

# Chapter 4

## Interest Groups and State Policy for Higher Education: New Conceptual Understandings and Future Research Directions

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### Introduction

The past 25 years represent a period of widespread change in state policy for postsecondary education. The period has witnessed, for example, the rise of performance-accountability measures and various kinds of reforms in state governance of higher education; the implementation of various initiatives designed to increase educational attainment within the states; the adoption of new financing programs, including merit-aid, tuition-differential, prepaid-tuition, and college-saving programs; retrenchment by states in their funding effort for higher education; the advent of so-called “charter” or “enterprise” colleges; and, a host of other important changes in the state-campus relationship. So consequential a redirection in state policy for higher education are the changes that, a number of observers and analysts have characterized them as having heralded the advent of a “policy privatization” movement for higher education at the state level (McLendon & Hearn, 2007; Morphew & Eckel, 2009; Tandberg, 2010b).

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Many policy scholars have contended that the policy process has also become privatized (Ball, 2009) or “hollowed out” (Rhodes, 1997). That is, rather than government agencies providing public services or leading policy initiatives, non-governmental actors have increasingly been contracted to provide direct services (e.g., transportation, corrections) or technical assistance (e.g., consulting on policy solutions). Indeed, researchers have documented the rise of intermediary organizations—entities that serve as conduits or boundary-spanners between two principal actors, such as governments and education systems—that compete in the emerging quasi-markets for K-12 education policy (e.g., Lubienski, Scott, & DeBray, 2011). Recent reports have suggested that the “advocacy philanthropy” approach of national education foundations illustrates this trend of outsourcing state-level higher education public policymaking to non-governmental entities, or intermediary organizations (Lederman, 2012; Parry, Field, & Supiano, 2013). *The Chronicle of Higher Education’s* special report on “the Gates effect” outlined the footprint of the Bill and Melinda Gates Foundation, along with the Lumina Foundation and the Kresge Foundation, through funding hundreds of higher education projects some with grants directly to state agencies, but overwhelmingly to other non-profit organizations or consulting agencies that serve as another intermediary between state higher education systems or campuses.

As many educational researchers have contended, foundations serve as an example of interest groups that influence federal and state policy (Cibulka, 2001; Malen, 2001; Opfer, Young, & Fusarelli, 2008). This chapter discusses the role of actors that might also be considered intermediary organizations along with actors more commonly identified state higher education interest groups, such as campus and system lobbyists, faculty and student associations, and private college associations (Ferrin, 2003, 2005; Goodall, 1987; Tandberg, 2008, 2010a, 2010b). We base this inclusive approach on Thomas and Hrebenar’s (1992) definition of interest groups as “any association of individuals, whether formally organized or not, that attempts to influence public policy” (p. 153, as cited in Opfer et al., 2008) and on Burstein’s (1998) contention that what sociologists often refer to as social movement organizations or intermediaries are conceptually quite similar to what political scientists call interest groups. So, although we recognize that many of these intermediaries have broader agendas than influencing state higher education public policy, we include them in order account for the widest possible range of interests that seek to influence higher education policy in the states.

States’ levels of engagement with interest groups have varied and few states have followed precisely the same policy trajectory, and there exists a great deal of variation from state-to-state in their postsecondary policy postures. An empirical literature recently has arisen attempting to explain policy outcomes for higher education in the 50 states. The studies have examined the policy influences of legislatures, bureaucracies, governors, and other institutional political actors, but relatively few research efforts have sought to account—conceptually or empirically—for the policy impacts of organized interest groups in the arena of state postsecondary education. Indeed, whereas, a solid base of literature has arisen around the topic of interest-group activity for higher education at the federal level (e.g., Cook, 1998;

Hannah, 1996; Mettler, 2014; Parsons, 1997), theory and research on interest groups and higher education at the state level remains piecemeal and scant. This essay takes a step in helping to remedy the gap.

Given the states substantial formal authority and funding of public higher education, increased attention to interest-group activity seems overdue. The current policy activity in the states related to increasing educational attainment, for instance, may be influenced by internal state actors, such as campus and system interests, and by actors outside the state, such as foundations, think tanks, or other policy organizations. Examining the strategies of these actors and their effects on policy outcomes stands to enhance the conceptual understanding of the policy process and inform the actors who seek to influence state-level policy.

In the pages that follow, we outline an agenda for research that aims to deepen conceptual understanding of the relationship between interest groups and state level higher education policy and to chart future research directions. We organize the chapter around three foci: (1) a review of extant research on state-level interest group activity in the higher education arena; (2) development of a conceptual framework grounded in the literatures of political science and higher education on interest groups and public policymaking with which to guide future inquiry; and, (3) a discussion of possible future research directions in the area, including a number of rarely-used data sources that could enrich the future study of interest groups and higher education in the U.S. states.

## **Higher Education Interest Group Activity in the States**

The literature base on state interest-group activity in higher education is thin. This is somewhat surprising condition in light of the attention researchers have paid both to federal-level higher education lobbying (e.g., Cook, 1998; Hannah, 1996; Parsons, 1997) and, very recently, to the relationship between state political characteristics and certain state policy outcomes for higher education (e.g., Doyle, 2006; Lowry, 2001; McLendon, Hearn, & Deaton, 2006). Standing as a noteworthy exception to this pattern of neglect is the recent work of Tandberg (2010a, 2010b), who has incorporated several interest group measures into his modeling of the factors that influence state spending on higher education. Tandberg found that the interest-group factors related to the number of higher education interests within a state and the relative density of higher education interests compared to all state interest groups within a state have a significant effect on state higher education spending. For the large part, however, most of the extant works on interest groups and state policy for higher education have focused only descriptively on the informal relationships between campus and system leaders and state elected officials. The case study literature suggests that interest groups and lobbying sometimes seem to matter in the formation of public policy for higher education, but few comprehensive or detailed accounts exist. The state higher education interest group literature is also nearly void of attention to national or regional intermediaries that act as interest groups with the

states. The remainder of this section reviews the three primary veins of research on state interest-group activity for higher education—descriptive studies, case studies, and panel data analyses. The insights generated from these works undergird our conceptual framework, to follow.

State-level lobbying for higher education often is considered to be a sub-set of broader interactions between the postsecondary sector and state government (Hines, 1997, 1998; McGuinness, 2005). In many descriptive accounts, interest group activity is characterized as consisting of the interactions undertaken by state agency officials, governing board leaders, and campus presidents in directly lobbying governors and legislators, typically through private conversations and legislative testimony. Murray (1976) provided one of the first schema of the higher education lobby, but his conceptualization focused primarily on such interactions on the federal landscape. In his brief examination of similar activities in the states, Murray focused on the tendency for governing, coordinating, and planning entities in states each to pursue their own vested interests. At the time, many of these “1202” statewide planning commissions were just being founded and Murray argues that “they too might be classified as an internal state-level lobby” (p. 88). Murray also contended that the land grant or flagship institutions can exert especially powerful influences over individual elected officials and that higher education systems within a state often act as lobbies. Murray identified certain national associations, such as Education Commission of the States and National Governors Association, as interest groups lobbying for increased federal support and helping to shape state policy through reports and the issuing of policy recommendations. Goodall’s edited volume, (1987) *When Colleges Lobby States*, provided an even more thorough description of interest group activity, with emphasis on such topics as state constitutions, executive leadership, legislative control, budgets, and planning. In an even more recent effort, Scott Ferrin examined the characteristics of campus-based lobbyists (2003) and the tasks and strategies that they employ (2005). While Ferrin’s study mainly is on that of lobbying activities at the U.S. federal level, he also examined campus lobbying efforts in the states. Overall, this vein of literature has tended to describe lobbying activities and identify key state-level actors in the policy or the budgetary processes for higher education. There have been few efforts to systematically collect and analyze data for the purpose of examining, testing, elaborating or revising theories, or even hypotheses, on the possible impacts of lobbyists and lobbying in state policy formation for higher education.

The case study literature has taken some noteworthy steps in these directions. For example, deGive and Olswang (1999) developed a conceptual model of the policymaking process drawn from organizational behavior, political systems theory, and K-12 education policy to the state of Washington’s decision to create a branch-campus system. Ultimately, the analysts highlight the importance in that particular episode of coalition-building among campus and system leaders, legislators, state agency officials, and community groups.

Utilizing a similar interview-based case study approach, Tandberg (2006) analyzed interest group alliances in a large mid-Atlantic state. He found that

environmental factors such as legal autonomy for public universities, the distribution of political power within the legislature (i.e., the relative power of house and senate committees to party leaders in both houses), and characteristics of individual campuses influence the extent to which institutions form interest group alliances.

In contrast with the above case studies' attention to broader influences on higher education interests, Blackwell and Cistone (1999) surveyed policy actors to examine the relative influence of various interest groups within the Florida higher education sector. They found, perhaps unsurprisingly, that legislators and state higher education leaders had much more influence than faculty and student groups and education research associations.

