (2018)

TRENDS

HISTORICAL DATA

Overall Grade ?	B- (2.67)
Overall Ranking ?	8 <sup>th</sup>
State Academic Standards ?	A
Charter Schools ?	C
Homeschool Regulation Burden ?	A
Private School Choice Programs ?	C-
Teacher Quality & Policies ?	D+
Digital Learning: ?	C+

## AUTHORS

Reid Harris is an adjunct instructor in the School of Education, Leadership and Aviation at Oklahoma State University.

Denise Blum is an educational anthropologist and a qualitative methodologist who specializes in Cuban education, human trafficking and diversity and equity issues. She is faculty in Social Foundations and affiliate faculty with OSU Global.