A Look at New Public Management Through the Lens of the NCIB Act Specifically as it Relates to Traditionally Marginalized Populations

Aaron Cornelius Rollins

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A look at new public management through the lens of the NCLB Act specifically as it relates to traditionally marginalized populations

By
Aaron C. Rollins

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A look at new public management through the lens of the NCLB Act specifically as it relates to traditionally marginalized populations

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Performance policies propose to enhance the quality of services provided to vulnerable citizens. However, the ability to accomplish this goal is largely unsubstantiated. In the field of education, the No Child Left Behind Act outlined performance policy guidelines that held educators accountable for disadvantaged students outcomes and provided students with the option to seek the services of alternative providers through a student transfer provision. This dissertation assesses the quality of states’ NCLB provisions that targeted minority and vulnerable student performance as well as utilization of the NCLB transfer provision allowing students to exit underperforming schools. It indicates that teachers’ union strength, minority student population, and past performance impacted the development of vulnerable student accountability provisions. The use of the transfer provision was limited by the strength of the accountability system implemented. As a result, the transfer provision is being poorly utilized and the states have negatively affected the educational opportunities of marginalized populations.
DEDICATION

This dissertation is dedicated to a number of very important people in my life. First, I would like to give all the praise and honor to my Lord and Savior Jesus Christ; I truly understand that without him I am nothing, and it is through him that, ‘we live and move and have our being.’ Next, I would like to personally thank my mom, Brenda Williams, for being such a wonderful living testimony and a beacon of hope for everyone that she encounters; she has sacrificed so much of her personal life, career goals, and ambitions to give her 8 children the best opportunity to succeed. I would also like to dedicate this dissertation to my grandparents W.C. and Mattie Manyfield; I am positive that if it were not for their investments and commitments towards my success none of this would be possible. Finally, I would like to dedicate this dissertation to all of my supporters throughout this entire process including but not limited to: Tasha, Daisy, Erica, Francesca, Debbie, April, Sam, Ashley Brantley, Betty Whitlock, Ervin J. Ricks, Ethel Young-Minor, Victor Martin, Carol Pringle, the brothers of Alpha Phi Alpha Fraternity Inc., the brothers of Prince Hall Masonry, etc. To all of you mentioned above, and those that I failed to mention, I am eternally grateful for all that you have contributed towards my life, and I am forever indebted to you all.
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CHAPTER I
INTRODUCTION

Background

Efforts to enhance efficiency and effectiveness in the public sector have increasingly relied on the use of performance management techniques. Mechanisms such as quantitative measures of outcomes, employee and organizational accountability sanctions, and the public reporting of results have received considerable political support from policymakers. Support is particularly evident in the field of education where performance policies serve as the central component of reforms aiming to improve the academic performance of racial minorities and economically disadvantaged students.

Most recently, President Obama’s Race to the Top Program has promoted performance principles by allowing states to compete for billions of dollars if they agreed to reform teacher pay and link teacher salary and tenure to student outcomes and invest in charter school programs that provide options for disadvantaged students attending public schools with a history of poor academic performance (Obama, 2009). This legislation serves as a complement to the more controversial No Child Left Behind Act of 2001 which invested millions of dollars into the development of accountability models that required states to demonstrate significant progress in enhancing outcomes for vulnerable student groups, link school funding and employee tenure to educational outcomes, and provide options for students attending schools consecutively failing to meet preexisting performance
goals (Wong, 2008). Like other reform efforts, these policies focus on performance measures and accountability as effective means for improving public service quality and outcomes for the most vulnerable members of society but fail to adequately consider the environments in which they will be implemented and its potential impacts on measure development and use.

Light (2006) noted the importance of environmental considerations as well as the perils of blindly subscribing to performance management’s assertions of enhanced outcomes and posited that there needed to be “a moratorium on new reforms until an independent body can complete a detailed examination of just how past reforms have worked” (Light, 2006 p. 17). Such an examination is particularly important as it relates to the impact that performance policies have on the lives of the most vulnerable members of society which includes: racial minorities, economically disadvantaged students, and those who spoke limited English. These individuals are largely dependent on elected officials and administrators to create policies that promote equality, efficacy, and their overall state of wellbeing. Poorly developed performance policies may impact them at a greater rate than their more affluent counterparts who are less dependent on the government to provide services that determine their life chances. Given the significance and understudied impact that performance reform policies have on the lives of vulnerable groups of citizens, this research responds to Light’s call for additional research by examining the development and sanctioning provisions of the No Child Left Behind Act (NCLB) which target the performance of racial minorities, the economically disadvantaged, and other vulnerable student subgroups. More specifically, it assesses two questions: does the political and organizational environment influence the strength of
state NCLB accountability provisions targeting the performance of vulnerable student subgroups, and have states with stronger subgroup accountability provisions more effectively promoted or actualized the transfer provision allowing vulnerable students to exit poorly performing schools?

Building on the works of others (Patrick and French, 2011; Carnoy and Loeb, 2002; Nichols et al., 2005), this study develops a seven point performance index that highlights elements important to performance management reforms while capturing pertinent policy provisions of NCLB that require states to present a student population in which 100 percent of minority and other vulnerable subgroups are proficient in selected subjects but also allow the state to determine what elements of student knowledge will be assessed and how that assessment will be conducted and documented. By assessing the subgroup provisions, this research presents a more meaningful analysis of states’ commitment to performance accountability. The assessment of subgroup accountability provisions is important because the failure of any one subgroup to meet performance targets can result in a failing classification for the entire school. Once a school is deemed failing, the parents are granted the right to evoke the transfer provision and transfer their children to higher performing school, which involves taking federal and state funds with from the underperforming school. Given awareness of the challenges associated with advancing the outcomes for these vulnerable groups, an assessment of legislation outlining how these scores are tabulated and recorded may serve as one of the most effective means of assessing NCLB performance reforms.

The elements included in the index measuring subgroup accountability strength are: preexisting accountability models, the use of a 75 percent confidence interval in
reporting subgroup scores, a 10 percent rule, uniform averaging of scores, and the type of trajectory system each state selected. By assessing state definitions of each of these terms, we can gain a better understanding of whether the development process was designed to lead to meaningful and challenging performance reforms or, if it simply complied with federal mandates thereby limiting opportunities for significant advancement under performance management. This research begins with an overview of performance reforms including those associated with NCLB. Discussions of the performance accountability index, outcome variables, and independent variables are included in the research methods and variables section. Results of the analyses are reviewed in the discussion of the variations in state performance systems section.

**Problem Statement**

The Classical Model of Public Administration has been characterized as being inefficient and ineffective due to various constraints including: bureaucratic monopolies, generic management, limited or dysfunctional compliance accountability models, lack of emphasis on performance, and antiquated structures that cannot adequately respond to environmental changes (Moe, 2011; Wong, 2008; Gore, 1993; Osborne and Gaebler). Contemporary academicians, policy makers, and reform advocates point to New Public Management (NPM) as a feasible alternative. The basic tenants of NPM include: (1) the notion that public sector efficiency and effectiveness can be enhanced through the development of meaningful performance measurement systems that outline goals and emphasize targets, (2) compliance accountability models should be replaced with performance accountability models that inspire employees to improve the quality of their performance, (3) market type competition will provide citizens with options and enhance
service quality, and (4) utilizing sanctions for poor performance will increase outcomes (King, 1987). Though these reforms propose to make meaningful changes, some scholars have begun to question the success of the reform movement.

Kirlin (2001) posited that many proponents of the new reforms have claimed positive results stemming from the reforms without sufficient evidence. His sentiment was shared by Light (2006) who proposed a moratorium be placed on new performance management reforms until the effectiveness of previous reforms have been adequately evaluated. Agreeing with Kirlin (2001) and Light (2006), Lynn, Heinrich, and Hill (2005) called for an organizing framework for empirical governance research that measures the relationship between the outputs of administrators’ activities and the assessment of the activity by the stakeholders before one prematurely analyzes the new reforms (Lynn, Heinrich, and Hill, 2000). Janet Kelly (2003) asserts that there are consequences for making the assumption that performance constitutes accountability to citizens for outcomes that matter to them. Furthermore, she also asserts that the new reforms will cure the ills of public administration before proving that the new reform movement works can be detrimental and ultimately fracture the policy makers’ relationships with the citizens as well as the service providers (Kelly, 2003).

The recent calls for evidence of success or failure for performance are not new or isolated. Concerns over the use of performance measure systems and accountability models in the public arena are a reoccurring issue in public administration literature. Ridley and Simon (1943) noted that the use of performance measures could bridge the gap between administrators and citizens because citizens would be provided with an instrument to gauge whether they were getting efficient services or not. However, they
warned that poorly developed performance measure systems could have a negative effect on outcomes and service quality (Ridley and Simon, 1943). Joyce (1993) added that the adoption of the wrong measures could cause NPM and other performance management reforms to function as a cure that was worse than the ills of poor performance. The lack of clarity about performance management and measurement caused Aaron Wildasqv to posit that he once believed that performance measurement was a good thing but he later questioned why public organizations should evaluate performance (Caiden, 1998). Smith (1999) also noted the dangers of developing performance systems that are linked to funding by posing that internal stakeholders may be motivated to increases in error, fraud, falsification, and misrepresentation.

The lack of clarity and evidence evaluating performance reform highlight the need for additional research on how performance reforms have been implemented and their impact on the citizenry. This research undertakes the task by examining whether policymakers and administrators create meaningful and challenging performance accountability systems when developing performance systems that have funding implications, are highly visible, and target areas of weakness/areas where organizations have historically performed poorly. More specifically, it assesses three research questions: (1) can leaders be expected to operate under the veil of ignorance and create challenging performance systems? (2) What role do organizational and political variables play in development of performance measures or accountability systems that target areas of weakness or poor performance? (3) Lastly, does the presence of strong performance accountability systems produce the desired outcomes of empowering citizens with options and enhanced outcomes?
In order to adequately address the research questions the dissertation will examine critical performance elements of the No Child Left Behind Act of 2001 (NCLB). NCLB called for major reforms to public education by requiring states to shift from compliance or bureaucratic accountability models that held educators and administrators accountable for following the rules to performance accountability models that emphasized outcome accountability, competition, and sanctions (Wong, 2008). The NCLB performance movement in education has been one of the most massive expansions of NPM and performance management in the public arena to date. Federal guidelines stipulated that each of the fifty states develop an accountability model by responding to a series of uniform questions that would serve as the basis of the state’s NLCB accountability model. The uniform questions required sweeping reforms throughout the states. However, the accountability models have raised concerns about the development and implementation processes. Several scholars have noted that states’ responses have resulted in very different accountability models with varying levels of strength.

For example, Patrick and French (2011) pointed out that states used varying tactics to reward educators for high performance under NCLB. Educators in states such as Connecticut, Illinois, and Utah received certificates for meeting or achieving performance expectations. Conversely, educators in the states of Arizona, Arkansas, Colorado, Florida, Massachusetts, and North Carolina received additional grant funds, monetary rewards for teachers, and additional discretion for meeting or exceeding performance goals (Patrick and French, 2011). Patrick (2007) added that states developed varying policies that allowed them to use confidence intervals that provided for the manipulation of reported results for student groups.
Porter, Linn, and Trimble (2005) noted that the use of confidence intervals in Kentucky resulted in the majority of all public schools meeting performance targets. If confidence intervals had not been included in the legislation only a minute fraction of schools that met performance expectations would have been classified as meeting them. Similar findings were reported in the state of South Dakota where the use of confidence intervals allowed a subgroup of ten students to meet the state’s 45 percent proficiency goal if only one student in the group tested proficient on the standardized exam (South Dakota Department of Education, 2005). The variations identified by these and other scholars highlight the need for research assessing states’ development and implementation tactics.

Although several scholars have attempted to assess accountability frameworks in education (Sherman, 2008; Carnoy, 2005; Hanushek and Raymond, 2003; Carnoy and Loeb, 2002; Haney, 2000; Nichols et al., 2005), they suffered numerous shortcomings including the lack of uniform procedures throughout the states, missing data, and unclear or questionable measurement or evaluation techniques. Many of the studies also assessed performance accountability models in the pre-NCLB state environments. In an effort to overcome the limitation these studies encountered, this research utilizes the evaluation technique set forth by Patrick (2007) and Patrick and French (2011). These scholars conducted a qualitative analysis of each state’s NCLB legislation to identify critical performance components that aligned with central tenants of NPM. The components were then indexed into an accountability rubric that measured the strength of each state’s performance model. Following their frameworks, this research seeks to expand beyond their broad focus or assessment of general accountability provisions for overall student
performance and conducts a more specialized assessment of NCLB accountability provisions governing the performance of vulnerable groups of students who have traditionally performed poorly.