Other case studies examining the political dynamics of state higher education policymaking make reference to, and have implications for, interest group activity, yet lobbying rarely is the primary interest. Some examples include: the "manifest and latent tensions" associated with North Carolina's policy limiting out-of-state enrollment (Frost, Hearn, & Marine, 1997); the limited role of campus lobbyists in policy formation for postsecondary education in Pennsylvania (Sabloff, 1997); the role of interest groups in competing advocacy coalitions during the adoption of in-state tuition benefits for undocumented students in Texas (Dougherty, Nienhuser, & Vega, 2010) and of performance funding policy in eight states (Dougherty, Natow, Bork, Jones, & Vega, 2013); and the influence of Tennessee's private college lobby, New Mexico's casino gaming industry, and West Virginia's video-poker machine owners in Ness's (2010a) comparative case studies of the factors influencing the determination of merit-scholarship eligibility criteria in those three states.

A spate of recent panel-data analyses on the policy impacts of interest group activities has provided largely consistent findings. Building on Lowry's (2001) empirical examination of political effects on higher education budgets, Tandberg (2008, 2010a, 2010b) created a set of indicators to test empirically interest group activity in all 50 states and found that the ratio of higher education interest groups to all state-level interest groups has a positive effect on higher education appropriations, while the total number of non-higher education interest groups has a negative effect on higher education appropriations. Tandberg's findings suggest that states with a larger higher education lobby, relative to all interest groups in the state, are associated with increased spending on higher education. Using a slightly different measure that counted the number of higher-education interest groups in a given state, McLendon, Hearn, and Mokher (2009) also found a positive effect of interest groups on higher education appropriations, consistent with Tandberg's later findings. More recently, Tandberg and Ness (2011) found that interest group activity is associated with increased state spending on capital projects. Indeed, they find in another study that the effect of interest groups on capital spending is even more pronounced than that on general fund appropriations (Ness & Tandberg, 2013). This suggests that interest-activity varies depending on the policy issue and that some policies may be more conducive to lobbying efforts.

Based on these empirical studies, some additional conceptual perspectives on state interest-group activity for higher education seem to be emerging. In the section

that follows, we draw on these studies related to state higher education lobbying in our presenting of a conceptual framework built upon political science research on state-level interest group activity.

## **New Conceptual Understandings of State Interest Group Activity in Higher Education**

Our proposed conceptual framework provides a scaffold for future study of the influence of state interest-group activity on state policy outcomes for postsecondary education. Our primary intent is to provide a skeletal framework identifying the key elements related to state-level higher education interest-group activity. We also intend for this framework to be further refined so that it might guide robust predictive models and empirical efforts, including the direct and indirect effects of interest groups on higher education policy outcomes. In this section, we first provide an overview of the evolving theoretical approaches to understanding interest groups activity. Then, after a summary of the framework, we discuss the framework's core elements by reviewing the interest group studies that undergird each element and by suggesting potential applications to policy.

The theoretical underpinnings of our proposed conceptual framework include decades of scholarly attention to the role of interest groups in public policymaking. As Mawhinney (2001) outlines, early work emphasized the pluralist approach based on the idea that an effective democracy depended on active and balanced group activity. Truman (1951) argued that interest groups provided links between the public and government and that as one group gained more power another group would mobilize to restore equilibrium both in interest group activity and in the resulting public policies. Critics of the pluralist tradition argued the approach took insufficiently into account the structural advantages of the nation's economic and political elite, privileges that skewed policy outcomes in favor of establishment interests. As Schattschneider (1960) famously wrote, "the flaw in pluralist heaven is that heavenly chorus sings with a strong upper-class accent" (p. 53). Bachrach and Baratz (1962) argued further that the power of elite interests is under-estimated because of their unobserved influence, or "second face of power," in controlling the policy agenda so that some issues (e.g., wealth redistribution) in fact do not reach decision status.

Mancur Olson (1965), in his classic *The Logic of Collective Action*, levied a similar criticism arguing that groups do not have an equal chance to participate in pressure politics. His work focused primarily on the dynamics of mobilizing interest groups, such as the "free-rider" problem that limits interest group participation because actors can benefit from groups even without formal membership. For example, Olson points out that both members and non-members benefit from the actions of environmental interest groups in the form of cleaner air and water. As a result, Olson identified the key strategy of groups offering selective benefits

only to members, such as the insurance discounts and publication subscriptions offered by professional associations. Malen (2001) contended that Olson’s attention to interest group construction had the effect of narrowing scholarly inquiry to issues primarily related to internal functions of interest groups, rather than interest groups’ effect on policy outcomes. By contrast, the neo-pluralist approach returned with the emergence of the iron triangle approach, which linked interest groups with bureaucratic agencies and legislative members to form sub-governments that seek to control policy activity within the sector (McFarland, 1987). Heclo (1978) extended this approach by arguing that issue networks, which include fluid and open participation of a wide range of actors, more appropriately reflected interest group activity and policy outcomes. In contrast to all of the above approaches, which are set at the federal-level, Lowery and Gray (1993, 1996) examined interest-group activity at the state-level and found that state economic and demographic characteristics affect the diversity of the interest group system and their ultimate influence on public policy. They also found interest group participation to be fluid with groups dropping in and out of lobbying activity. In constructing the conceptual framework depicted in Fig. 4.1, we build upon these theoretical approaches to interest group activity and also incorporate empirical and descriptive findings of higher education and policy studies.

The conceptual framework includes three layers each of which affects policy outcomes or, output, for higher education in the states. The outer layer of our framework represents those political, social, economic, and demographic conditions of a state that influence the state’s overall interest group ecology and its higher education interest group landscape. State population, the diversity of population, political party control, gross state product, and other characteristics play an important role in framing states’ interest group activity. The middle layer represents the state’s interest group ecology or the broader array of organized interests beyond higher education. States vary in the scope and influence of interest group activity with ranging from New York with more than 3,000 registered lobbyists to Alaska and

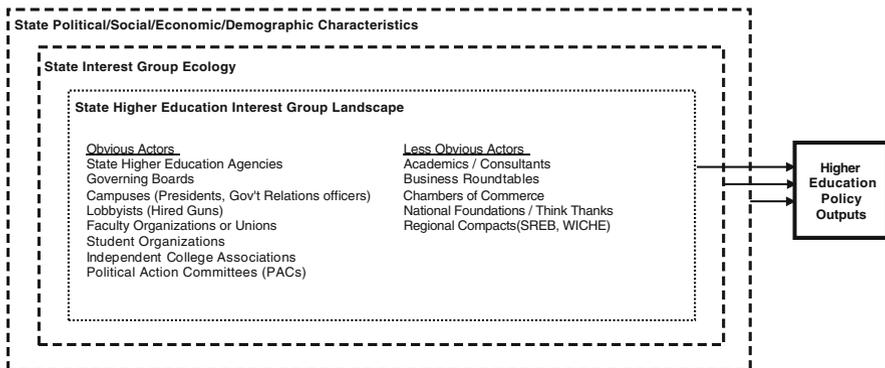


Fig. 4.1 Conceptual framework of state-level interest group activity for higher education

Hawaii with fewer than 300 (Nownes & Newmark, 2013). The overall state interest group ecology influences the higher education lobby in a number of important respects, such as helping determine the availability of financial resources available to organizations and setting the norms or, the “rules of the game,” for lobbyists. The innermost layer includes the landscape of higher education interest groups. This layer represents both the multiple interest group actors and the lobbying tactics and strategies they employ. We identify a broad range of obvious actors, such as campus and system lobbyists, and less obvious actors, such as regional and national policy organizations and foundations. Although, the precise array of actors on each state’s interest-group landscape for higher education is unique, it is possible to identify patterns. These three layers – individually and collectively – can influence state policy for higher education. In the following sections, we further discuss key elements of each layer of the conceptual framework and their potential effects on higher education policy outcomes.

### ***State Political, Social, Economic, and Demographic Characteristics***

The outer dashed-line box, *state political/social/economic/demographic characteristics*, portrays some of the kinds of contextual factors that may influence interest group activity and, ultimately, policy outputs. The pluralist and iron triangle interest group theories suggest that dynamics related to political power and structure influence interest group activity. For instance, critics of the pluralist approach (e.g., Bachrach & Baratz, 1962) contend that socioeconomic and political elite are more strongly represented and thereby exert more influence on policy outcomes. Hence, the extent of states’ social inequalities stands to influence the interest group activity nested within this layer and the higher education policy outcomes.

The conceptual relevance of state context also emerged from earlier work examining the policy process related to higher education performance (Perna & Finney, 2014), higher education governance reform (McLendon, 2003a), and merit aid eligibility criteria determination (Ness, 2010a). McLendon and Hearn (2007) outline a framework for studying and incorporating political indicators in comparative-state study of higher education policy. They recommend the following prospective influences: higher education demography (e.g., enrollment trends, percent of population of college age), socioeconomic climates (e.g., educational attainment rates, state GDP), political culture and ideology, legislative organization and membership, gubernatorial influence, and party strength and control of government branches.

Many of these characteristics could mitigate or amplify the policy impacts of interest groups. A considerable volume of research in political science indicates that governors and legislative leaders can, and often do, trump the influence of organized interests (Gray & Lowery, 1996; Wiggins & Browne, 1982; Wiggins, Hamm, & Bell, 1992). For example, strong formal (that is, constitutional) powers

of the governor may lessen the influence of organized interests. In another example that connects this outer layer to the middle layer, a recent examination connects the pronounced growth of public sector lobbying from 1997 to 2007 to states' economic decline and a shift to Republican Party control (Lowery, Grady, Cluverius, & Harden, 2013).

Relevant state demographic characteristics could conceivably include elements of the population that might bring pressure to bear on elective official, even if the influence channels would seem weak or indirect or, the precise means of mobilization unclear. For instance, in their event history analysis of state consideration of legislative proposals between 1999 and 2007 extending in-state college tuition benefits to undocumented residents, McLendon, Mokher, and Flores (2011) found significantly positive effects for the percentage of state's population that is foreign born and for the percentage of a state's legislature that is female. The authors, however, did not find any statistically significant results for the percentage of state legislators that are Latino.

### *State Interest Group Ecology*

With regard to the *interest group ecology*—the density and diversity of interest groups in a particular state—the middle layer of the conceptual framework situates higher education interest group activity within the state's broader interest group activity. Virginia Gray and David Lowery (1988, 1993a, 1993b, 1996, 2001) established the ecology metaphor to explain the state interest group environment and the “niches” that develop within states. They contend that environmental forces such as stability, energy (i.e., the resources available to particular interest groups, such as constituent interest; government goods, services, money, policies; and other items interest groups might value), and area (as measured, for instance, by size of state government and number of constituents interested in a particular issue) most influence the composition and profile of interest populations (Gray & Lowery, 1996, 2001; Lowery & Gray, 1993). With regard to our conceptual framing of higher education interest group activity within the broader state interest group ecology, Gray and Lowery offer two areas of conceptual relevance for the higher education niche: (1) interest groups are bound either by sector (e.g., postsecondary education) or by issue (e.g., college affordability), and (2) interest groups are influenced by the ecology of interest groups both within their niche (i.e., campuses, governance agency, other higher education organizations) and within the broader state interest group community (i.e., K-12 education, transportation, health care, corrections, etc.). Their findings (Gray & Lowery, 1996, 2001) suggest that the environment, or ecology, of interest communities tends to be constraining and it limits their size, makeup, and potential impact on governmental actions and outputs. Indeed, as Tandberg's (2006) case study suggests campus-level lobbyists rely on strategic alliances within the higher education niche, especially to compete with other state-

level organized interests. Similar to Hojnacki's (1997, 1998) findings, however, campus-based lobbyists also compete within their niche on certain issues. Indeed, Hojnacki's (1997) examination of "interest groups' decisions to join alliances or work alone" finds that interest groups work alone to compete within their sector when interests are narrow, yet tend to join sector-level alliances when groups perceive opposition from other interest groups.

In addition to these studies of interest group ecology, Ronald Hrebenar and Clive Thomas (1982, 1987, 1990, 1997, 2007; Thomas & Hrebenar, 1999, 2004) have served as the most consistent source of information about state-level interest group influence. Thomas and Hrebenar, who built foundationally on Morehouse's (1981) earliest ranking systems for the 50 states, developed, and periodically updated over the past 20 years, state rankings of interest group influences. Hrebenar and Thomas differentiate between three core concepts. First, *single group power* refers simply to the ability of a group to achieve its policy goals as it defines them. Second, *overall interest group power* refers to the most effective or influential interest groups in a state over a specified period of time. Third, *group system power* refers to the strength of interest groups as a whole within a state relative to other political actors or organizations (Thomas & Hrebenar, 1999, pp. 131). The second measure of overall interest group power, which seems to align most closely to the middle layer of our framework representing the state's interest group ecology, arrays states along a continuum ranging from systems in which interest groups as a whole are the overwhelming influence on policymaking – so-called interest group "dominant" states – to ones in which interest groups are consistently weaker than other political actors – interest group "subordinate" states. Their latest classification lists five states as dominant, 25 states as dominant/complementary, 16 as complementary, four as complementary/subordinate, and none as subordinate. Hrebenar and Thomas noted that the general trend since 1989 has been toward stronger interest group systems, albeit not dominant ones.

In making determinations about single-group influence, Hrebenar and Thomas relied mainly on the perceived influence of these sectors by experts in the field. As of 2008, the most-influential interests across states were, in descending order of influence, general business organizations, school teachers' organizations, utility companies, lawyers, and hospital associations. Occupying the fourteenth position were colleges and universities (Nownes, Thomas, & Hrebenar, 2008). These rankings include three categories: most effective, second level of effectiveness, and less/not effective. Observers in only 14 states ranked colleges and universities as one of the most effective interests, while an equal number of respondents ranked them as falling into the second level of effectiveness; just over half of the observers ranked colleges and universities in their states as less or not effective. Thomas and Hrebenar (2004) noted, however, that, dating from their earliest survey, in 1985 to their most recent one, in 2002, the only interest to make major gains was universities, which moved up five places. This seems to be one indication that universities are taking a more active role than before, relative to other sectors of state interest groups, in lobbying state policymakers.

With respect to the impact of the *state interest group ecology* on higher education policy outputs, the relationships have been explored directly only in two studies, and both found empirical evidence supporting the effect of interests groups on state appropriations to higher education (Tandberg, 2010a, 2010b). Both studies found that increased spending on higher education to be associated with a higher ratio of higher education interest groups to all interest groups in a state.

### ***Higher Education Interest Group Landscape***

We conceptualize the *higher education interest group landscape* (inner box) as the central consideration of our framework and as being shaped by state characteristics and interest group ecology represented by the outer layers. This inner box captures both the key actors, or “cast of characters” (Malen, 2001), and the lobbying tactics and strategies that they employ.

We first discuss the types of higher education interest groups that operate within a state and how they operate; specifically, what is known about the nature, size, resources, activities, and interactions of the state higher education lobby. The descriptive-oriented studies on state-level higher education interest groups reviewed earlier inform our understanding of this inner box.

The two lists within the inner box that is portrayed in Fig. 4.1 serve as the loose higher education equivalents to Malen’s (2001) “cast of characters” categories for the K-12 education interest group landscape. Malen essentially distinguishes two groups of policy actors: (1) Obvious actors, including those commonly identified in previous studies of higher education interest groups (e.g., state agencies, campus leaders) and actors that represent formal lobbies (e.g., PACs, faculty unions, student organizations), and (2) Less-obvious actors, including national and regional foundations and policy organizations (e.g., Lumina Foundation, National Center for Higher Education Management Systems, Southern Regional Education Board) and non-higher education organizations, such as business and economic development organizations, that may influence postsecondary education policy. The interest group literature (e.g., Browne, 1985; Nownes & Freeman, 1998; Rosenthal, 1993) suggests variation among both the categories of interest groups actors and the influence of these actors also varies across states.

The obvious actors, for example, vary by state with respect to number and type of institutions and statewide governance arrangements. With regard to the organization and oversight of state systems of higher education, states generally conform to three “governance models”—governing, coordinating, or planning agencies. Despite the general convergence around these three governance arrangements, a given state’s specific higher-education ecology – the precise mix in the state of public and private institutions, 2-year and 4-year colleges, and regional and research universities – does vary quite a lot. The number of campuses (both public and private) in a given state would likely influence the landscape of interest-group activity for higher education in that state. Put simply, states with many campuses inherently have many more

interest group advocates. And, in states with a large number of private colleges the higher education interest groups stand to have greater influence collectively and separately because many more legislators would have colleges within their districts. Moreover, McLendon, Mokher, and Doyle (2009) found that certain characteristics of the states' political systems, including whether a campus is located near a state capitol, can result in higher levels of appropriations for universities. This finding suggests that the geographic distribution of campuses across a state may influence higher education interest group activity by facilitating access to key policymakers.

Although the extant literature (e.g., Ferrin, 2003; Goodall, 1987; Hines, 1997) on state higher education interest groups emphasizes campuses and boards, the obvious-actors list also includes formal organized interests influence on higher education public policy. In some states, higher education advocates (either explicitly linked with campuses or not) have formed political action committees (PACs) to lobby for preferred policies primarily through campaign contributions to legislative leaders. For example, during the 2005 policy debate about establishing an education lottery in North Carolina, former UNC system presidents William (Bill) Friday and C.D. Spangler immersed themselves in the political fray by establishing and leading a high-profile PAC in opposition to a state-run lottery (Ness & Mistretta, 2009).

Groups representing the organized interests of faculty would include the American Association of University Professors (AAUP) and, in states with collective bargaining agreements, state-affiliates of the American Federation of Teachers (AFT) or National Education Association (NEA), for example. These national actors are distinct from state actors, such as campus and system lobbyists, in that AAUP or NEA are also situated within a national context that affects their broader policy interest and may also influence their lobbying approach within the states. Nonetheless, when these national associations operate within a state, they are also influenced by the state's political, economic, and social characteristics and by the state's interest group ecology. Similar to these national organized interests, Tankersley-Bankhead (2009) notes the existence of a large number and a broad range of organized student associations (e.g., Associated Students of the University of Missouri), which in many states seem to enjoy a perception on the part of legislators as having real influence, at least with respect to student-aid policy and other issues of general concern to students.