These subgroups of students, which include: racial minorities, economically disadvantaged students, and those who spoke limited English were the primary targets of federal reforms. States were required to distinguish the results of these students from the overall student averages and demonstrate that each group advanced toward the goal of producing a student population that was 100 percent proficient by the end of the 2014 school term. If any one subgroup failed to meet performance targets for two consecutive time intervals the school could be subjected to performance sanctions which included the loss of funding, dismissal of teachers and administrators, and state intervention resulting in the school closing, being placed under the control of a private contractor, or converted to a charter school. Achieving targets for these students presented a greater challenge for states than enhancing the overall outcomes for the general population.

The study’s research model includes a series of political and organizational variables that measure elements deemed important in public administration and organizational literature. The independent variables include: percentage of teachers with advanced educational degrees, National Educators Association membership, past performance, minority student population, spending per pupil, administrative capacity, and political affiliation or voting in the presidential election. Two dependent variables are included. The first dependent variable is an accountability index that measures the strength of each state’s subgroup provisions.
The second dependent variable addresses a NLCB sanctioning provision that allows parents in poor performing schools to transfer their children to better performing schools. This dependent variable is defined as the percentage of eligible students participating in the school transfer program. The variable provides for an assessment of performance reform’s ability to provide citizens with an alternative and promotes an environment where those services are utilized in a meaningful manner. This creates an environment where performance sanctions can potentially induce the desired outcomes.

Theoretical Framework

The principal agent relationship implies that two parties enter into a binding agreement with each other. The principal or party in need of a service hires the agent to perform a task on his or her behalf. The agent agrees to safeguard the interest of the principal and complete the task in the most efficient and effective manner. If the agent fails to uphold his contractual obligation, the principal may seek retribution in the form of legal or financial sanctions. In the private sector, sanctions are inferred through the principal’s ability to seek the services of an alternative provider. In the public sector, such sanctions are limited. These limitations create an environment where the agent can manipulate the relationship and leave the principal with few remedies.

Terry Moe (2003) highlights such an example in the public school arena. He argues that outdated compliance accountability models have allowed self-interested, disconnected, and unconcerned educators to linger in the education system (Moe, 2003). Their presence decreases the quality of education students receive. However parents, especially low income minority parents, have few remedies to the problem. Cooper’s (2005) assessment of low income African American parents and guardians lends support.
to Moe’s hypothesis. She found that many of the parents expressed frustration with educators working in their neighborhood schools. They believed that some teachers did not care about the students or the quality of their education (Cooper, 2005). Archbald (2004) and Saporito (2003) noted that parents who were living in poverty were so discouraged by the quality of their public schools that they desired the opportunity to participate in a school choice program that would allow their children to attend other schools.

The concerns raised by these parents, Moe, and others have caused policymakers to seek out new techniques that might be used to reform the nature of the principal agent relationship between citizens and agents in the public school arena. One such mechanism of reform is the No Child Left Behind Act. NCLB required states to target the performance and education of vulnerable racial minorities and economically disadvantaged students by requiring them to develop performance targets that would result in 100 percent of the students in these respective groups being proficient in selected subject areas by the end of the 2014 school term. In an effort to overcome the state inflicted roadblocks the Clinton Administration performance education legislation encountered, federal policymakers established a set of uniform sanctions to be implemented throughout the states for poor performance. Most notable among these sanction was the requirement that schools failing to meet performance targets for two consecutive time periods must provide students attending those schools with the option to transfer to another school within the district that met performance targets. Students must also be provided with the option to receive additional academic assistance from outside entities not affiliated with the school. The failing schools are required to finance the cost
of the additional assistance. Teachers could also be released for poor student academic performance.

Though the federal guidelines have subscribed to the principles of NPM it is important to assess how states have implemented these federal reforms. Qualitative studies have raised questions about state sanction implementation. For example, Brown (2004) pointed out that administrators and policymakers included in their 5 state study may not be committed to sanction implementation. In the State of Mississippi, a state with a history of poor performance and sizable populations of disadvantaged students, less than three percent of transfer eligible students actually transferred out of underperforming schools. Kahlenberg (2010) noted that approximately $1.8 billion had been set aside for student transfers and supplemental services but it is unclear if students in states with the most needs are gaining access to the market techniques that provide them with options for alternative services. This study’s assessment of states’ accountability provision development, implementation, and impact on outcome will offer insight on this issue. The research will also offer meaningful insight on the state of performance management reforms in the public arena.

This dissertation is divided into five chapters. Chapter one provides the foundation and theoretical framework for the dissertation. Chapter two reviews the accountability and performance management reforms in public administration literature, reviews education reforms, and provides a framework to assess the No Child Left Behind Act. Chapter three outlines the research design. Chapter four presents the findings. Chapter five concludes the dissertation, discusses implications of the study, and offer future research suggestions.

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CHAPTER II
EVOLUTION OF PUBLIC ADMINISTRATION

Introduction

In order to understand the expansion of teacher and administrator performance accountability models in education it is essential to provide a historical overview of accountability models in the public arena as it relates to education. This chapter pursues this goal by highlighting major eras and pertinent scholars in education and accountability research. It begins with a discussion of accountability models under the Classical School of Thought of Public Administration literature. It then proceeds with a discussion of Behavioralist Era of research and thinking. Finally, it concludes with a review of New Public Administration, efforts to reinvent government, and the expansion of New Public Management and performance management.

Accountability under the Classical Model of Public Administration

The Classical Model of public administration highlights the importance of control, stability, uniformity, the efficient use of resources, employee accountability to superiors, and compliance with the rules and procedures. Noted among scholars contributing to this school of thought are Weber, Udy, Taylor, Gulick, and Brownlow. Weber (1954) proposed that the “ideal” public agency or organization should include a division of labor, a hierarchy of authority, extensive rules to which employees are held
accountable for following, specialization of task, and hiring and promotion based on technical competency. He further envisioned an organizational framework where trained employees who abided by organizational rules and procedures would enjoy job tenure for life. They would be safeguarded from fears of political retribution and free to focus on effectively committing to organizational functions and goals (Weber, 1954).

Udy (1959) expanded on Weber’s work by positing that public organizations could be systematically measured to demonstrate the degree to which organizations are or are not bureaucratic. In order to empirically measure the characteristics of an organization, a scientist must find a way to remove the human element from the organizations. Under this notion, the idea of building public organizations that were efficient machines devoid of human characteristics flourished. Frederick Taylor, who is regarded as the ‘father of scientific management,’ is widely cited for his work on time/motion studies that largely focused on the machine aspects of public organizations.

Scientific management purported that studying what workers did and finding the one best way to complete the task would enhance efficiency (Nigro and Nigro, 1994). Workers who met expectations would be retained, rewarded, and promoted. Those who did not would be retrained, demoted, or dismissed. The elements of the job which employees were held accountable for achieving were often developed by experts who were far removed from the task of day to day operations. This was done to limit bias in measure development. Advocates argued, “…if the tools and procedures were accurate then the functional goals of organizations using test or performance appraisal would be met” (Milkovich and Wigdor, 1991 p. 45). Taylor was accused of devaluing worth of the agents/practitioners by simply looking at them as ‘cogs in a machine’ which led to
criticism from subsequent scholars in the ‘behavior movement paradigm’ (Kanigel, 2005).

Luther Gulick and Henri Fayol also contributed to the Classical Model. These scholars placed an important emphasis on bureaucratic accountability, stability, and uniformity. They advocated an organizational framework in which employees answered to one superior. Each scholar also denoted the importance of established rules and regulations that set guidelines for employee behavior and performance. They believed in the notion that there was a place for every employee and each employee had to be in his or her place. Such strict methods of control provided for uniformity and effectiveness but it limited employee input and discretion (Fayol, 2001; Gulick, 2002).

Likewise, the Brownlow Commission consisting of: Louis Brownlow, Charles Mewiam, and Luther Gulick shared similar ideas. They introduced the idea of POSDCoRB (Planning, Organizing, Staffing, Directing, Coordinating, Reporting, and Budgeting). POSDCoRB promoted ideas such as a hierarchy of authority, employee actions being coordinated and directed by a superior, and lower level employees reporting to and receiving direction from those higher in the chain of command (Gulick, 2002).

Weber (1954), Taylor (1914), Gulick (2002), and others focused on the importance of the system of organization in which an individual worked. The main idea was to create an environment in which superiors held employees accountable for following the rules and direct orders of their superiors. Several scholars have identified problems with this approach to employee accountability and organizational effectiveness. Merton (1957) proposed that rule-based accountability dehumanized organizations by
creating an environment where employees function as robots that were driven by the rules and not service quality or human needs.

Simon (1982) and Kettl (1990) noted that the classical model’s adherence to rule based accountability ignored the human aspect of employment and severely limited employees abilities to be creative and autonomous. This created work environments that were of poor quality due to employee stress. These propositions have been validated by numerous studies in the field of education.

The Classical Era of Public Administration and Education Policy

Similar to the public sector workforce, education scholars have found lack of productivity and apathy amongst educators when stripped of their autonomy. McConnell’s (1971) work on professionals in the university setting revealed that faculty members became highly stressed, de-motivated, and resentful when the university administration tightened control over their actions. Platt and Parson (1973) added that administrator/faculty relationships can become contentious under stringent rule based accountability models that limit input and discretion. Similarly, Rosenholtz (1987) added that a lack of discretion and input increased teacher absenteeism and frustration.

Chubb and Moe (1990) suggest that increased bureaucratic accountability negatively affected educators and decreased student performance. Meier et al (2000) added that accountability elements of the bureaucratic structure can decrease student performance and increase teacher turnover. A study linking educators’ decisions to exit the profession to principles promoted by Weber found the principles help to create an environment where the profession became a rotating door; teachers would flow in and out. The study linked teachers’ decisions to exit to a lack of support and input. Schools
in which teachers had more input and control experienced approximately an 18 percent decrease in the number of teachers who exited the school (Ingersoll, 2001).

**Accountability and the Behavior Era**

The human element of organizations was downplayed in the classical model of public administration. Scholars such as Elton Mayo, Abraham Maslow, and Douglas McGregor noted that there were various factors that motivated humans to make certain decisions. The single most significant set of events that preceded and presaged a conscious theory (and field) of organizational behavior was the multiyear work done by the Elton Mayo team at the Hawthorne plant of the Western Electric Company beginning in 1927 (Mayo, 1933; Roethlisberger & Dickson, 1939). Their work sparked the examination of the organizational behavior perspective or modern theories of motivating. “The Hawthorn experiments showed that complex, interactional variables make the difference in motivation people- things like attention paid to workers as individuals, workers’ control over their work, differences between individuals’ needs, the willingness of managers to listen, group norms, and direct feedback” (Ott, et. al., 2008 pg. 132-3). The experiments revitalized the American workforce and fostered modern public-sector employee innovations.

Although his theories have been heavily criticized for being overly simple (Wahba and Bridwell, 1973), Abraham Maslow’s Hierarchy of Needs Theory serves as a seminal text in the study of organization behavior. Maslow argued: “[A]ll humans have basic needs that underlie their motivational structure, once the lower level of needs are satisfied they no longer serve ‘drive’ behavior because satisfied needs are not motivators,
finally, once lower-level needs of workers become satisfied, higher-order needs take precedence as motivating factors” (Ott, Parks, Simpson, 2008 pg. 133).

McGregor introduced the Theory X and Y to explain the humanistic element of organizational behavior. In, ‘The Humanistic Side of Enterprise,’ McGregor labeled two alternative sets of assumptions regarding employee motivation, Theory X and Theory Y. McGregor’s Theory X assumption is aligned with the Classical Model of Public Administration; it contends that humans are inherently lazy, dislike work, and will attempt to avoid it whenever possible. Therefore, people must be motivated through: coercion, force, or threat of sanctions to work towards the goals of the organization. In contrast, McGregor’s Theory Y assumes that people do not inherently dislike work. It contends that employees will exercise self-control if they are committed to the objectives of the organization. Theory Y focuses on the lack of autonomy given to individuals and contends that workers are unmotivated oftentimes because they are not allowed to utilize their intellectual potential (McGregor, 1960).

Daniel Katz and Robert Kahn (1978) noted that the early pioneers of PA failed to adequately deal with the transaction between the organization and the environment in which it functioned. Chester Barnard (1968) and his followers stressed the role of the individual within the organization and contended that it is the individual that is responsible for carrying out the orders and making the decisions within the organization. Therefore, it is important to recognize the importance of the individuals within the organization and incorporate the workers in the in the building of effective accountability models in order to achieve optimal results.
One approach to promoting accountability under the behavioralist model is an emphasis on professional accountability. Under professional accountability models employees are granted more input and control over the work environment. They are largely held accountable by professional standards and less stringent compliance accountability techniques.