The less-obvious actors or "anonymous leaders," as Glenny (1972) phrased it more than 40 years ago, represent entities which, although traditionally less powerful than the obvious ones, seem today to be growing in influence. These less-obvious actors, which include foundations, policy institutes, think tanks, consultants, academics, and business representatives, have been more commonly referred to as intermediary organizations, but as Malen (2001) contends for the K-12 education sector, these entities should also be seen as interest groups. This more inclusive approach is consistent with Hecl's (1978) issue networks that include interests well beyond the obvious actors, such as those that make up the iron triangle.

Murray (1976) and Ness (2010b) identified the influence of so-called intermediary organizations, such as national or regional policy organizations, on state

higher education policy. The regional “compacts,” such as the Western Interstate Commission on Higher Education (WICHE) and the Southern Regional Education Board (SREB), serve as sources for data and policy analysis and for direct, across-state consultation among higher education leaders and elected officials. National policy organizations, most notably the now-disbanded National Center for Public Policy and Higher Education (NCPPE), the National Center for Higher Education Management Systems (NCHEMS), and comparatively newer organizations like Complete College America (CCA), have served increasingly similar functions with a robust portfolio of policy reports (e.g., *Measuring Up*) and data clearinghouse (e.g., [www.higheredinfo.org](http://www.higheredinfo.org)). The influence of these intermediaries, however, surely varies by state, depending on the policy needs of a given state, the networks with campus and system leaders, and the associations’ history of interactions and successes (or failures) in a state. Similar to actors such as AAUP, ATF, and NEA, these national intermediary organizations are, as their name implies, boundary-crossing organizations as they are trying to influence state policy nationally and their organizational homes are not within an individual state. Therefore, they come from outside but work within multiple states individually and have to deal with the specific context within each of those states simultaneously.

National foundations also serve as less-obvious actors. Just as Malen (2001) characterized the strong influence of the Carnegie and Ford foundations on K-12 education, the Gates and Lumina Foundations are playing an increasingly significant role in state higher education policy (Parry et al., 2013). Scott Thomas, drawing on his advocacy philanthropy study with Cassie Hall, commented on the direct role of the Gates Foundation creating intermediary organizations to carry out their policy initiatives and stated, “It’s an intrusion into the public sphere more directly that has not been seen before. They’re jumping into the policy process itself. That’s an interesting position, for a nonprofit to be involved in things that look a lot like lobbying” (Pullman, 2013).

Higher education researchers are beginning to examine the influence of these less-obvious actors. For instance, Kevin Dougherty and colleagues’ (2014) study of the “political origins of performance funding 2.0,” as compared to the genesis of a milder form of performance funding, illustrates a much more pronounced role of intermediaries in the recent performance funding adoptions. In a comparative case study that draws on rich documentary data and interviews with more than 50 policy actors in three states, Dougherty and his co-authors find that the Lumina and Gates Foundations along with policy organizations such as NCHEMS, Complete College America, and HCM Strategists played a significant role in gaining support for the new funding model and in providing technical assistance on the performance funding measures. The report corroborates the advocacy philanthropy approach and shows how these three states benefit from legitimizing and capacity-building resources provided by national policy organizations at the expense of the Gates and Lumina Foundations. This finding is important for our conceptual framework of interest group activity because of the substantial influence of the resources provided by these less-obvious actors to some states. We expect, however, that the influence

of these actors will vary among states because not all states receive such funding and technical assistance from these intermediaries.

Think tanks serve as another type of less-obvious actor within the higher education interest group landscape. Studies of national-level think tanks find that these organizations have become increasingly ideological in orientation and that policymakers perceive conservative-leaning think tanks as more influential (Abelson, 2009; Rich, 2004). Education researchers have identified the politicization of charter school research along ideological lines (Henig, 2008) and the lack of credible, non-partisan research among the coalitions of national and local intermediaries (DeBray, Scott, Lubienski, & Jabbar, 2014). Similarly, Anderson and Donchik (2014) examine the influence of the American Legislative Exchange Council (ALEC), a national think tank that promotes free market and limited government principles to state legislators, on state-level education policy. Through an analysis of 54 model education bills, they find that ALEC promotes policies related to privatizing public services and weakening teachers unions and tenure. Anderson and Donchik also reveal the ALEC's role in privatizing the policy process through its production of model legislation, its networking activities with state legislators, and its approach to operate "under the radar." In part due to the rising scrutiny on ALEC (e.g., Scola, 2012), Ness and Gándara (2014) take an inventory of higher education policy activity among state-level ideological think tanks. Their examination identifies 59 conservative think tanks and 40 progressive think tanks operating and finds that conservative think tanks are more tightly connected to national policy networks, including ALEC. They also find that think tank activity is most active on issues related to state funding, costs and affordability, and efficiency and productivity. Taken together, these studies suggest that the influence of ideologically-oriented think tanks is rising and should be included among the less obvious actors.

The business community represents another key actor in the state higher education interest group landscape. The Dougherty et al. (2014) study mentioned above also finds evidence of support for performance-based funding from business interests in the three states. The authors observed the strongest support from the business community in Indiana where the State Chamber of Commerce provided legislative testimony and distributed materials in support of performance funding to its members. The Chamber of Commerce was also a co-recipient with the Indiana Commission for Higher Education of a substantial grant from the Lumina Foundation. In the other two states, Dougherty et al. also found support from business roundtables, but they were not nearly as active as the Indiana business community. In another comparative case study, this one analyzing undocumented students policies in Arizona and Texas, Dougherty and colleagues (2010) found muted, but important, support from the Texas business community in favor of in-state tuition benefits for undocumented students. Interview respondents indicated that the business community serves as the most influential interest group and thereby perceived even their quiet support to be essential to the policy. Lane (2008) found evidence that the North Dakota Higher Education Roundtable, membership of which includes more than 20 legislators and 40 additional members from government, education, and the private sector, has wielded tremendous influence

on postsecondary education policy within that state, especially due to the economic development concerns of the business community.

This grouping of less obvious actors might also include other established interests such as the state-level organizations affiliated with national associations such as the National Association of Independent Colleges and Universities (NAICU) representing private colleges and the National Association of State Financial Aid Administrators (NASFAA) and other similar professional associations representing specific higher education interests or functional roles of employees. Essentially, these would include the state-level counterparts to the “other higher education associations” that Cook (1998) outlines in her map of the higher education community (p. 65).

Having identified the central policy actors, we draw on the broader research literature on interest group activity in discussing the lobbying strategies and tactics that these actors might employ. Political scientists have long been interested in mapping the contours and the activities of interest groups in many different social and public policy sectors. In general, these studies describe what lobbyists do and how they do it (Rosenthal, 1993). For example, Browne (1985), writing nearly 30 years ago, found that the behaviors and styles of interest groups across a range of sectors vary depending on the institutional and cultural characteristics of the states. For example, Browne distinguished between the highly institutionalized sub-government approach in Michigan, which led to a policymaker partner role, and the highly competitive interest group environment in New Jersey, which led to an opposition role pitting interests against policymaker preferences. Despite these kinds of differences, Browne found that (1) most groups rely on similar lobbying techniques, (2) very few groups or lobbyists specialize in lobbying a specific branch of state government, and (3) interest groups are less active than is commonly thought on most of the bills that come before state legislatures.

Although the influence of the higher education lobby appears to be growing, the extent of the variation among states in the lobbying techniques, strategies, and tactics of higher education interest groups remains unclear. While the inner box in Fig. 4.1 is primarily concerned with identifying the state-level interest group actors in higher education, this conceptual space also includes the lobbying tactics and strategies about which the field knows very little. For example, in many larger states, such as California, interest groups rely on both direct lobbying of elected officials and grassroots initiatives to rally public support behind an interest. By contrast, in less-populated states, such as West Virginia, lobbying efforts are more likely limited to direct appeals to legislators and the governor’s office (Nownes et al., 2008).

In the next section, we discuss possible research questions based on the conceptual scaffolding that we outline in this framework of state interest group activity for higher education.

These questions point the field in a number of different, noteworthy directions. Of course, the extent to which the field can effectively pursue these questions rests on the availability of certain measures and data sources. We discuss prospective research questions that might be answered by existing measures and data sources and propose additional data sources that might power future work in this area.

## **Recommendations for the Study of State Interest-Group Activity in Higher Education**

Researchers have been slow to investigate interest group influences on the formation of state policy for higher education. This lack of attention stems from at least two sources. First, the analysis of interest group influence itself is a challenging undertaking, as generations of political scientists have observed. Interest group scholars have long wrestled with at least three nettlesome challenges. First, it is often difficult to compare interest groups across states or even within states over time. Second, it is hard to measure what individual interests want, a necessary requirement for determining interest group success. Finally, it is sometimes challenging to discern whether the original goals of the group in fact were achieved. What is more, with a few notable exceptions (Brace, 1988; Gray & Lowery, 1988, 1993a, 1993b; Nownes & Freeman, 1998), studies rarely have examined lobbying techniques and tactics across different group types, sectors, or industries, and thus the empirical connections between group behaviors and state policy outcomes are difficult to discern.

These limitations notwithstanding, the literature on interest groups in the U.S. states both generates important questions that could readily be applied and studied in policy arena of higher education and presents numerous data sources and measures that higher education researchers might pursue in undertaking the systematic examination of these questions. The methodological approaches and data sources to which we point in this chapter have the potential to significantly improve the state of research into higher education interest groups at the level of the U.S. states. These potential improvements would not be possible were it not for noteworthy, research advances recently made in the area of higher education policy studies. Over the past decade, higher education scholars have turned increasingly to the fields of political science, public policy, and economics in the development of large-scale panel data sets with which to incorporate indicators of state political, economic, demographic, and higher education conditions of all 50 states over periods of time dating as far back as the 1960s (e.g., Doyle, 2006; Tandberg, 2010a, 2010b; McLendon, Hearn et al., 2009). The political indicators include such variables as partisan legislative strength, party control of the governor and legislature, electoral competition, political ideology, gubernatorial powers, term limitations, professionalism of the legislature, and other variables, along with many attendant variations thereof. Some of these data sets individually now contain many hundreds of thousands of data elements, an important resource for researchers that simply did not exist a decade ago. In addition to these political variables, we see the availability of a wealth of data that could be mined and a variety of methodological approaches that could be productively deployed in pursuit of the kinds of questions that we have laid out in this manuscript. Most of the data-collection activities that we have identified require considerable labor, yet as more researchers undertake investigations into higher education interest groups, these data efforts could build accumulatively through the careful documentation, validation, and increasing reliance upon datasets made publicly accessible.

But not only do the newer sources of data exist. Researchers, again borrowing from the fields of political science, economics, and quantitative sociology, have deployed such statistical techniques as fixed effects models, event history analysis, and even more recently Bayesian statistics, in studying a wide range of phenomena that involve state governmental behavior in the policy arena of higher education (e.g., Archibald & Feldman, 2006; Doyle, 2006; Lacy, 2011). Through use of these techniques and data, studies have yielded, for the first time, strong empirical evidence of the important role that state political characteristics can play in shaping public policy outcomes for higher education.

Analytic advances in the study of higher education also include the use of social network analysis to show connections among actors in a particular field. Biancani and McFarland (2013) recent chapter urges higher education researchers to employ this emerging technique to larger networks beyond the faculty- and student-centric studies that comprise the current activity. One recent example of this broader approach includes an examination of the “interlocks” between elite private universities and the corporate sector and the degree to which they have tightened over time (Slaughter, Thomas, Johnson, & Barringer, 2014). To examine the network activity in state higher education policy environments, higher education researchers could draw upon studies at the K-12 education sector level that have used social network analysis to examine the connections between practitioners, policymakers, research communities, and policy organizations (Au & Ferrare, 2014; Daly, 2010; Song & Miskel, 2005). These studies have identified the most influential policy actors, the density of connections among key policy actors and organizations, and the flow of information through these networks.

The recent analytical developments include notable advances in the use of qualitative research methods, as well. Researchers using qualitative methods have made several distinct contributions. First, they have introduced more systematically than before certain theoretical frameworks and constructs that have helped sharpen the focus of researchers on several key relationships attendant to the formation of public policy for higher education. Examples of these contributions include conceptual work in the areas of policy entrepreneurship, policy innovation and diffusion, principal-agent theory, institutional rationale choice, the “Garbage Can Model” (multiple streams), advocacy coalition, and punctuated equilibrium, among others (e.g., Bastedo, 2005; Dougherty et al., 2010, 2013, 2014; Lane, 2007; McLendon, 2003a; McLendon, Cohen-Vogel, & Wachen, *in press*; McLendon & Hearn, 2003; Ness, 2010a; Ness & Mistretta, 2009; Tandberg, 2006). Likewise, the qualitative methods that researchers, such as those cited above, have utilized have improved alongside the elaboration of their theoretical scaffolding. Such improvements include the development of more sophisticated analytic designs overall, more reliance on comparative case studies, better analytic frameworks for use in interpreting interview and archival data, and more robust fieldwork.

It is in the context of these broader developments that the more systematically-empirical study of interest groups and state policy outcomes may proceed. Future studies may capitalize on the availability of more and better data, the array of more

sophisticated research techniques, and the existence of a more finely-honed set of conceptualizations than before with which to frame investigation of interest group activity in higher education.

In the remainder of the section, we outline considerations for future research that is organized around three questions. In each section, we elucidate how these questions emerge from consideration of different aspects of our conceptual framework and propose relevant data sources and methodological analytic approaches for further examination. Far from being an exhaustive elaboration, our discussion merely illustrates some of the possible, yet largely-uncharted, terrain that is interest-group activity and policy impacts in higher education.

1. *To what extent do the lobbying tactics, strategies, motivations, and methods practiced by higher education interest groups vary by state? And, how do policymakers perceive the effectiveness of groups and strategies that advocate on behalf of higher education?*

These questions align with the inner box of our conceptual framework, which identifies a host of higher education actors and organizations, and with how all three layers of the framework impact higher education policy outcomes. Although the higher education interest-group landscape remains vital to understanding the policy effects of state-level interest group activity, the field currently knows quite little about the array of lobbying organizations in higher education, or about their strategies or tactics. [Appendix](#) lists several potential research questions that might help populate and clarify the inner box of our framework. For example, one question emphasizes the impact of campus lobbying strategies by either a full-time university lobbyist (e.g., director of governmental affairs) or a “hired gun” from a professional lobbying firm.

These questions warrant examination, taking the form of two prospective lines of research: surveys of policymakers and comparative-case study designs. Our discussion for this first set of research questions address needed avenues of development in research design and data collection.

As previously noted, there is some precedent to be found in the literature for both approaches. Ferrin (2003, 2005) and Blackwell and Cistone (1999) collected survey data to identify strategies and tactics in determining interest group effectiveness, as measured by perceptions of the influence of the lobby among state policy actors. Cases of state higher education policy decisions (e.g., deGive & Olswang, 1999; Ness & Mistretta, 2009; Sabloff, 1997; Tandberg, 2006) also offer some insights into higher education’s lobbying tactics and its perceived effectiveness, although they tend to be limited to single-case designs or pay limited attention to lobbying activity as opposed to other elements of the policymaking process. What is needed is a research effort that would make more robust use of surveys and multiple-case state-study designs through which to examine the strategies, tactics, motivations, methods, and perceived effectiveness of higher education lobbyists as compared with that of lobbyists in other policy arenas. Such lines of research would enhance the field’s understanding of higher education interest group activity and detect behaviors that could be tested empirically.

Among the important design considerations in initiating this line of work is the issue of sampling strategy. For instance, while case study approaches should aim to identify the unique state context, future survey research should aim for generalizability through the use both of a systematic and stratified sampling approach for states and respondents. The comparative case study should be designed to maximize trustworthiness and provide comparisons across states on those important, conceptually derived dimensions of interest pertaining to lobbying. The remainder of our discussion in this section follows three questions in designing the proposed lines of research: Who should be the respondents? In which states? And what should be asked?

Identifying the target survey and interview respondents of interest group leaders in higher education is not a straightforward undertaking. In state settings where a single association or group designated to represent higher education does not exist, the lobby's efforts at collective representation may be diluted by other organizations seeking to have their voices heard. These studies of lobbyists and interest group officials could focus on at least four relevant sets of obvious actors drawn from the inner layer of our conceptual framework: the State Higher Education Executive Officer (SHEEO) and/or members of the statewide board charged with executing the board's government relations activity; campus-based government relations officers; heads of state private college associations and/or the groups' government relations officers; and, lobbyists legally registered as representing higher education institutions or interests. Notably one finds potential for overlap among several of these categories, for example between registered lobbyists and the government relations officers of statewide boards for higher education. Disentangling, state-by-state, any such overlap is an important precursor step toward specifying the population of interest. In addition to these obvious actors, researchers might also target less obvious actors representing national foundations, think tanks, or policy organizations known to be active within a state. Including more than one set of actors could provide helpful comparative information about the behaviors of lobbyists and the perceptions of policymakers about the lobbyists do and how effective they are in doing it. Data on the individuals holding these positions can be obtained from several publicly available sources, including state elections offices, ethics commissions, secretaries of state, and McGuinness' (1997) widely cited field guide on state governance structures.<sup>1</sup>

State elected officials can be an especially valuable source of information, particularly when attempting to measure the perceived effectiveness of the higher education lobby. Such sources might include governors and their education policy advisors, as well as other senior policy advisors. State legislative leadership, notably the chairs and members of education and higher education committees and their aides, also stand as prospectively useful sources of information about lobby effectiveness. In particular, the chairs and the membership overall of appropriations