Gardner, Csikszentmihalyi, and Damon (2001) noted that increased autonomy and control over the work environment frees employees to be more efficient and effective because they are cognizant of the fact that the outcome will represent them and their abilities. They also understand that poor work quality and dismal outcome can lead to professional reprimands by their colleagues and legal actions by citizens (Leonard et al, 2003; Rousseau, 1995). Horner (2001) also pointed out that such accountability models can promote efficiency because employees are free to make decisions. They don’t have to wait for decisions to slowly flow down the chain of command. This promotes a more productive workforce.

Terry (1998) argues that professional accountability is necessary and warranted because the public sector workforce is composed of trained professional who are skilled at their craft. He noted that long gone are the days of unskilled clerks who required pointed direction and control. Today’s managers and employees are highly skilled and committed to their craft. The desire to hold them accountable to stringent rules and bureaucratic accountability will result in waste. He further eludes that poor service quality is not the result of managerial incompetence or malfeasance. It is the result of a bad system that overburdens managers and employees with rules, regulations, and red tape.
Other advocates of Peter’s (2002) deregulatory model argue that professional accountability would limit many of the current mechanisms that hinder efficiency. Rules increasing red tape could be removed and give managers more control over the day to day operations. They would have more authority to effectively direct, hire, and fire employees. This would allow them to more efficiently and effectively pursue organizational goals.

Lorsch and Morse further elaborated on the role of the individuals within an organization and the use of varying accountability models by noting that an employee’s reaction towards his or her work is a result of his or her personal expectations and the characteristics of the organization in which he or she are employed (Lorsch and Mores, 1974).

The Behavior Era and Education Policy

The Behaviorist model countered the classical model’s ideology regarding individuals within the organizations as cogs in the machine and illustrated the importance of the individuals within the organization. It gave the teachers and administrators more autonomy. Similar to the individuals in McGregor’s Theory Y, Terry Moe noted that we made the assumption that all teachers were motivated to work. Unfortunately, we have learned that many of the teachers are more like Theory X and this has disproportionately affected low income and minority students.

The Era of New Public Administration

Though behaviorists sought enhanced efficiency and effectiveness by emphasizing the human element of public organizations, limited success, concerns for
equity and fairness, and citizens’ concerns for cost and service quality led to a call for additional reforms.

Frederickson wrote:

Conventional and classic public administration seeks to answer either of these questions: (1) How can we offer more or better services with available resources (efficiency)? Or (2) How can service levels be maintained while spending less money (Economy)? A new public administration adds this question: Does this service enhance social equity? To say that a service may be well managed and that a service may be efficient and economical, stills beg these questions: Well managed for whom? Efficient for whom? Economical for whom? Traditionally public administration assumed a convenient oneness to the public (Frederickson, 1980)

There were growing concerns that there was too much reliance on the expertise of the bureaucrats and the capability of the bureaucracies and not enough scrutiny was aimed towards the agencies. Therefore, scholars, theorists, and researchers addressed the concerns of the dissatisfied citizens by developing New Public Administration (NPA).

Frederickson noted that bureaucratic agencies had very little concern for the citizens and a general resistance towards equity (Frederickson, 1996). In NPA, there is an underlying assumption that there is a commitment to public service by a well-informed citizenry. It attempted to revitalize the citizenry trust in government by implementing rules and regulations that will forbid governmental agencies from discriminating against previously discriminated groups. Kingsley (1944) argued that the public sector employers should streamline their objectives and focus more on
representative bureaucracy. He felt that if diversity was properly implemented in governmental bureaucracies then the agencies would be seen as more responsive and could better serve the interests of the public.

As a result, NPA adopted the spirit of the major Supreme Court decisions, legislation, and Presidential Executive orders including: (1) 1954 Brown v. Board decision, which overturned the 1896 Plessey v. Ferguson decision and called for desegregation. (2) The Brown v. Board 2 further advanced the previous decision and called for desegregation ‘with all deliberate speed.’ (3) The Civil Rights Act of 1964, which prohibited discrimination based on race, color, religion, sex, or national origin. (4) The 1967 Age Discrimination in Employment Act, which made it illegal for companies to discriminate against employees between the ages of 40 and 65. (5) The Vocational Rehabilitation Act of 1973, which protected citizens with disabilities from discrimination in federal employment. (6) The American Disabilities Act of 1990 extended the Vocational Rehabilitation to include all organizations with fifteen or more workers. (7) The Executive Order 11246, which called for ‘affirmative action’. (8) The Alexander v. Holmes 1968 decision, which called for desegregation ‘At Once.’

New Public Administration shifted the focus of public administration from focusing on economy, efficiency, and effectiveness to a focus on equity. Dwight Waldo criticized the previous scholars’ beliefs and usages of the terms efficiency and economy in his book, The Administrative State. He sarcastically asked, “What is the meaning of efficiency?” His response was, “[T]here are but two fundamental meanings. One of these meanings might be called the philosophical. It is the notion of energy, force, or cause” (Waldo, 1948. pg. 201).
As a result, policies and procedures were introduced to ensure that disadvantaged groups were no longer being discriminated against on a large scale. The views of the employees as espoused by the behaviorist scholars were expounded to include the diverse demographic characteristics of the employees. Unfortunately, many of the court decisions, executive orders, and legislative acts were ignored or shirked by unsympathetic authorities. Therefore, NPA was an attempt to account for almost every federal employment human resource concern and the OPM rules and regulations were becoming overly cumbersome for the employees.

**New Public Administration and Education Policy**

Under NPA, we have a federalist attempt to address the shortcomings of the behaviorist movement. As noted earlier, the major tenant of the Era of New Public Administration was a focus on Equity. Throughout the 1960’s and 70’s, there was strong public demand for uniform accountability standards on the part of the students as well as the teachers (West and Peterson, 2003). Two major education components were the 1965 Elementary and Secondary Education Act (ESEA) and the 1969 National Assessment of Educational Progress (NAEP). These initiatives were introduced to combat the failed educational policies that: 1) did not hold the students accountable for learning, and 2) did not hold the teachers accountable for teaching.

The 1960’s ‘War on Poverty’ looked at several ways to assist underprivileged individuals in their plight for social, economic, and political upward mobility. President Lyndon B. Johnson believed that education could be used as a viable mechanism to combat poverty in America and made equity a major focus of the 1965 Elementary and
Secondary Education Act (ESEA). Julie Jeffery noted that poverty planners felt that achievement in school was directly related to economic status (Jeffery, 1978).

Jeffery (1978) further inserted that the ESEA never could have lived up to potential hopes primarily because policy makers failed to confront the basic fundamental ills within the American public school system. Massey and Denton posited that the primary reason racial disparities existed after desegregation is due to the white-flight phenomenon as Blacks moved in to the inner cities (Massey and Denton, 1993). Orfield and Lee noted that school segregation reemerged between 1991 and 2001 (Orfield and Lee, 2004).

There have been several studies that have dealt with the disparities in educational opportunities between minorities and their white counterparts (Jencks and Phillips, 1998). Hedges and Nowell used data from six national surveys conducted between 1965 – 1992 and found that test scores disparities between Blacks and Whites actually declined over this time period (Hedges and Nowell, 1998). Fryer and Levitt found that adjusting for background characteristics of students reduced the achievement gap of Black and White kindergarteners but had no affect after kindergarten (Fryer and Levitt, 2004).

**The Era of New Public Management**

During the 1980s and 90s reform efforts primarily promoted the notion that government should be reinvented in a manner that resulted in it being more efficient and effective by cutting red tape and adopting market reforms. The two most visible proponents of the movement were journalist, David Osborn, and former city manager, Ted Gaebler. *Reinventing Government* served as the preeminent text for the reinvention movement from the late 1980’s through the 2000’s. It called for the removal of the
procedural ‘red tape’ that burdened the bureaucratic workforce. It also asserted that the way to obtain effectiveness and efficiency was to introduce performance measures that focused on the desired outcomes of the agency. The authors wanted to empower the lower level workers through a decentralization process (Osborn and Gaebler, 1992).

Osborn and Gaebler also included the idea of incorporating the private sector market-based mechanism that fosters competition into public administration. The most visible new strategy adopted during the Reinventing Government Era is the adoption of private-sector market-driven practices. Some of the more controversial practices adopted by the NPM movement include the incorporation of incentive based initiatives and privatizing social services.

In alignment with the ‘reinvention’ tone set by Osborn and Gaebler, two separate commissions were created to find successful ways to incorporate the reforms endorsed by Osborn and Gaebler into the public sector. The ‘Winter Commission’ was established to address the needs of state and local human resource practices, and the ‘National Performance Review’ headed by Vice President Albert Gore was responsible for addressing the problems of the federal government human resource dilemmas. These two initiatives provided the fundamental theoretical tenets of the ‘reinvention paradigm.’

The Winter Commission recommended removing the antiquated civil service human resource system and replacing it with a more common sense approach in an attempt to address effectiveness and efficiency in the public sector. The commission ridiculed the system saying, “The Commission believes that states and localities are best served by a decentralized merit system that helps agencies and departments address
issues of hiring and mobility, pay, diversity, firing, and the operation of the personnel system” (Winter Commission, 1993).

The Winter Commission was very clear in regards to its commitment towards diversity. It noted, “The pattern and the problem are clear. The face of America outside government is changing faster than the face of the work force inside...The disconnection between those whom government serves and those who serve government can only create tension” (Dilulio, 1994 p. 293).

In regards to hierarchy and the rules that govern bureaucratic organizations, the Winter Commission recommended flattening the bureaucratic hierarchical structure. It noted, “Flattening the bureaucracy by reducing the number of management layers between the top and bottom of agencies and thinning the ranks of the managers who remain” (Winter Commission, 1993 p. 11). The Winter Commission (1993) felt that bureaucratic organizations could achieve efficiency with less management overhead to supervise the street-level employees.

In 1993, President Clinton instructed Vice President Gore to head a commission that would offer recommendations for a more effective federal government. He noted, “Our goal is to make the entire federal government both less expensive and more efficient and to change the culture of our national bureaucracy away from complacency and entitlement toward initiative and empowerment. We intend to redesign, to reinvent, to reinvigorate the entire national government” (Gore, 1993 p. 1). Osborn and Gaebler were added on to the taskforce and they were very influential in the creation of the National Performance Review (1993). They incorporated several of their ideas listed in their bestselling book, Reinventing Government. The NPR report strategically introduced
several private sector human resource practices into the federal workforce. According to the NPR, if the federal government would adopt the recommendations of the NPR, “the government can work better and cost less” (Gore, 1993). The NPR was intended to steer the government from ‘Red tape to reinvention.’ This report pushed responsiveness to the people by: incorporating testable mechanisms in the bureaucracies, restructuring the hierarchical chart, rewriting the job descriptions, and firing a considerable amount of the middle managers (Gore, 1993).

The NPR team held several meeting with federal employees including top-level employees, middle managers, and lower ranking employees. They concluded that the federal government was in need of a massive overhaul. The committee noted, “To create an effective federal government, we must reform virtually the entire personnel system: recruitment, hiring, classification, promotion, pay, and reward systems. We must make it easier for federal managers to hire the workers they need, to reward those who do good work, and to fire those who do not” (National Performance Review, 2003). The National Academy of Public Administration echoed their sentiments; they noted, “It is not a question of whether the federal government should change how it manages its human resources. It must change” (Gore, 1993 p. 22).

The NPR committee also studied the practices of several agencies that experimented with progressive human resource policies including the Naval Weapons Center in China Lake, CA. and the Naval Oceans Systems Center in San Diego, CA. The progressive practices included: paying market salaries which allowed them to recruit the best and brightest employees, increasing pay for outstanding employees, removing
marginal and/or poor performing employees, and promoting based on performance as opposed to seniority (Winter Commission, 1993).

Following the meetings with federal employees and the studies of successful progressive human resource strategies, the NPR committee introduced the following recommendations: replacing the federal personnel manual, simplifying the hiring and firing process, designing agency specific performance management reward systems, and enhancing the quality of work-life (Winter Commission, 1993).

In regards to replacing the federal personnel manual, the committee noted, “OPM will deregulate personnel policy by phasing out the 10,000 page Federal Personnel Manual and all agency implementing directives” (National Performance Review, 2003). They intended to empower managers by removing the ‘cumbersome red tape’ and allowing them to work with the OPM to establish directives that are tailored to the specific organizations (Winter Commission, 1993).

The federal human resource system was introduced to provide equitable hiring practices and to recruit the best and brightest candidates. Over time, the federal human resource department [OPM] became more of a hindrance than a solution mechanism. The NPR committee found that the hiring process was a huge impediment to federal employment personnel. Therefore, it recommended, “Give all departments and agencies authority to conduct their own recruiting and examining for all positions, and abolish all central registers and standard application forms” (National Performance Review, 2003). The NPR committee was aware of the historical events that brought about many of the hiring and firing rules, and it wanted to remain committed to equality and fairness (Winter Commission, 1993).
The NPR committee recognized the complexity of various federal organizations and understood that one-size-fits-all policies to govern the entire federal workforce were not effective. The committee’s recommendation stated, “Agencies should be allowed to design their own performance management and reward systems, with the objectives of improving the performance of individuals and organizations” (National Performance Review, 2003). It went on to say, “Agencies should be allowed to develop programs that meet the needs and reflect their cultures, including incentive programs, gain sharing programs, and awards that link pay and performance” (National Performance Review, 2003).