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<sup>1</sup>McGuinness's 2011 version of his categorization of state higher education governance structures can be found here: [http://www.ecs.org/html/educationIssues/Governance/GovPSDB\\_intro.asp](http://www.ecs.org/html/educationIssues/Governance/GovPSDB_intro.asp)

and finance ('ways and means') committees are valuable sources, because of the crucial roles these legislators often play in state budget decisions. Likewise, legislative aides who are attached either to individual legislators or to education or finance committees could be an invaluable source of information. In light of the important roles that many of these actors play, sampling efforts should include a broader array of elected officials than has commonly been the case. Case study research clearly would benefit also from more purposeful selection of interview respondents and use of archival materials through which the researcher can identify officials' positions or their bill sponsorships

The question of *which states* should be included in a survey or in a field study examination of interest group activity for higher education often is more complex. Because gathering data from state and institutional lobbyists and governmental relations officers in all 50 states would be prohibitively expensive, both surveys and comparative case studies of interest group activity likely will include a purposive sampling of states (Babbie, 1990; Nardi, 2003; Yin, 2003). In addition to multiple respondents at many thousands of institutions nationally, ideally one would survey the heads of state associations, government relations officers at statewide governing boards, and private college organizations. By tailoring the study to a single type of postsecondary institution or to only one of the above-named categories of respondents (e.g., private college associations) one could narrow the number of potential respondents, thereby rendering more feasible a survey of all 50 states. But the trade-offs are noteworthy: fewer respondents or classes of respondents in each state would diminish the range of views and the robustness of the data and of the analysis. The choice of such a sample should be driven by design considerations, as well as conceptual ones.

We first draw a needed distinction between two primary design strategies for purposive sampling of case study research at the state level: the *most-similar systems design* and the *most-different systems design* (King, Keohane, & Verba, 1994). The logic of sample selection in the most-similar systems design turns on the researcher's desire to control as many confounding influences as possible in order to isolate the effect of a single explanatory variable. The design employs a "matching logic" whereby the researcher selects two cases that are alike in as many respects as possible, except for the key explanatory variable.

By contrast, the most-different systems design incorporates a variety of institutional settings in order to identify a range in data patterns. Many classic field studies of legislators (e.g., Jewell, 1982), as well as some more recent studies of state lobbying (Nownes & Freeman, 1998), have deployed the most-different systems design. Given the dearth of research on state higher education interest group activity, the most-different systems design may hold the greatest benefit for near-term development of the research base. Although this approach may make it difficult to understand what explains the differences in outcomes, it would provide for a richer understanding of state context given the variability in most-different states.

The selection of states for a most-different systems survey design should be driven conceptually. Much of the interest group literature suggests that the

effectiveness of a given interest group tends to be linked with several other characteristics of a state's political system, including the overall strength of political parties (i.e., generally, an inverse relationship with interest group strength); electoral competition (i.e., higher levels of competition can produce policy uncertainty, which in turn may privilege some groups over others); legislative professionalism (i.e., greater capacity by legislatures tends to diminish the influence of groups); and, partisanship (i.e., the two major parties tend favor different interests and groups in the political process) (Haider-Markel & Meier, 1996; Wiggins & Browne, 1982; Wiggins et al., 1992). Sometimes researchers have hypothesized that state political culture (i.e., traditional, moralistic, individualistic, or combinations thereof) and the overall strength of a state's interest group system (i.e., dominant or complementary) may influence a particular group's effectiveness (Elazar, 1984; Thomas & Hrebendar, 2004). Thus, numerous across-state studies (e.g., Nownes & Freeman, 1998) relying on surveys as a major source of data include in their samples states that vary on three or more of these core conceptual dimensions. For multi-case study designs, state selection will likely be driven by differences on at least several such key dimensions.

Another important consideration in designing future research around interest groups and higher education of course involves content – what should be asked? Within the larger corpus of interest group research, standardized surveys and interviews predominate as strategies for data collection. Obviously, the range of potential questions that surveys or interviews might contain is quite wide. In a study on the relationship between group behavior and state policy outcomes for higher education (e.g., bill passage, appropriations decisions, or a funding earmark), respondents might be asked about the organization's purposes and goals, staffing, how the organization is financed, and other such information. Respondents could be asked also about their group's position on a particular bill, or a provision thereof. They might be asked about the amount of time their group had engaged in various kinds of lobbying activities and techniques. Likewise, surveys and interviews of state policymakers might examine the extent to which variation exists in actors' perceptions of the effectiveness of higher education lobbying entities overall or, their influence on certain bills or policy outcomes, in particular. The same approaches could be used to examine the organizations' perceptions of their own effectiveness. Survey questions built around these topics could take the form of open-ended items or Likert scale. As well, many extant studies contain instruments that higher education researchers could easily adapt for their own purposes, such as the ones that Boehmke (2005), Nownes and Freeman (1998), Schlozman and Tierney (1983), and Wiggins and Browne (1982) have utilized.

Although our discussion has paid explicit attention to the impacts of lobbying on higher education policy outcomes per se, the research strategies and data that we have identified could well deepen understanding of the interest-group landscape for higher education, overall. Consequently, this undertaking ideally would result in the elaboration of existing conceptual frameworks – even our own. Indeed, given the underdeveloped nature of this area of study, well-crafted descriptive studies that could lead to a deepened understanding of the activities, strategies, norms, and effectiveness of higher-education lobbyists could certainly serve as an important

building block in the construction of a systematic literature on interests groups in higher education.

2. *What impact does the density and diversity of a state's interest group environment have on the state's higher education lobby?*

This second question primarily relates to the middle box of the “state interest group ecology” component of our framework and by extension how this ecology may shape the higher education interest group landscape (inner layer of the framework). By understanding better how state higher education interest group activity operates within this ecology, researchers and policymakers may be able to determine the most effective strategies for these environments. Efforts to understand better interest group density and diversity will benefit from recent developments in the measurement of higher education interest group behavior. Before outlining one noteworthy advance in the research literature development – that of Tandberg’s (2010a, 2010b) development of several newer interest-group measures – we briefly review the few number of conventional measures that researchers have used.

The three measures and rankings developed by Hrebendar and Thomas (1982, 1987, 1990, 1997, 2007) remain widely used. *Single group power* refers simply to the ability of a group to achieve its policy goals as it defines them. *Overall interest group power* refers to the most effective or influential interest groups in a state over a specified period of time. *Group system power* refers to the strength of interest groups as a whole within a state relative to other political actors or organizations (1999, pp. 131). Although the Hrebendar-Thomas rankings provide researchers a widely-used measure of higher education’s relative influence in the states over a period of roughly 20 years, the measure has a number of serious limitations. First, a single individual in each state typically has been responsible for making determinations about the groups’ influence, raising questions about the reliability of the observations upon which the rankings rest. Second, because it is not clear the criteria that respondents may have used in assessing the influence of interest groups in their states, threats to content validity exist as well. Third, for researchers who may be interested in using the rankings to conduct longitudinal analysis of one form or another, the 7-year spans of time between individual administrations of the surveys present researchers with an indicator that is more cross-sectional than time-varying in nature. Overall, while the Hrebendar-Thomas rankings permit some comparability across states in the interest group influence of higher education, the data are noisy and the measures limited in several important respects.

The primary researchers in the area of state interest group density and diversity are Gray and Lowery (1996, 2001; Lowery & Gray, 1993). Since the mid-1970s they have been collecting lobbyist registration information from all 50 states (when available). While each state has their own laws regulating lobbying and lobbyist registration, each requires that a public record be kept that documents who each lobbyist is and who they represent. Before on-line records and databases this meant analyzing hardcopy forms they received via mail. Gray and Lowery would first enter the raw information into a database paying particular attention to each lobbyist’s

client as their primary area of interest has been the numbers of organized interests registered to lobby state legislatures. They note historically that, often, lobbying organizations are not groups with individual members. Rather, they are associations with organizations as members or institutions such as corporations, universities, and hospitals. For their analyses they group the organized interests into broader categories (also referred to as sectors or guilds) such as for-profit and non-profit or into slight more narrow categories as construction, manufacturing, agriculture or education, welfare, environmental, and local government.

From their data, scholars (e.g., Tandberg, 2010a, 2010b) have been able to produce a total count of organized interests, relative density measures, and diversity measures. These data have allowed for the development of predictive models meant to explain the density and diversity of state organized interests and also models that assess the impact of state interest group density and diversity on a number state finance, policy, and political outcomes. Their database is a goldmine of interest group data and information. The relatively recent development of online lobbyist registration databases have allowed Gray and Lowery to continue to update their database allowing for continued research in this area (e.g., Lewis, Schneider, & Jacoby, 2013; Lowery et al., 2013; Schneider & Jacoby, 2006).

While the Gray and Lowery data are useful in extending our understanding of interest group activity in the U.S. states, higher education researchers may find that they need to engage in their own data collection efforts as Gray and Lowery have grouped higher education interest groups into a broader education category that includes K-12 interest groups. Thus, higher education researchers who wish to identify higher education interest groups will need to visit individual state websites or to utilize websites such as The National Institute of Money in Politics (<http://followthemoney.org/>) which collect these data at the individual lobbyist/client level for each state. They have these data over multiple years, although the number of years varies by state. As with most of the data available from the state websites, these data are not grouped into categories and merely provide the client names. Therefore, the researcher must carefully examine the categories in order to draw out the higher education specific clients. Researchers may want to group the data into the following categories: Public institutions, public institution associations, private institutions, private institution associations, for-profit institutions, and for-profit associations. Of course researchers may come up with additional groupings drawn from the obvious and less-obvious actors identified in the inner layer of our framework. Beyond the formation of higher education interest group categories, researchers will need to decide whether they are interested in collecting data on the number of interest groups (clients) or if they are interested in the total number of lobbyists representing the interest groups. Often a single interest group will have multiple lobbyists. While Gray and Lowery and also Tandberg have focused on interest groups, one might also be interested in how total representation (the number of lobbyists) might impact policy and finance outcomes. The data provided on state websites and from [www.followthemoney.org](http://www.followthemoney.org) allows for the collection of both types of data.

These kinds of data could prove useful to researchers in several ways. First, one could examine, within individual systems or that of an entire state, trends over time in lobbying expenditures by colleges and universities (one will often have to go to specific state websites for expenditure data). These data could be employed to test hypotheses related to research questions identified in [Appendix](#) and others, such as: (1) which institutions or types of institutions engage most heavily in various forms of lobbying, (2) the growth of lobbying by non-profit colleges, and (3) the determinants of lobbying expenditures on certain issues and bills. Additionally, in an effort to examine the interest group ecology of states, as outlined in the middle layer of our proposed conceptual framework, researchers could compare these data against data on the lobbying expenditures by other groups or industries. This would enable one to examine higher education's "political muscle" relative to its competitors, and how over time that muscle had grown or atrophied in a given state. Furthermore, with the longitudinal data, one could compare lobbying expenditures by colleges and universities in different states with roughly similar lobby registration laws. In "holding constant" the state regulatory climate governing lobbying expenditures, one could test hypotheses about the factors that contribute to the institutionalization of the higher education lobby in different locales. To what extent, for example, does growth in spending result from the competitive pressures of the state interest group landscape, or from changing economic conditions, or from turnover in party control of state political office? With respect to measuring policy impacts, one could use the data on lobbying expenditures by higher education interests to examine the relationship between spending on certain issues or bills and the final disposition of those issues or bills in their legislatures (e.g., passed out of committee, passed a floor vote, gained enactment).

Tandberg recently undertook an effort that built even more overtly on the extant interest-group literature in his development of several measures of lobbying influence for higher education at the state level. Tandberg (2008, 2010a, 2010b) borrowed from the widely-used "relative density" indicator of Gray and Lowery (1996), and leveraged data provided by David Lowery and available in public archives to construct two promising measures of interest group activity in higher education. The first is an *interest group density measure*. The interest group density measure is constructed by taking the total number of registered interest groups minus the total number of registered higher education interest groups. The second measure, a *higher education interest group ratio*, indicates the strength of the higher education lobby relative to the larger interest group universe in a given state. This variable is constructed by dividing the total number of state higher education institutions and registered non-college or -university higher education interest groups by the total number of interest groups in the state, minus any registered colleges and universities or other registered higher education interests groups that may lobby for higher education. Tandberg deployed these measures in several longitudinal studies of state funding for higher education (2008, 2010a, 2010b). He found that both the density measure and the strength of the higher education lobby relative to the rest of the state interest group lobby (i.e., the larger the relative number of organizations lobbying for higher education) are important

causal factors in determining the relative amount of state expenditures devoted to higher education. There are several advantages of the Tandberg indicators, principally the availability of measures with predictive capability derived from a set of empirically-grounded measures in the parent interest group literature. Having found evidence that higher education interest group activity positively affects higher education appropriations and capital spending, future research might incorporate these measures into the adoption of various higher education policy innovations that have recently been examined by higher education researchers (e.g., Doyle, 2006; McLendon et al., 2006).

These measures could also be enhanced from sources similar to those utilized by Tandberg (2008, 2010a, 2010b), including the online archives of state government agencies that are charged with maintaining and making available public records of registered lobbyists. State elections offices, ethics commissions, and secretaries of state typically are the agencies with such duties.<sup>2</sup> Although, much of the lobbying activities of colleges and universities occurs informally, and thus would be underreported – or unreported – in the state databases, these online sources do contain very rich information.

In addition to the uses to which Tandberg (2008, 2010a, 2010b) has put these particular data, there are other possible avenues of research application. For instance, Wisconsin's online archive contains information on the activities of various registered lobbyists, including not-for-profit and for-profit higher education groups in that state. One can search the database to determine the extent of an organization's lobbying effort (number of hours) and expenditures (in dollars) on a given bill and in a given legislative session. One can cross-reference the efforts of other organizations that lobbied on the bill, and track the efforts of those organizations over time. As a result, one can track, bill-by-individual-bill, the proportion of an organization's total lobbying effort, comparing it with the effort expended by other organizations. One can also track the involvement and efforts of a given lobbyist across bills, organizations or even industries.

In the 2008 reporting period, for example, the University of Phoenix reported having spent \$60,000 on lobbying, the bulk of which was expended on Assembly Bill 281, a measure that would have shifted some of the Department of Public Instruction's regulatory authority over teacher education programs to another state agency. The database indicates that a number of other groups and universities also lobbied on the bill. These included the Wisconsin Association of Independent Colleges and Universities, the Association of Wisconsin School Administrators, the Wisconsin Education Association Council, the Wisconsin Technical College District Boards Association, and Marquette University. Marquette University's primary

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<sup>2</sup>See, for example, the online lobbyist registration databases for California <http://cal-access.sos.ca.gov/>; Florida <http://www.leg.state.fl.us/Lobbyist/index.cfm?Tab=lobbyist>; New York [http://www.nyintegrity.org/public/lobby\\_data.html](http://www.nyintegrity.org/public/lobby_data.html); Pennsylvania <http://www.oit.state.pa.us/LobbyistRegister/Site/Default.asp>; Texas <http://www.ethics.state.tx.us/guides/LOBBY%20guide.htm#REGISTERING>; Tennessee [http://tennessee.gov/tref/lobbyists/lobbyists\\_faq.htm](http://tennessee.gov/tref/lobbyists/lobbyists_faq.htm); and Wisconsin <http://ethics.state.wi.us/lobbyingregistrationreports/LobbyingOverview.htm>.

interests in the 2008 session, however, apparently lay elsewhere: the university reported that the bulk of its time was spent lobbying for the Marquette University College of Dentistry.

As a final prospective data source, albeit indirect, some political scientists have turned to data on state workforces as useful indicators of lobbying influence. Because public-agency officials often are the most effective advocates for specific programs (Gormley, 1996), particularly ones benefiting the public sector, some studies have used a ratio of public-sector employees to total state workforce as an indicator of group influence on certain state policy outcomes. The argument sometimes proceeds as follows: the larger the proportion of public-sector employees in a state's overall workforce, the stronger the lobby for more state spending on public bureaucracy – that is, on the programs that provide jobs for public employees and on the budgets of bureaucrats (McLendon & Hearn, 2007). One can envision a parallel argument being made in the context of public higher education: states in which the number of employees in the higher education sector comprises a larger proportion of the total state workforce (or of the public sector workforce) are ones that should be most likely to support certain programs, initiatives, and funding obligations benefitting public higher education.

Future researchers may want to examine more specifically the factors impacting the higher education lobby within the states. In higher density states, for example, are higher education institutions more or less likely to utilize associations or form lobbying coalitions? It stands to reason that higher density states national associations or lobbies would be among the many interest groups. Might the higher education coalitions in these states include less obvious actors such as national foundations and policy organizations? And, in a state such as Florida, where interest groups play a more “dominant” role overall in policy formation (Nownes et al., 2008), would campuses be more effective by relying on “hired guns” to advance their interests, or would they be more effective by distinguishing themselves from the behavior or the tactics of other interest groups, relying instead on campus-based government relations officers?

Also, what impact does the density and diversity of a state's interest group environment have on the state's higher education lobby? For instance, is a state with relatively few organized interests (i.e., small number of public institutions, fewer private institutions, non-unionized faculty) less likely to influence policy decisions, such as state funding via direct appropriations and student financial aid? Would a state with a denser higher education interest group landscape (i.e., many public and private institutions, PACs, etc.) be more likely to yield increased resources, or would these interests compete directly with one another and thereby offset their collective impact? Higher education researchers (e.g., McLendon et al., 2006; Zumeta, 1998) have long examined how higher education governance structures and the profile of institutions affect funding and various policy adoptions. We still know relatively little, however, about how these varying profiles affect the lobbying tactics employed and their influence on policy decisions.