The NPR committee recognized that firing an unproductive federal employee was difficult; therefore, they wanted to significantly reduce the time it takes to get rid of an unproductive federal employee (Winter Commission, 1993). The committee stated, “Reduce by half the time required to terminate federal managers and employees for cause and improve the system for dealing with poor performers” (National Performance Review, 2003). The committee felt that this issue was very important and should be addressed with specific and direct action (Winter Commission, 1993).

The NPR committee also suggested enhancing the quality of work life for the federal employees by offering training workshops and financial incentives to further their education (Winter Commission, 1993). The committee noted, “After two decades of organizing for quality, business knows one thing for sure: Empowered people need new skills- to work as teams, use new computer software, interpret financial and statistical information, cooperate with and manage other people, and adapt” (Gore, 1993). The
committee suggested borrowing these private sector practices and incorporating them in the federal government personnel management.

Finally, the NPR committee was very concerned with empowering the federal employees with the necessary tools to produce quality results. It recommended decentralizing the decision making powers and allow the employees that are closer to the problems to address the situation accordingly (Gore, 1993). An OPM innovation and simplification survey found that fewer than half of the employees surveyed noted that they have any confidence in supervisors’ two layers above them (Gore, 1993). This prompted the NPR committee to suggest removing several of the mid-level managers.

New Public Management and Education Policies

The most visible impact of new public management policies affecting the public sector can be seen in education policies. Before the 1983 ‘A Nation at Risk’ report enacting massive educational reforms seemed impossible unless the United States Supreme Court intervened. This report noted that the United States educational system was dismal and ineffective. The United States high school dropout rate was abnormally high; the current education system was not producing qualified students for the complex job market, etc. The report alarmed Americans and warned that unless some drastic changes were made in a hurry, then the United States was on the verge of losing its international competitiveness (Rudalevige, 2003).

The ‘Nation at Risk’ report caught the United States off guard; before the findings were published the nation failed to pay close attention to the educational system and as a result, it was slowly declining. This report prompted business leaders to push for more rigorous standards for the educational system. Also, several states began to change their
focus in regards to educational standards. Some states began to focus more on educational outputs such as standardized scores and graduation rates as well as inputs such as per pupil spending (Hurst et. al, 2003).

Some proponents of new public management in the educational environment including Terry Moe (2003) have argued that a lack of accountability in the public educational system has led to an increase in the wrong type of employees. Moe later contended that these employees are unmotivated, aware of their job security, and are merely interested with maintaining the status quo (Moe, 2003). Reports such as the ‘1983 Nation at Risk’ in conjunction with mounting public support enticed politicians to enact wide spread new public management policies into the educational system.

The ‘Era of New Public Management’ introduced a number of performance measurement policies during the 1990’s. Although the public sector differs from the private sector in terms of desired goals, in the 1990’s the United States Federal Government began looking at ways to better assess performance in a number of its bureaucracies. In 1991, President George H. W. Bush introduced ‘America 2000’ which was his proposal for national educational testing. President Bill Clinton reiterated this initiative in 1994. President Clinton introduced the ‘Improving America’s School Act’ and ‘Goals 2000 America Act.’ These acts attempted to implement mandatory testing at the state level. They required that all states have testing standards in place by the beginning of the 1997-98 academic year. They also mandated that the states have clear definitions and assessments of adequate yearly progress by 2000 – 01 academic year (Rudalevige, 2003).
Clinton’s ‘Goals 2000 Act’ supported the ‘Improving America’s School Act’ by supporting comprehensive school reform efforts including the development of the content standards (Hurst et. al., 2003). These acts, introduced by Presidents H. W. Bush and Bill Clinton, were the first time the federal government attempted to implement across-the-board educational performance measures. The Clinton administration believed that these measures would help ensure accountability in the educational system by providing an avenue to assess student performance (Rudalevige, 2003).

Unfortunately, these plans did not succeed; their failures were mainly due to the broadly written provisions and uncooperative professionals in the Department of Education (West and Peterson, 2003). The discrepancy of the Title 1 program is a good example of the failure of the Clinton’s plan. The portion of the plan that dealt with Title 1 funding explicitly made it known that if states failed to develop standards by the 1997 deadline the Department of Education were supposed to withhold their Title 1 funds. A considerable number of states failed to meet the mandated deadline, but the Department of Education rarely withheld their Title 1 funding (Rudalevige, 2003).

For several reasons, including resistance to change and lack of clarity, there were a number of shortcomings in President Clinton’s educational policies. The act required states to set up measures of adequately yearly progress, but it failed to set proficiency guidelines. Also, it intended to set up the National Education Standard and Improvement Council. This council was charged with the responsibility of defining national standards in several educational areas. Unfortunately, the national standards were rarely drafted because the council was rarely formed (Rudalevige, 2003).
Unfortunately, these plans did not succeed; their failures were mainly due to the broadly written provisions and uncooperative professionals in the Department of Education (West and Peterson, 2003). The discrepancy of the Title 1 program is a good example of the failure of the Clinton plan. The portion of the plan that dealt with Title 1 funding explicitly made it known that if states failed to develop standards by the 1997 deadline the Department of Education were supposed to withhold their Title 1 funds. A considerable number of states failed to meet the mandated deadline, but the Department of Education rarely withheld their Title 1 funding (Rudalevige, 2003).

Due to the inadequacies of NPA to address the ills of the public education system, there was a significant push to incorporate New Public Management policies in federal education policies (Patrick and French, 2011). The quest for assessments under the 1990 era of ‘New Public Management’ introduced a number of performance measurement policies. According to some scholars, many of these policies were ill-conceived and proved to be ineffective (Hurst, 2003).

**New Public Management and No Child Left Behind**

The No Child Left Behind Act of 2001 (NCLB) was intended to be the cure-all for educational disparities throughout the country. Its proponents intended for it to raise the educational standards of every child throughout the country by assuring that every child in America is proficient in mathematics and reading by 2014. The most important goal of the legislation was to raise the educational levels of minorities and marginalized populations in order to close the achievement gap throughout the United States. The key strategies for accomplishing this goal included: requiring high-stakes standardized
testing, mandating better qualified teachers, and offering parents educational options for underperforming schools.

The No Child Left Behind Act of 2001 (NCLB) reauthorizes the Elementary and Secondary Education Act of 1965 and is the most far-reaching federal intervention in the education system in the history of the United States of America (Elmore, 2003). Its Republican endorsement is noteworthy due to the fact that it contradicts the conservative notion of Republican Party pertaining to the limiting of big government; NCLB expands the role of the federal government drastically greater than the 1994 Improving America’s School Act (GOALS 2000) endorsed by President Bill Clinton (DeBray, 2006). Less than 20% of the Republicans in the House of Representatives endorsed the Clinton education plan; specifically, GOALS 2000 passed by a 305 – 121 vote and received 59 Republican and 246 Democrat votes in the House of Representatives and with 63 Dem. Votes – 22 Rep. Votes in the U.S. Senate.

Elizabeth DeBray noted, “Bush’s particular style of leadership, enhanced by the national mood following September 11, made it possible for his party to give overwhelming support to an education bill that was far more pervasive and coercive than the one it had opposed in 1994” (Debray, 2006 p. 126). 85% of the House Republicans and 90% of the Republican Senators voted for the 2001 No Child Left Behind Act (Wong, 2008). Lois Harrison-Jones wrote, “To his credit, President George W. Bush was overwhelmingly successful in amassing an impressive level of bipartisan support for the No Child Left Behind Act of 2001… This ambitious law included a potent blend of high expectations, new requirements, incentives, sanctions, resources and accountability for
states, districts, and schools to move faster and further to improve the academic achievement of every child” (Harrison-Jones, 2007 pg,).

H.R. 1 states that: “The No Child Left Behind Act will result in the creation of assessments in each state that measure what children know and learn in reading and math in grades 3-8” (Bush, 2001).” The bill requires that each state must report the results by subgroups including: poverty, race, ethnicity, disability and limited English proficiency. The states are required to show improvement in the achievement in each of the above-mentioned subgroups annually (Bush, 2001).

High-stakes standardized testing is intended to objectively measure the achievement of the students and to give voters immediate results regarding students’ progress (Elmore, 2003). Each state’s plan must demonstrate that the state has developed and is implementing a statewide accountability system that ensures that all public schools make adequate yearly progress (AYP). In order to comply with the AYP standards, states’ must implement plans that: hold all public schools within the state to the same standards, measures the progress of all schools in a statistically valid and reliable manner, and include separate measurable annual objectives for economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency.

Each state must establish statewide measurable objectives for mathematics and reading. The measuring objective must be uniform throughout the state and at least 95% of the students in the specified subgroups must take the statewide exams. It shall then identify a single minimum percentage of students who are required to meet or exceed the
proficient levels on the academic assessments that apply to each of the subgroup categories previously mentioned.

Once the states submit the plans to the DoE, the plans are reviewed and the DoE either approves the plans, reject the plans, or recommend changes. As a result, each state has different testing and proficiency guidelines. States are given the option of selecting the minimum number of students from a particular subgroup that must be present in a school before that particular school is required to report the disaggregated scores of that group towards their AYP (Porter, Linn, and Scott, 2005). Historically, minorities have not performed well on standardized test and their low scores weigh heavily on the overall scores amongst states with high percentages of minorities. Therefore, selecting a minimum number of minority and disadvantaged students is critical to the success or failure of a school. For example, in California, students who speak limited English are not tested in the first three years prior to their entrance in the school system (Jacob, 2003.)

Other states such as Texas are more stringent in their designs. They have set single performance expectations for all of their students. Therefore, in order for a school to be considered exemplary in Texas they must receive a 90% proficiency rating for the overall school as well as the subgroups. There are no exceptions to the rule no matter the demographic changes in population of the children within the district. They are cut-and-dry; either 90% of the children in the school are proficient or not (Patrick, 2007). Kane and Staiger noted that states with these types of policies are faced with a difficult dilemma; they must choose to either have easier policies or risk a high failure rate amongst their schools (Kane and Staiger, 2002).
According to the NCLB Act, once the scores for the individual states are determined, the students are required to take the examinations and the states are required to publish the results of the examinations and to give the parents and citizens access to the proficiency percentages (Bush, 2001).

Under the NCLB Act, (2002) the federal government allows each state to set its own specific challenging academic standards with minimal initial interference from the U.S. Department of Education (DoE). The challenging academic standards must include both academic content standards and academic achievement standards. The academic content standards must: specify what the children are expected to know and be able to do, contain coherent and rigorous content, and encourage the teaching of advanced skills. The academic achievement standards must: align with the state’s academic content standards, and set three levels of achievement including basic, proficient, and advanced achievement (Bush, 2001).

Schools in states that failed to show improvement in any student subgroup could be subjected to a series of sanctions outlined in a five-year program (See Appendix 1). Once a school failed to meet its expected performance goals after the first year the school is placed on a “watch” list. They are also required to develop a school improvement plan that should help them meet their goals for the next academic year.

Under NCLB (Bush, 2001), if the school goes two consecutive years without meeting its performance goals the school is listed as a “needs improvement” school. The school district must provide any student attending the “needs improvement” school the option of attending another school that has met adequate yearly progress. The district also pays the child’s transportation costs (Bush, 2001).
After three consecutive years of failing to meet the expected performance goals, the NCLB Act (Bush, 2001) mandates that the district must provide any student attending the “needs improvement” school the option of attending another school that has met adequate yearly progress. The district pays the child’s transportation costs. Also, the school district must offer “supplemental educational services” to any student who qualifies for free or reduced lunch. One option for supplemental services must be from an outside provider (Bush, 2001).

The schools who fail to meet their expected performance goals for a fourth consecutive year are given even harsher penalties according to the NCLB Act (Bush, 2001). The school is listed as a “needs improvement” school and the district must provide any student attending the “needs improvement” school the option of attending another school that has met adequate yearly progress. The district also pays the child’s transportation costs. The school district must offer “supplemental educational services” to any student who qualifies for free or reduced lunch. One option for supplemental services must be from an outside provider. And finally, the school must change its staffing or make a “fundamental change” such as restructuring the school (Bush, 2001).