3. *To what extent do state governance structures condition the impact of the higher education lobby?*

This third question relates to an important element contained in the inner layer of our conceptual framework – the mediating effects of state systems of higher education governance on interest group influences. Although a rich body of empirical research exists documenting the impact of postsecondary governance structures on policy outcomes in higher education both at the state and campus levels (e.g., Hearn & Griswold, 1994; McLendon, 2003b; McLendon et al., 2006; McLendon, Tandberg, & Hillman, 2014; Nicholson-Crotty & Meier, 2003; Tandberg, 2010b, 2013), studies on this relationship present a muddled picture overall. For instance, governance structures that are more centralized tend to be negatively associated with state spending on higher education (e.g., Lowry, 2001; McLendon, Hearn et al., 2009; Tandberg, 2010a, 2010b; Tandberg & Ness, 2011). At the same time, studies of the relationship between governance structures and state adoption of distinctively new policies for higher education (i.e., policy *innovations*, rather than spending outcomes) present an array of empirical results lacking any clear patterns.

This stream of research flows in several distinct directions. One such is the work of McLendon et al. (2006), which reports the results of a series of event history analyses around the influences on state adoption of three kinds of performance-accountability policies in the states. Building on Lowry's (2001) work in the area of principal-agent theory,<sup>3</sup> McLendon and colleagues assert that the different kinds of statewide governing boards for higher education may constitute distinctive interest group systems, facilitate the institutionalization of distinctive forms of interest-group mobilization and representation, and thus hold distinctive implications for policy outcomes relating to higher education in the states. They interpret their event history analysis findings of the factors influencing the rise of performance-accountability policies in the 1980–1990s as indicating that the different kinds of boards in effect may guard the interests of their constituent campuses, in turn producing pressures that can strengthen or weaken the probability of states undertaking certain policy behaviors.

Specifically, McLendon and colleagues find a negative relationship between the existence in a state of a consolidated governing board, a centralized, corporate-style governance structure for higher education, and the probability of the state adopting a rigorous performance-funding policy – that is, one that financially penalizes institutions for their poor performance on externally-imposed, metrics of campus performance. In explaining the finding, McLendon and colleagues reason that these centralized boards (i.e., consolidated governing boards) may have a vested interest in protecting their constituent campuses from certain forms of state oversight. They observe that, “consolidated governing boards are distinctive organizationally, because they represent a kind of academic cartel in which a central group of

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<sup>3</sup>See also Zumeta (1998), who proposes a similar relationship between statewide boards and policy outcomes, if for different reasons.

university-system administrators directs the affairs of campuses on a statewide basis” (pp. 18). This condition, according to the analysts, may help explain why states with consolidated governing boards tend not to adopt stronger (i.e., more penalty-laden) forms of accountability mandates: “the preference of consolidated boards, which are dominated by academic stakeholders, is to avoid rigorous performance regimes that would firmly hold constituent campuses to account. Consistent with those preferences, the academic cartels that are consolidated governing boards leverage their centralized resources in support of their states adopting programmatically weaker [assessments] because those programs lend the appearance of accountability, but lack enforcement teeth” (p. 19). The authors conclude that governance structure “matters,” because authority structures can help to determine whose interests (i.e., the interests of states or of campuses and, indeed, if the latter, of which campuses) may prevail.

Although the approach these analysts provide stands only as an indirect measure of interest group influence in higher education, it does provide readily testable hypotheses that are both theoretically and empirically grounded. Adding to the attractiveness of this particular line of inquiry in future research is the availability of a set of proxy measures for interest group activity across all 50 states and over time (see McGuinness, 1997).<sup>4</sup> Interestingly, McLendon and colleagues have tested the “governance-cartel hypothesis” in a number of subsequent studies, finding mixed and conflicting empirical support for the proposition (e.g., McLendon et al., 2011, 2014).

Tandberg (2013) has also examined the role of state governance structures in conditioning the policy impacts of various political institutions and actors having explored the relationship primarily in the context of state appropriations decisions. He hypothesized that, when individual institutions funnel their appropriations requests through the governing board – with the governing board serving as the chief, indeed perhaps sole, advocate for the institutions – the effectiveness of the advocacy effort may be less than that found under other kinds of board arrangements, such as the less centralized, coordinating-board approach, whereby each institution advocates for itself in a disaggregated manner. Tandberg also reasons that, when a central governing board official (rather than a representative from an institution located in the official’s home district) contacts an elected official, the elected official may be less inclined to support the appropriations request. Tandberg found support for both of these propositions: the presence in a state of a consolidated governing board for higher education appears to lessen significantly state spending for higher education.

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<sup>4</sup>The models derive from McGuinness’ (1986, 1988, 1991, 1994, 1997) four-fold typology, and include consolidated governing boards, regulatory coordinating boards, advisory coordinating boards, and planning agencies. As with the challenges associated with the Hrebenar-Thomas measure, the data provided by McGuinness are updated only periodically, although the gaps between updates in the McGuinness typology are shorter than those found in the Hrebenar and Thomas surveys.

Although, these particular kinds of measures of interest group influence in higher education, namely ones that incorporate variation in the structural arrangements for postsecondary oversight in the states, enjoy both solid theoretical grounding and empirical support, research clearly would benefit from more direct, refined measures. In one such effort, Lacy (2011) has developed a Bayesian latent-variable model with informed priors. As seen in the work of others analysts in this tradition, Lacy also relies on the underlying logic of the five-fold governance typology for higher education that McGuiness (1997) popularized. Yet Lacy also incorporates, for each state, data indicating more subtle governance changes over time, resulting in a continuous measure that situates each state uniquely along a governance-centralization continuum. This particular line of work represents a promising step in the direction toward development of empirically verified measures through which researchers can better assay the extent to which state postsecondary governance structures may condition policy outcomes for higher education.

In a distinctively newer approach to the study of state interest-group influences in higher education, Tandberg (2006, 2007, 2010a) developed and tested several indicators of interest group capacity, resourcing, and competition on state funding outcomes for higher education. In one panel study, for example, he found that the percentage of registered lobbyists representing colleges and universities had a significantly positive relationship to state funding levels (Tandberg, 2010a). Other research has found confirming evidence for Tandberg's claims. Using a panel design and several of the Tandberg-developed measures, McLendon, Hearn et al. (2009) analysis of state appropriations for higher education found that for every additional registered higher-education lobbyist in a state, appropriations to higher education rose by about \$0.05 per \$1,000 of personal income.

Whereas, a decade ago, the literature on postsecondary governance and interest group influences in the states was scant, today both research and theory around the relationship have improved. Research, however, remains in an "exploratory" phase. More research is needed both in theory development and elaboration and in empirical application. For example, future research might examine the role and influence of national foundations and policy organizations and how their lobbying activities might be associated with higher education governance structure. Do states with centralized governance structures, based on their higher levels of authority and increased research capacity, resist or try to undermine the efforts of these national organizations? Conversely, do these national organizations play a stronger role in states with weak planning agencies? Answers to these questions about how higher education governance structures interact with the other obvious and less-obvious actors stand to greatly enhance our understanding of state higher education interest group activity.

## Conclusion

Despite a vibrant interest-group literature in political science and in K-12 education, too-little research in the field of higher-education studies exists on the topic of lobbying, lobbying activities and efforts, and lobbying impacts. The conceptual and the methodological advances of the past decade, however, provide a firm base upon which to build. The conceptual framework, research questions, and data sources that we have examined throughout this manuscript begin to fill those large gaps that exist. A multi-faceted approach that builds on past research and theory in political science, applies existing conceptualizations of group influence, and leverages both established and newer data sources holds enormous potential for addressing the patently important, yet poorly-understood, phenomenon of interest-group behavior and outcomes surrounding higher education in the states.

## Appendix: Prospective Research Questions Related to Interest Groups and Higher Education in the States

State Landscape of Interest Groups and How They Operate	Why do some institutions choose to employ a full-time lobbyist (e.g., director of governmental affairs) and others choose to contract with a lobbying firm or do both? What are the trade-offs?
	To what extent do higher education lobbying strategies vary by state? To what extent do they vary by sector or locus of control?
	To what extent do the tactics, strategies, motivations, and methods of higher education lobbyists and interest groups differ from other lobbyists and interest groups?
	How do the size and resource bases of higher education lobbies vary across states?
Factors Influencing the State Interest Group Landscape	What impact does the density and diversity of a state's interest group environment have on the state's higher education lobby?
	What factors influence a higher education interest group's decision making in regard to lobbying strategy?
	What is the relationship between a state's interest density and diversity and various measures of the strength of the college and university lobby (e.g., the Thomas and Hrebentar's scale)?
	How has the relative size of the higher education lobby changed over time? Which characteristics of the higher education lobby (e.g., organizational attributes, reliance on "hired guns," etc.) changed overtime? Why have these changes occurred?

Impacts of State Interest Groups on State Politics and Policy Outputs	What impact do interest groups, and specifically the higher education lobby, have on state level higher education policy?
	What, if anything, has resulted from changes in higher education's influence? What difference has the lobby made in terms of state policy outcomes? How has the policy impact changed over time?
	To what extent do state governance structures condition the impact of the higher education lobby? What structures most and least mediate the policy influence of the higher education lobby?
	Does the impact of the higher education lobby vary depending on whether an institution employs a contract lobbyist, an in-house lobbyist, or both?

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