If a school fails to meet their expected goals for a fifth consecutive year the school is listed as a ‘needs improvement” school just as before. In addition, the NCLB Act (Bush, 2001) mandates that the district to provide any student attending the “needs improvement” school the option of attending another school that has met adequate yearly progress. The district pays transportation costs. The school district must offer “supplemental educational services” to any student who qualifies for free or reduced lunch. One option for supplemental services must be from an outside provider. Finally,
the school must convert into a charter school, turn management over to a private
management company or be taken over by the state.

Notable amongst the sanctions are those found in year two. The second
consecutive year a school failed to meet performance goals, the district was required to
provide any student attending that school the option to attend another school that met
performance expectations. The option to transfer was accompanied by a provision which
inflicted a financial sanction on the underperforming school by requiring the district to
pay the cost of transportation (Brown, 2004).

The uniform sanctions were unprecedented because they could be applied if any
subgroup of students consistently failed to meet performance targets. As a compromise
and an effort to gain support, states were granted considerable discretion in how they
chose to record and report subgroup scores. The impact of the discretion is exhibited in
the way that states defined the terms of students’ adequate yearly progress, established
performance goals, and specified the terms of safe harbor provisions that would offer
assistance in the achievement of performance goals for targeted subgroups (Bush, 2001).

**No Child Left Behind Accountability Provisions**

One variation among states is the performance enhancement time line, specifying
how they would meet 100 percent proficiency by 2014. They could set an incremental or
back loaded trajectory system. Incremental models required equal incremental increases
in performance throughout the duration of the NCLB program. A state with a starting
point of 50% proficient in 2002 would have to increase the annual measurable objectivity
by 4% each year in order to reach the 100 percent goal by 2014. Back load trajectories
reduced the amount of pressure states encountered early in the process by allowing for
larger increases in performance in the years closer to the 2014 deadline (Porter, Linn, and Scott, 2005).

A second variation is found in the decision to utilize safe harbor confidence intervals in the reporting of students’ test scores. Confidence intervals allow a school to avoid a failing classification if a subgroup misses the performance target but falls within a particular range of the goal. For example, in 2004 South Dakota schools with 20 students in a particular subgroup were viewed as meeting the state’s 45 percent proficiency goal if four students in the group passed (South Dakota Department of Education, 2005). Porter Linn, and Trimble (2005) noted that Kentucky used confidence intervals in a similar manner. They pointed out that without the use of confidence intervals in conjunction with other techniques 73 percent of schools serving majority disadvantaged student populations would have failed to meet the expected performance expectations.

The decision to utilize the safe harbor 10 percent rule also allows for data manipulation. The rule stipulates that a subgroup may fail to meet the state performance targets for the year but the school can avoid a failing classification if the percentage of students in the subgroup who tested proficient is 10 percent higher than the previous year. For example, a state may set a goal of 70 percent of the students in a particular subgroup testing proficient in 2009 and 80 percent in 2010. If only 50 percent of the students test proficient in 2009 the school fails to meet the performance target. In 2010, if 55 percent of the students in the subgroup test proficient the school would classify as meeting the performance goal. The passing rate is applied even though the 80 percent proficiency rate
for the subgroup is not achieved. The 10 percent improvement in the number of students listed in the subgroup is sufficient.

   States were also allowed to determine if the schools would be offered additional assistance in meeting performance targets by allowing them to report annual results or averaged results. Some states created provisions that allowed schools to report annual results if the annual results allowed them to meet the performance goal for that particular year. If the annual results for a particular year fail to meet or exceed the performance goal, then the schools could substitute annual results with the average scores of the last two or three years if the average score was higher.
CHAPTER III
DATA AND METHODOLOGY

Introduction
The No Child Left Behind Act (NCLB) invested millions of dollars into the development of accountability models that required states to demonstrate significant progress in the performance of vulnerable racial and economic student groups and to provide these students with educational alternatives (Patrick, 2012; Wong, 2008). Like other reform efforts, the NCLB legislation focused on performance measures and accountability as an effective means for improving vulnerable student outcomes. Unfortunately, it fails to adequately consider the environment in which measures would be developed and implemented.

Paul Light (2006) noted the importance of environmental considerations as well as the dangers of investing in unsubstantiated claims of performance reform success and noted there needed to be a “moratorium on new reforms until an independent body can complete a detailed examination of just how past reforms have worked” (Light, 2006 pg. 17). Such an examination is particularly important as it relates to the understudied impact that performance policies have on the lives of the most vulnerable citizens who are largely dependent on elected officials and administrators to create policies that promote equality and efficacy.
Given the significance and understudied impact that performance reform policies have on the lives of vulnerable citizens, this research responds to Light’s call by examining the development and sanctioning provisions of the NCLB Act which targets the performance of racial minorities, the economically disadvantaged, and other vulnerable student subgroups. More specifically, it addresses two main questions: (1) Did the organizational and political environments influence the strength of the individual states’ NCLB subgroup accountability provisions targeting the performance of vulnerable students? (2) Have states with stronger accountability provisions more effectively utilized the transfer provision allowing vulnerable students to transfer from poorly performing schools?

Building on the previous research (Patrick, 2012; Patrick and French, 2011; Carnoy and Loeb, 2002; Nichols et. al., 2005), this study assesses the strength of performance management reforms by capturing pertinent policy provisions of the NCLB that required states to present a student population in which 100 percent of the racial minorities and other vulnerable subgroups were proficient in selected subjects areas by the end of the 2014 academic year.

Federal guidelines required states to incrementally enhance the outcomes of targeted student subgroups and each state incorporated safe harbor provisions that violated the spirit of the federal NCLB Act. The use of such techniques undermines the assumption that meaningful provisions have been developed to adequately assess the performance of specific marginalized subgroups. Furthermore, these safe-harbor provisions implemented by the states limit the transfer provision which offers students the opportunity to exit schools that consecutively fail to meet performance targets.
Methodology

In order to ensure that all 50 states developed NCLB performance accountability models federal legislation provided each state with a series of uniform accountability questions that outlined how they would achieve 100 percent proficiency goal by the end of the 2014 academic year. The responses provide a framework to conduct a content analysis of the variations in the states’ accountability models. This type of analysis will determine whether the individual states were committed to keeping the spirit of the federal law by developing meaningful performance policies (Patrick, 2013).

Krippendorff describes the content analysis approach as, “the use of replicable and valid method for making specific inferences from a text to other states or properties of its source” (Krippendorff, 1969 p. 103). The content analysis approach examines written documents looking for specific phrases, words, themes, or patterns in order to group them into individual categories (Hsieh and Shannon 2005). Once the categories are created, the researcher must check for reliability by revising the categories after 10% – 50% of the document(s) have been assessed and then conduct a final working through of the text (Mayring 2000).

Although accountability strength has been used as both an independent variable as well as a dependent variable in previous studies (Patrick, 2013, Carnoy, Loeb, and Smith 2001, Nicholas et. al., 2005), it will be monitored in the second model by checking both the tolerance and the variance inflation factor statistic. This research will use ordinary least square regression (OLS) to assess the relationships in the research equation. Although OLS is not the only possible estimator, it is the best estimator under certain
assumptions including: (1) Regression is linear in parameters, (2) No correlation, (3) No
heteroskedasticity, (4) No multicollinearity, (5) The error term is normally distributed.

Previous State Accountability Index

Several researchers including: Dee and Jacob (2011), Muller and Schiller (2000),
Hanushek and Raymond (2003), Carnoy (2005), Haney (2000), Carnoy, Loeb, and Smith
(2001), Lillard and DeCicca (2001), and Nichols et al. (2005) have developed
accountability measures that focus on NCLB. Many of these attempts have failed to
adequately assess the impact of the NCLB legislation due to measurement limitations
such as: small sample of states, unclear or questionable measurement techniques, and the
exclusion of elements important to performance management. Patrick (2007) created an
accountability index that assessed the strength of each state’s NCLB legislation.

Dependent Variable #1

Minority Performance Accountability Index

Unfortunately, the previous researchers failed to fully capture the NLCB policy
environment that specifically targets the vulnerable student populations, which are the
population that require the most attention. Therefore, this research builds on the research
of Patrick (2007) by utilizing the content analysis approach to develop an index that
focuses on all 50 states NCLB legislation. It specifically focuses on the four major
provisions from the federal NCLB legislation template provided to the states that address
vulnerable student populations as well as states that had performance systems in place
prior to the passage of NCLB.
Each state was given the opportunity to decide how they would address the following areas mentioned in this index in their respected state legislatures. The categories being assessed in this research are as followed: (1) 10% Rule, (2) 75% Confidence Interval, (3) Uniform Averaging, (4) Trajectory Selection, and (5) previous performance systems. These categories are pivotal in determining the willingness of each state to comply with the spirit of the NCLB federal legislation when reporting and analyzing the results of vulnerable student populations. The maximum number of points a state can receive in the index is 7. (See Appendix 1)

Safe Harbor Provisions

Marginalized populations are a major concern for the original Elementary and Secondary Education Act of 1965 (ESEA) as well as the Reauthorized ESEA also known as No Child Left Behind (NCLB). There are federal requirements in the NCLB legislation that specifically focus on the achievement of subgroups in order to ensure that they are benefiting from the policies. Unfortunately, it is very challenging for school districts that have traditionally allowed marginalized populations including: racial and ethnic minorities, disabled, economically disadvantaged, and limited English speaking students to continue to fall astray to address and correct these historic ills in a short period of time. Therefore, the federal NCLB legislation has provided these districts with options when reporting and analyzing the results of vulnerable student populations. These specific provisions in this performance index are commonly known as safe harbor provisions. For this research, there are three safe harbor provisions being analyzed including: the 10% rule, 75% confidence intervals, and uniform averaging. The incorporation of safe harbor provision was assessed through varying responses to Critical
Elements 3.2 and 5.2. Critical Element 3.2 asked: “How does the state accountability system determine whether each student subgroup, public school and Local Education Agencies (LEA) makes AYP?” Critical Element 5.2 asked: “How are public schools and LEA’s held accountable for the progress of student subgroups in the determination of adequate yearly progress?” (Critical Element 5.2).

10% Rule

The 10% rule allows the districts to report that they are meeting the requirements of the legislation if there is 10% reduction in the amount of students from the previous year that failed to meet AYP. This provision allows states to purposefully manipulate the results and belittles the spirit of the federal NCLB legislation especially in its attempts to address the educational achievement of marginalized populations. If a state chose to use this policy they were given a score of (0) for the index; likewise, if a state chose not to use this provision they were given a score of (1).

75 % Confidence Intervals

The use of 75% confidence intervals allows schools to manipulate the reported scores of racial and economic subgroups in order to appear that they are meeting their AYP goals. Patrick and French (2011) noted that the use of confidence intervals when reporting the scores manipulates the accuracy and goes largely unnoticed by the citizenry. Furthermore, several states would not have met their AYP goals had they not used the safe-harbor provisions studied in this index (Peter, Linn, and Scott, 2005). Data on the states confidence interval use was taken from legislation and cross validated with the 2010 US Department of education Data Express State Report. The report can be accessed
at http://eddatateexpress.gov/state-tables-report.cfm. States that used the 75% confidence interval when reporting their results received a (0) in the performance index. States whose authorizing legislation did not include the use of confidence intervals received a (1) on the performance index.

Uniform Averaging

Uniform averaging is a safe harbor provision that offers assistance in the achievement of subgroup performance goals. Data on uniform averaging use was taken from the state legislation and cross validated with the 2010 US Department of Education Data Express State Report. States allowing schools to average test results and substitute the results for low test outcomes received (0) in the performance index. State that do not allow uniform averaging received (1) point in the index.

Trajectory Selection

According to the NCLB Act each state was required to have 100% proficiency by the 2014 academic school year. The states were given the autonomy to decide how they wanted to achieve this goal using two methods: incremental trajectory or a back-loaded trajectory. The states that chose to implement the incremental plan pursued a more realistic approach for holding the educators accountable while the Bush administration was in office. The states that chose to back-load their trajectory selection purposefully decided to attempt to wait until the Bush administration was out of office in hopes that his successor would loosen the requirements. In order to assess states’ trajectory selection, the following question was asked: “What are the State’s intermediate goals for determining adequate yearly progress?” (Critical Element 3.2b). If a state chose to
implement an incremental trajectory selection, and was forthright in its attempt to follow the spirit of the federal NCLB legislation, it is given a (2) in the performance index for this research. Furthermore, the states that chose the back-loaded approach were given a (0) in the performance index.

Dependent Variable #2

Transfer Provision Usage

Most notable among the sanctions are those found in year two. The second consecutive year that a school fails to meet performance goals, the district is required to provide any student attending that school the option to transfer to another school. This option punishes the underperforming school financially by removing funds that are assigned to the students that choose to transfer from the underperforming school and requiring them to pay for transportation to the new school (Brown, 2004). Success of the transfer provision is defined as the percentage of eligible students transferring to higher performing schools in 2010. Data for this variable was taken from the National Center for Education Statistics (2006) data bank.

Hypotheses and Independent Variables

These independent variables have been included in other performance effectiveness studies. However this study provides a unique examination of accountability provisions targeting known areas of performance weakness. Knowledge of these challenges should impact accountability strength and outcome. This assessment is also unique in that few authors have assessed whether sanctions are effectively utilized with performance accountability reforms.
Political Variable

- H.1. Republican states are more likely to implement strong accountability systems.
- H.2. Republican states are more likely to enforce NCLB sanctions.

In the Era of New Public Management, both Democrats and Republicans on the national level have traditionally supported performance reform measures. The Democrats have supported performance reforms (Gore, 1993; Winter, 2003). President Bill Clinton spearheaded the national educational accountability movement with his Goals 2000 program. His domestic agenda called for nationalized standards, and national teacher certification (Moe, 2003). However, the Democrats tend to gravitate toward voluntary efforts that do not require voucher programs and other market efforts that reduce or remove funding from public schools (Patrick, 2007).

Ironically, President Bush followed the footsteps of President Clinton and introduced, “No Child Left Behind” as the centerpiece of his domestic agenda (Moe, 2003). This legislation reauthorized the 1965 Elementary and Secondary Education Act in an attempt to level the playing field for disadvantaged children throughout the nation. The No Child Left Behind legislation introduced a national accountability system that included sanctions, incentives, and rewards for performance on high-stakes test (Ravitch, 2002, Rudalevige, 2002). Given that the NCLB sanctions will result in a loss of funding for poorly funded public schools, Democrats should be more opposed to using these market techniques.

Political identification is defined as whether citizens in the state voted for the Democratic (1) or Republican (0) candidate in the 2000 Presidential election. This time
point was chosen because state policymakers began to develop and debate NCLB legislation and guidelines in 2001.

**Organizational Variables**

- H.3. States with strong teachers’ unions are less likely to implement strong accountability systems.

- H.4. States with strong teachers’ unions are less likely to enforce NCLB sanctions.

Autonomy and control over the work environment is valued by public employees. Research has shown that public employees do not respond positively to the strengthening of accountability and oversight. McConnell (1971) found that university professors responded negatively and became resentful of the tightening of accountability provisions governing their functions. Rosenholtz (1987) added that teachers became frustrated when they lost autonomy over how they performed their job. More recently Hochschild (2003) noted that less than half of the teachers included in his assessment of NCLB accountability supported the idea of linking a teacher’s rewards to student performance.

Like many of the other industries in which the employees have banded together for collective bargaining purposes, teachers have found that they can successfully affect policy outcomes via teacher unions. They have used their strength to: collectively bargain for resources such as: job protection, higher salaries and benefits, etc. (Moe, 2011).

Moe (2011) also added that teachers’ unions tend to despise the use of performance accountability models and sanctions due to the fact they are created to protect the interests of the teachers and the unions. Hoschild (2003) noted that in the state of Ohio, four out of five teachers added that they were worried about the unanticipated
consequences of the NCLB legislation. More importantly, less than half of the teachers questioned supported linking their reward and/or sanctions with student performance (Hoschild, 2003).

Through an assessment of the National Association of Educator’s public documents including its website and newsletters it is obvious that they adamantly oppose the reforms introduced in the NCLB legislation. Hoxby (1996) noted that the presence of teacher unions reduces productivity and has a negative effect on student performance. Therefore, teachers’ union strength is defined as the percentage of public educators and administrators who are members of education unions. Information on the 2001 union membership was taken from the US Bureau of Labor and Statistics and 2001 NEA report.

- H.5. States with greater administrative capacities are less likely to implement strong accountability systems.
- H.6. States with greater administrative capacities are less likely to enforce NCLB sanctions.

NCLB legislation requires all 50 states to increase spending on test administration. The increases in spending on physical test, data collection, analysis, and reporting means that money will have to be diverted from other administrative functions or areas. Several states protested the implementation of NCLB because of the increase in administrative cost (Patrick and French, 2011). States with greater administrative capacity and experience with the nuisances of testing and reporting should be less inclined to build stronger accountability systems.

For the purpose of this dissertation administrative capacity is defined as the percentage of state educational workforce which is composed of school and district
administrators in 1998. Data for the variable was taken from the National Center for
Education Statistic (2006). The time point of 1998 was selected because it was the most
recent data available prior to the passage of NCLB. It allows the model to account for
knowledge of administrative capabilities that would have been considered as state
policymakers debated the development of critical NCLB elements.

- H.7. States with a history of high academic performance are less likely to
  implement strong accountability systems.

- H.8. States with a history of high academic performance are less likely to
  enforce NCLB sanctions.

Increased transparency and fear of public ridicule for failing to meet performance
have caused government entities with a history of high performance to implement weaker
performance measures (Ho and Ni 2005). Previous assessments of education
accountability models by Carnoy and Loeb’s (2002) also suggested a negative
relationship between past performance and strength of accountability policies. Like
Carnoy and Loeb (2002) this study incorporates National Assessment of Educational
Progress (NAEP) test results as a measure of past performance. The NAEP is a national
standardized exam that measures students' academic knowledge. The research utilizes
2003 8th grade math results.

- H.9. States with a highly skilled education workforce are less likely to
  implement strong accountability systems.

- H.10. States with a highly skilled workforce are less likely to enforce
  NCLB sanctions.
NLCB accountability centralizes control and weakens the autonomy and discretion of skilled professionals. Public administration literature has noted the importance that educated professionals place on autonomy and professional accountability (Peters, 2002, Kettl, 1990; Finer, 1941). In the field of education the loss of autonomy and strengthening of accountability undermined employee trust (McConnell, 1971; Platt and Parson, 1973). Highly skilled workforce is defined as the percentage of state teachers who held a Master’s degree or higher in 2003. Data for the variable was taken from the NCES) data bank.

**Economic Variables**

- **H.11.** States with better-funded school systems are less likely to implement strong accountability systems.
- **H.12.** States with better-funded school systems are less likely to enforce NCLB sanctions.

The relationship between spending per pupil and performance accountability has produced conflicting results. Carnoy and Loeb (2002) presented research noting that states that spent more per pupil during the 1990s had stronger accountability systems. However, increases in per pupil spending did not translate into significant increases in measured outcomes. Nichols et. al. (2005) produced results arguing that spending per pupil had no effect on state accountability or education performance outcome. Pan, Rudo, Schneider, and Smith-Hansen (2003) reported a significant positive relationship between spending per pupil and student performance. Given that many of the states openly opposed federal NCLB reforms, the dissertation asserts that states that were less dependent on the federal government for funding were less inclined to implement and
enforce challenging performance measures. Spending per pupil is defined as the amount of money the individual states allocates for public education divided by the amount of students enrolled in the public education system. Data was taken from the US Department of Education website (2000).

- H.13. States with large minority student populations are less likely to implement strong accountability systems.
- H.14. States with large minority student populations are less likely to enforce NCLB sanctions.

Research has shown that minority students tend to perform poorly on standardized exams (Orr, 2000; Rusaw, 2007). Osborne (1999) and Steele (1992) also noted that minority students tend to have higher dropout rates, below average standardized test scores, and below average retention rate. Reyes and Stanic (1998) Demo and Parker (1987) and Whitworth and Barrientos (1990) noted that minority students have traditionally underperformed when being compared to their White counterparts.

Preexisting knowledge of minority test scores and the challenges associated with meeting performance targets for vulnerable student subgroups should lead state policy makers to adopt stronger accountability systems (Carnoy and Loeb, 2002, Nichols et. al. 2005, and Carnoy, 2005). Kane and Staiger (2003) noted that although there have been longstanding differences in test performances amongst the races, subgroup rules are counterproductive in test-based accountability systems. Furthermore, the subgroup rules will result in fewer resources and more sanctions for schools that have a larger percentage of minority students because they do not positively affect test scores for minority students (Kane and Staiger, 2003).
Minority student population is defined as the percentage of state African American and Hispanic students in 2000. Information on minority population was taken from the US Department of Education’s “State Education Indicators Report” electronic report at http://www2.ed.gov/rschstat/eval/disadv/2002indicators/edlite-summ.html.

**Performance Index Independent Variable**

- H. 15 States with stronger subgroup accountability provisions are more likely to enforce NCLB sanctions.
Figure 2  Measure Development Model
Figure 3  Sanction Implementation and Outcome
CHAPTER IV
FINDINGS

Table 1  Descriptive Statistics

<table>
<thead>
<tr>
<th></th>
<th>Minimum</th>
<th>Maximum</th>
<th>Mean</th>
<th>Std. Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Spend Per Pupil</strong></td>
<td>4.77</td>
<td>10.73</td>
<td>7.48</td>
<td>1.46</td>
</tr>
<tr>
<td><strong>2000 Voting</strong></td>
<td>.00</td>
<td>1.00</td>
<td>.40</td>
<td>.49</td>
</tr>
<tr>
<td><strong>% Minority</strong></td>
<td>2.00</td>
<td>54.00</td>
<td>23.52</td>
<td>15.85</td>
</tr>
<tr>
<td><strong>Admin. Capacity</strong></td>
<td>22.10</td>
<td>50.10</td>
<td>40.76</td>
<td>4.72</td>
</tr>
<tr>
<td><strong>M.A. Degree +</strong></td>
<td>26.10</td>
<td>50.10</td>
<td>40.76</td>
<td>4.72</td>
</tr>
<tr>
<td><strong>NEA</strong></td>
<td>8.30</td>
<td>82.40</td>
<td>41.36</td>
<td>18.12</td>
</tr>
<tr>
<td><strong>2003 Math</strong></td>
<td>261.00</td>
<td>291.00</td>
<td>277.44</td>
<td>7.45</td>
</tr>
<tr>
<td><strong>Accountability Index</strong></td>
<td>.00</td>
<td>6.00</td>
<td>3.22</td>
<td>1.79</td>
</tr>
<tr>
<td><strong>Transfer Provision</strong></td>
<td>10</td>
<td>79.90</td>
<td>3.78</td>
<td>11.83</td>
</tr>
</tbody>
</table>

The average score for spending per pupil is 7.48 with a maximum of 10.73 and a minimum of 4.77. Utah is the state with the lowest percentage of spending per pupil with a score of 4.77 with Tennessee, Mississippi, Idaho, Alabama, Arizona, and Arkansas were not far behind. New York is the state with the highest score for spending per pupil with a 10.73 with Connecticut, and Rhode Island very close to it.
The variations throughout the states were very apparent in the race, union membership, and teacher education variables. There is a 52-point difference between the states with the highest and lowest percentage of Blacks and Hispanic children enrolled in the public education system. There are twelve states with single digit percentages of Black and Hispanic youth enrolled in the public education system with Maine, North Dakota, South Dakota, and Vermont at the bottom with only 2%. Texas leads the nation in percentage of minorities enrolled with 54% with New Mexico and Mississippi not far behind.

Likewise, there is a 74.1-point difference between the states percentage of teachers belonging to the NEA. There are 8 states with less than 20% of the teachers belong to the NEA and seventeen states with more than half of the teachers belonging to the NEA. New York and Texas have the least amount of teachers enrolled in the NEA with less than 9% and Washington and Nevada lead the nation with NEA membership with more than 75% of the teachers belonging to the NEA.

The 2003 Math performance variable proved to be very interesting; the average score for past performance is 277.44. Minnesota, Massachusetts, and North Dakota lead the nation in past performance. The lower performing states were roughly 16 points below the average score and 30 points behind the leading states. The descriptive results show that three (Alabama, Louisiana, and Mississippi) of the bottom six performing states are Southern states and most of the flourishing states are from the North East.
Table 2 Full Model with Performance Index Dependent Variable

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>-33.436</td>
<td>-2.624 *</td>
</tr>
<tr>
<td>Spend Per Pupil</td>
<td>-.274</td>
<td>-1.097</td>
</tr>
<tr>
<td>2000 Voting</td>
<td>.483</td>
<td>.740</td>
</tr>
<tr>
<td>% Minority</td>
<td>.059</td>
<td>2.717 **</td>
</tr>
<tr>
<td>Admin. Capacity</td>
<td>.006</td>
<td>.105</td>
</tr>
<tr>
<td>M.A. Degree +</td>
<td>.002</td>
<td>.085</td>
</tr>
<tr>
<td>NEA</td>
<td>-.036</td>
<td>-2.301 *</td>
</tr>
<tr>
<td>2003 Math</td>
<td>.138</td>
<td>2.835 **</td>
</tr>
</tbody>
</table>

Adjusted R Square = .251
F Statistic = 3.254**
N Value = 47
*** = .001
** = .01
* = .05

Table 2 examines the strength of the full model and test the relationship of the political, economic, and organizational variables to the accountability index. The full model has an Adjusted R-Square of =.251 which means that these specific independent variables address roughly 25% of the variance in the accountability index. Percentage of Blacks and Hispanics in the public education system, percentage of teachers that belong to the NEA, and 2003 eighth grade math scores are the three statistically significant independent variables. Of three statistically significant independent variables NEA membership is the only one that has a negative relationship to the accountability index.

The negative relationship between NEA membership and the accountability index indicates that as the percentage of teachers belonging to the NEA increases the less likely the state is to develop meaningful performance measures that affect its minority student population. These results support the hypothesis that suggest that states with high
percentages of unionized workers would implement less strenuous performance measurement systems.

The regression also shows a statistically significant relationship between percentage of minorities and states willingness to implement meaningful performance measurement systems. The regression indicates that this variable is significant at the 95% confidence level. As the percentage of Blacks and Hispanic students enrolled in the public education system increases the willingness to create meaningful performance measures also increased. This finding rejects the research hypothesis that indicates that states with higher percentage of Blacks and Hispanics enrolled in the public education system would implement weaker accountability systems.

The final and most important independent variable in the full model regression output is the past performance variable. The past performance variable in this regression is the 2003 8th grade math scores from the NAEP website. The results reveal a positive relationship between past performance and the states willingness to implement meaningful performance measurements.

Now that the full model has been discussed, I will discuss the independent variables individually. I have ran simple linear models on each of the independent variables in order to test their relevance to the dependent variable.
Table 3: Political Variable: 2000 Presidential Voting impact on the Performance Index

<table>
<thead>
<tr>
<th></th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>3.367</td>
<td>10.197 sig ***</td>
</tr>
<tr>
<td>2000 Presidential Voting</td>
<td>-.367</td>
<td>-.702</td>
</tr>
</tbody>
</table>

Adjusted R Square = -.010
F Statistic = .493
N Value = 49
*** = .001
** = .01
* = .05

Table 3 examines the relationship between the political environment and states’ willingness to adopt a meaningful performance index that specifically affects marginalized populations. The regression output indicates that 2000 presidential voting is not statistically significant. This finding refutes the hypothesis, ‘Republican states are more likely to implement strong accountability systems.’ Although this finding contradicts the hypothesis it further explains the complexity of the NCLB legislation.

The NCLB legislation was implemented under a Republican president shortly after one of the most controversial presidential elections in the history of the country. Furthermore, the major components of the NCLB legislation were introduced earlier during the Clinton administration, championed by the late Democratic Senator Ted Kennedy. Therefore, it is not surprising to see that the political variable did not prove to be statistically significant due to the bipartisan support of the NCLB legislation.
Table 4 assesses the relationship between union membership and states performance accountability strength. According to the results the union membership is statistically significant at the 95% confidence level and has a negative relationship with the accountability index. As the percentage of teachers belonging to the NEA increases, the strenuous of the minority accountability systems decreases. This regression output supports the hypothesis, ‘States with strong teachers’ unions are less likely to implement strong accountability systems.’

This regression output supports Terry Moe’s (2011) claim that teachers, when unionized, ban together and successfully affect policy outcomes. More specifically, Moe notes that teacher unions tend to despise the use of performance accountability models. Furthermore, this finding is the only independent variable from the full model that remains statistically significant when regressed alone with the dependent variable.
Table 5  Organizational Variable: Administrative Capacity Impact on the Performance Index

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>.306</td>
<td>.138</td>
</tr>
<tr>
<td>Admin. Capacity</td>
<td>.071</td>
<td>1.325</td>
</tr>
</tbody>
</table>

Adjusted R Square = .015  
F Statistic = 1.755  
N Value = 49  
*** = .001  
** = .01  
* = .05

Table 5 examines the relationship between administrative capacity and states’ accountability index strength. The results reveal that administrative capacity is not statistically significant and does not affect the states’ accountability systems. Therefore, hypothesis 5 which states, "States with greater administrative capacities are less likely to implement strong accountability systems" must be refuted.

Table 6  Organizational Variable: Past Performance Impact on the Performance Index

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>1.266</td>
<td>.131</td>
</tr>
<tr>
<td>2003 8th Grade Math</td>
<td>.007</td>
<td>.202</td>
</tr>
</tbody>
</table>

Adjusted R Square = -.020  
F Statistic = .041  
N Value = 49  
*** = .001  
** = .01  
* = .05

This table examines the relationship between past performance and states’ willingness to adopt meaningful accountability measures. The regression output indicates that this independent variable is not statistically significant in the simple linear regression reduced model. The R Square for this regression estimation is a very low -.020 signifying
that less than one percent of the variance in states’ willingness to enact meaningful accountability systems is explained by past academic performance of the students. This finding rejects the hypothesis that suggest, "States with a history of high academic performance are less likely to implement strong accountability systems."

Table 7 Organizational Variable: Teacher Education Impact on the Performance Index

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>3.622</td>
<td>3.559 sig ***</td>
</tr>
<tr>
<td>2004 % with M.A. +</td>
<td>-.009</td>
<td>-.409</td>
</tr>
</tbody>
</table>

Adjusted R Square = -.017
F Statistic = .167
N Value = 49
*** = .001
** = .01
* = .05

Table 7 assesses the relationship between teachers’ education and states’ willingness to implement meaningful accountability systems. The regression output indicates that teachers’ level of advanced education is not statistically significant. The R Square for this regression estimation is very low -.017 signifying that less than one percent of the states’ willingness to enact meaningful accountability systems is explained by the level of education of the teachers. This finding refutes the hypothesis, "States with a highly skilled education workforce are less likely to implement strong accountability system."
Table 8  Economic Variable: Spending Per Pupil Impact on the Performance Index

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>4.049</td>
<td>3.000 **</td>
</tr>
<tr>
<td>Spending Per Pupil</td>
<td>-.111</td>
<td>-.629</td>
</tr>
</tbody>
</table>

Adjusted R Square = -.013
F Statistic = .391
N Value = 49
*** = .001
** = .01
* = .05

Table 8 presents the regression estimates for the first of two economic variables. The results reveal that spending per pupil is not statistically significant in the reduced linear regression model. The R Square for this regression estimation is very low -.013 signifying that less than one percent of the variance in states’ willingness to enact meaningful accountability systems is explained by the amount of money it spends per student. This finding rejects the hypothesis that suggests that states’ with better-funded school systems are less likely to implement strong accountability systems.

Table 9  Economic Variable: Percentage of Minority Students Impact on the Performance Index

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>2.265</td>
<td>5.043 sig ***</td>
</tr>
<tr>
<td>% Black and Hispanic</td>
<td>.039</td>
<td>2.469 sig *</td>
</tr>
</tbody>
</table>

Adjusted R Square = .098
F Statistic = 6.096
N Value = 47
*** = .001
** = .01
* = .05

Table 9 shows the simple linear regression results of the second of the two economic variables from the full model. The results indicate that the percentage of
minority students enrolled in the public education systems is statistically significant in the simple linear regression. The R Square for this regression estimation is a very low .098 signifying that less than ten percent of the variance in states’ willingness to enact meaningful accountability systems is explained by the percentage of Black and Hispanic students enrolled in the public education system. This finding refutes the hypothesis that states with large minority student populations are less likely to implement strong accountability systems, since they are slightly more likely to implement strong accountability systems.

Table 10 Full Model with Student Transfer as Dependent Variable

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>b-Value</th>
<th>t-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spending Per Pupil</td>
<td>-1.817</td>
<td>-.957</td>
</tr>
<tr>
<td>2000 Presidential Voting</td>
<td>1.529</td>
<td>.313</td>
</tr>
<tr>
<td>Minority Enrollment</td>
<td>.026</td>
<td>.138</td>
</tr>
<tr>
<td>Administrative Capacity</td>
<td>-.155</td>
<td>-.392</td>
</tr>
<tr>
<td>Masters +</td>
<td>-.195</td>
<td>-1.085</td>
</tr>
<tr>
<td>NEA Membership</td>
<td>-.199</td>
<td>-1.645</td>
</tr>
<tr>
<td>2003 Math</td>
<td>.605</td>
<td>1.513</td>
</tr>
<tr>
<td>Performance Index</td>
<td>-2.924</td>
<td>-2.431*</td>
</tr>
<tr>
<td>Constant</td>
<td>-118.323</td>
<td>-1.150</td>
</tr>
</tbody>
</table>

Adjusted R Square = .121
F Statistic = 1.720
N Value = 42
*** = .001
** = .01
* = .05

Table 10 examines the strength of the full model and tests the relationships of the political, economic, organizational variables, and the accountability index to the dependent variable. The model has an Adjusted R-Square of =.121 which means that these specific independent variables address roughly 12% of the variance in the decision to utilize the transfer provision. The only statistically significant independent variable in
this model is the Accountability Index, which was the dependent variable in the previous model, but the slope is opposite of the hypothesis sign.

The regression indicates the Accountability Index variable is significant at the 95% confidence level. As the percentage of scores for each state increased on the Accountability Index their citizen’s willingness to utilize the performance index decreased. This finding rejects the research hypothesis that indicates that states with higher scores on the Accountability Index are more likely to utilize the sanctioning provisions of the NCLB Act.

Now that the full model has been discussed, I will discuss the independent variables individually. I have ran simple linear models on each of the independent variables in order to test their relevance to the dependent variable.

Table 11  Impact on Decision to Utilize the Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>5.359</td>
<td>2.359**</td>
</tr>
<tr>
<td>2000 Presidential Voting</td>
<td>-3.948</td>
<td>-1.099</td>
</tr>
</tbody>
</table>

Adjusted R Square = .005  
F Statistic = 1.208  
N Value = 44  
*** = .001  
** = .01  
* = .05

Table 11 examines the relationship between the political environment and citizens’ willingness to sanction poorly performing schools by utilizing the transfer provision and relocating their children in higher performing schools. The adjusted R-square is .005 signifying that less than 1% of the variance is explained by the political variable in the regression. Furthermore, the regression output indicates that 2000
presidential voting is not a statistically significant variable. This finding refutes the hypothesis, "Republican states are more likely to enforce NCLB sanctions."

Table 12  NEA Membership Impact on Decision to Utilize the Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>6.030</td>
<td>1.417</td>
</tr>
<tr>
<td>NEA Membership</td>
<td>-.055</td>
<td>-.582</td>
</tr>
</tbody>
</table>

Adjusted R Square = -.015
F Statistic = .339
N Value = 44
*** = .001
** = .01
* = .05

Table 12 assesses the relationship between NEA membership and citizens’ willingness to sanction poorly performing schools by utilizing the transfer provision and relocating their children in higher performing schools. According to the regression output, there is a negative relationship between NEA membership and citizens’ decision to sanction poorly performing schools although the NEA membership is not statistically significant. As the percentage of teachers belonging to the NEA increases, the willingness to utilize the transfer provision decreases. This regression output refutes the hypothesis, "States with strong teachers’ unions are less likely to enforce NCLB sanctions."
Table 13  Administrative Capacity Impact on Decision to Utilize the Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>13.452</td>
<td>.892</td>
</tr>
<tr>
<td>Administrative Capacity</td>
<td>-.237</td>
<td>-.646</td>
</tr>
</tbody>
</table>

Adjusted R Square = -.013
F Statistic = .417
N Value = 44
*** = .001
** = .01
* = .05

Table 13 examines the relationship between administrative capacity and citizens’ willingness to sanction poorly performing schools by utilizing the transfer provision and relocating their children in higher performing schools. The adjusted R-square is -.013, which indicates that less than 1% of the variance is explained by the administrative capacity independent variable. The regression output reveals that administrative capacity is not statistically significant and does not affect the citizens’ decision to utilize the transfer provision. Hypothesis 6, which states, "States with greater administrative capacities are less likely to enforce NCLB sanctions" must be refuted.

Table 14  Past Math Scores Impact on Decision to Utilize the Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>-58.458</td>
<td>-.879</td>
</tr>
<tr>
<td>Past Math Avg.</td>
<td>.225</td>
<td>.936</td>
</tr>
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</table>

Adjusted R Square = -.003
F Statistic = .875
N Value = 44
*** = .001
** = .01
* = .05
Table 14 examines the relationship between past performance and citizens’ willingness to sanction poorly performing schools by utilizing the transfer provision and relocating their children in higher performing schools. The regression output indicates that this independent variable is not statistically significant in the simple linear regression reduced model. The R Square for this regression estimation is a very low -.003 signifying that less than one percent of the variance in states’ willingness to utilize the transfer provision is explained by past academic performance of the students. This finding rejects the hypothesis that suggests, "States with a history of high academic performance are less likely to enforce NCLB sanctions."

Table 15 examines the relationship between the education levels of the teachers and the citizens’ willingness to sanction poorly performing schools by utilizing the transfer provision and relocating their children in higher performing schools. The regression output indicates that this independent variable is statistically significant at the 95% confidence level in the simple linear regression reduced model. As the percentage of teachers with master degrees or higher increases, the citizens’ decision to utilize the transfer provision decreases. The R-square for this regression estimation is .070.

### Table 15 Percentage of Teachers’ Advanced Degrees Impact on Decision to Utilize the Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>18.294</td>
<td>2.549*</td>
</tr>
<tr>
<td>M.A. +</td>
<td>-.301</td>
<td>-2.081*</td>
</tr>
</tbody>
</table>

Adjusted R Square = .070
F Statistic = 4.332 sig .043
N Value = 44
*** = .001
** = .01
* = .05
signifying that the teachers’ levels of advanced education explain 7 percent of the variance in states’ willingness to utilize the transfer provision. This finding supports the hypothesis that states "States with a highly skilled workforce are less likely to enforce NCLB sanctions."

Table 16 Spending Per Pupil Impact on Decision to Utilize the Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>13.283</td>
<td>1.427</td>
</tr>
<tr>
<td>Spending Per Pupil</td>
<td>-1.269</td>
<td>-1.040</td>
</tr>
</tbody>
</table>

Adjusted R Square = .002  
F Statistic = 1.081  
N Value = 44  
*** = .001  
** = .01  
* = .05

Table 16 examines the relationship between spending per pupil and citizens’ willingness to sanction poorly performing schools by utilizing the transfer provision and relocating their children in higher performing schools. The regression output indicates that this independent variable is not statistically significant in the simple linear regression reduced model. The R Square for this regression estimation is a very low .002 signifying that less than one percent of the variance in states’ willingness to utilize the transfer provision is explained by the economic variable, "spending per pupil." This finding rejects the hypothesis that suggests, "States with better-funded school systems are less likely to enforce NCLB sanctions."
Table 17  Percentage of Minorities Enrolled Impact on Decision to Utilize the Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>8.181</td>
<td>2.248 *</td>
</tr>
<tr>
<td>Minority Population</td>
<td>-.169</td>
<td>-1.381</td>
</tr>
</tbody>
</table>

Adjusted R Square = .021
F Statistic = 1.906
N Value = 42
*** = .001
** = .01
* = .05

Table 17 shows the simple linear regression results of the second of the two economic variables from the full model. It assesses the minority student enrollment relationship to the citizens’ decision to utilize the transfer provision of the NCLB Act. The results indicate that the percentage of minority students enrolled in the public education systems is not statistically significant in the simple linear regression. The R Square for this regression estimation is a very low .021 signifying that less than one percent of the variance in citizens’ decision to utilize the transfer provision is explained by the percentage of Black and Hispanic students enrolled in the public education system. This finding refutes the hypothesis that suggests that states with large minority student populations are more likely to enforce NCLB sanctions.

Table 18  Performance Index Impact on Decision to Utilize the Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>9.293</td>
<td>** 2.703 sig .010</td>
</tr>
<tr>
<td>Performance Index</td>
<td>-1.723</td>
<td>-1.851 sig .070</td>
</tr>
</tbody>
</table>

Adjusted R Square = .052
F Statistic = 3.426*
N Value = 44
*** = .001
** = .01
* = .05
Table 18 shows the simple linear regression results of the first dependent variable (Accountability Index) relation to the citizens’ decision to utilize the transfer provision. The results indicate that the Accountability Index is not statistically significant in the simple linear regression. The R Square for this regression estimation is very low .052 signifying that states’ accountability index scores explain roughly 5 percent of the variance in citizens’ decision to utilize the transfer provision. This finding refutes the hypothesis that suggests that states with higher accountability index scores are less likely to enforce NCLB sanctions.

Table 19  Reduced Model: Significant Variables Impact on the Performance Index

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>-29.207</td>
<td>-2.623 *</td>
</tr>
<tr>
<td>Minority</td>
<td>.057</td>
<td>2.925 **</td>
</tr>
<tr>
<td>NEA</td>
<td>-.034</td>
<td>-2.535 *</td>
</tr>
<tr>
<td>Past Math</td>
<td>.117</td>
<td>2.992 **</td>
</tr>
</tbody>
</table>

Adjusted R Square = .296  
F Statistic = 7.580 ***  
N Value = 47  
*** = .001  
** = .01  
* = .05

Table 19 examines the strength of the significant independent variables from the full model in Table 2. The adjusted R-square is .296, which indicates that these three independent variables address roughly 29% of the variance in the performance index. As noted earlier, Hypothesis 13, ‘States with large minority student populations are less likely to implement strong accountability systems,’ is not upheld in this regression equation. This output suggests the exact opposite; states with larger percentages of minorities are more likely to adopt strenuous performance accountability systems. This
can be attributed to the fact that states with larger percentages of minorities received more Title 1 federal money than states with fewer minorities. Therefore, they are more likely to abide by the federal mandates in order to obtain the federal funds that they are eligible to receive.

NEA membership is statistically significant in the reduced model represented in Table 19. As hypothesized, as the percentage of teachers belonging to the NEA increases the level of strenuousness put into the performance accountability systems decreases. The NEA publically denounces the NCLB Act and encourages its members to disregard the provisions of the legislation. Therefore, it is no surprise that the findings in this regression coincides with the findings of Hoxby (1996). He noted that the presence of teachers unions reduces the productivity.

Table 20 Reduced Model: Selected Variables Impact on Transfer Provision

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>b-value</th>
<th>T-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Constant)</td>
<td>25.233</td>
<td>3.293 **</td>
</tr>
<tr>
<td>Performance Index</td>
<td>-1.864</td>
<td>-2.095 *</td>
</tr>
<tr>
<td>Masters +</td>
<td>-0.321</td>
<td>-2.301 *</td>
</tr>
</tbody>
</table>

Adjusted R Square = .138
F Statistic = 4.532 *
N Value = 44
*** = .001
** = .01
* = .05

This reduced model uses the transfer provision as the dependent variable and shows the relationship it has with the performance index as well as the independent variable that focuses on a highly skilled workforce. Although it has a fairly low Adjusted R-square, both of the independent variables in this model are statistically significant. As
the percentage of highly skilled teachers increase, the likelihood of the transfer provision usage decreases.

This model coincides with the hypothesis; ‘States with a highly skilled workforce are less likely to enforce NCLB sanctions,’ which supports the work of Peters, Kettl, and Finer. These authors recognized the importance that educated professionals place on autonomy and professional accountability. Furthermore, it supports the research of McConnell and Platt and Parson. They noted that in the field of education, the loss of autonomy and strengthening of accountability undermined employee trust (McConnell, 1971 and Platt and Parson, 1973).
CHAPTER V
CONCLUSION

Efforts to promote efficiency, effectiveness, and accountability have remained some of the major focus areas in the field of Public Administration. In the Classical School of Public Administration, accountability was pursued by focusing on the importance of control, stability, uniformity, and rules that limited employees’ autonomy. The Classical Era of Public Administration ignored the human aspect of employment and created environments that were of poor quality and due to employee stress (Simon, 1982, Kettl, 1990). As a result, the scholars and practitioners in the Behaviorist Era of Public Administration sought to correct the errors of the Classical Era by studying the importance of the human element in employment. Individuals such as Elton Mayo, Abraham Maslow, and Douglass McGregor introduced studies that focused on the motivation factors that affected the employees within organizations. The single most significant set of events that characterized the Behaviorist Era was the multiyear work done by Elton Mayo at the Western Electric Company. “The Hawthorn experiments showed that complex, interactional variables make the difference in motivating people-things like attention paid to workers as individuals, workers’ control over their work, differences between individuals’ needs, the willingness of managers to listen, group norms, and direct feedback” (Ott, et. al., 2008 pg. 132-3).
Although the behaviorists sought to achieve efficiency and effectiveness by emphasizing the human element of public administration, they achieved limited long-term success due to the fact that they failed to adequately address the lack of equity and fairness in public organizations. As a result, New Public Administration (NPA) was introduced as an attempt to address the concerns of dissatisfied citizens. NPA attempted to revitalize the citizenry trust in government by implementing rules and regulations that prohibited governmental agencies from discriminating against previously marginalized populations.

During the Era of NPA, public administration was overly concerned with equity and fairness and this decision gravely affected overarching basic tenants of the discipline including: accountability, efficiency, and effectiveness. Since the late 1980’s, supporters of the New Public Management (NPM) movement have suggested that the most optimal way to ensure that these components are met are to incorporate quantitative measures of outcomes, employee and organizational accountability sanctions, and the public reporting of the results. Although the concerns of NPM are warranted, there is a lack of evidence to suggest that the solutions offered by the proponents adequately address the problems of public administration (Kirlin, 2001). Paul Light echoed these sentiments and suggested placing a moratorium on new reforms until independent researchers can complete a detailed examination of the previous reforms (Light, 2006).

Understanding the validity of Light’s concern, especially as it relates to previously marginalized populations, this dissertation builds on the work of Patrick (2013) and uses the No Child Left Behind Act (NCLB) to empirically test the effectiveness of NPM. It developed a performance index with scores ranging from zero to
seven and assigned each state a performance index score based on the presence or absence of specific components of the NCLB legislation that relates to marginalized populations. This research addresses three major areas that are critical to the performance reform movement including: (1) examining whether policymakers and administrators will operate under the veil of ignorance and create meaningful and challenging performance accountability systems, (2) assessing the role organizational, economical, and political variables play in the development of performance measures or accountability systems that target marginalized populations, and (3) assessing whether the presence of strong accountability systems produce the desired outcomes of empowering citizens with sanctioning options.

The findings raise serious questions regarding the individual state legislatures and their concern for the future of public education in their respective states. Furthermore, they suggest that policymakers and administrators did not operate under the veil of ignorance and create meaningful and challenging performance accountability systems. The average score on the performance index was 3.22 out of 7. This score suggests that most of the states utterly violated the spirit of the NCLB federal legislation and purposefully disregarded its attempts to revamp the public education system. Appendix 1 shows that every state with the exception of New York, Wyoming, and Vermont decided to use the 10% rule when reporting minority scores. This decision completely violates the intent of the 2001 NCLB Act as well as the original 1965 Elementary and Secondary Education Act. Minorities have traditionally been left behind in the public education system and to allow schools to use the 10% rule when reporting minority scores is counterproductive and irresponsible.
Furthermore, Appendix 1 shows that more than half of the states decided to use the back-loaded trajectory approach when setting their adequate yearly progress goals. The decision to use this approach shows a complete disregard for the federal NCLB policy and an attempt to circumvent the law. Fortunately, the Obama administration supports the NCLB Act and incorporated many of the basic tenents of the legislation in his ‘Race to the Top’ initiative. The decision to support the NCLB legislation speaks to the bipartisan support the legislation enjoyed from federal policy makers on both sides of the political aisle.

Next, this dissertation incorporated several important organizational, economical, and political variables that specifically address the environment in which the decisions were during the implementation phase of the NCLB legislation. The political variable used in this dissertation was the political direction each state chose in the 2000 presidential election. This variable was chosen for two major reasons: (1) the 2000 presidential election was one of the most polarizing elections in the history of the United States of America. The two candidates had very clear-cut agendas that offered the American people two vastly different alternative directions in which the country would be headed. (2) The 2000 presidential election was chosen because shortly after the election President George W. Bush chose to make NCLB the centerpiece of his domestic agenda.

The literature suggested that Democratic states are less likely to support efforts that tend to incorporate market efforts that reduce or remove funding from public schools, especially poor public schools. Furthermore, the Republicans have supported market-centered reforms at the expense of poor individuals and poorly funded organizations.
Therefore, this dissertation hypothesized that Republicans states would be more likely to implement strong accountability systems and support the enforcement of sanctions. The regression results refuted the notion that the political environment in each state affected the states decision to implement meaningful performance accountability systems, nor did it suggest that the political environment affected the citizens’ decisions to sanction poorly performing schools. These results help explain the level of bipartisan support the NCLB Act enjoyed. Although the Republican president, George W. Bush championed it, the late Senator Ted Kennedy (Democrat) considered it a major victory and supported it wholeheartedly.

This dissertation used specific organizational variables to gauge the environment of each state as it was originally implementing the NCLB Act including: percentage of teachers belonging to the National Educators Association (NEA), percentage of educational workforce that is composed of school and district administrators, past academic performance, and percentage of teachers with advanced academic degrees. These variables were specifically chosen primarily because they specifically address the uniqueness of each state’s organizational environment during the critical months surrounding the decision to implement meaningful performance measurements.

The regression indicates that the percentage of teachers belonging to the NEA teachers union does indeed affect the willingness of each state to create meaningful performance measures. More specifically, it supports the hypothesis that notes that percentage of teachers belonging to the NEA does affect states’ willingness to enact meaningful NCLB legislation. As NEA membership in the individual states increases, their willingness to enact meaningful performance policies decreases. This finding is
supported by the NEA’s website which directly condemns the NCLB legislation and the incident that occurred in Washington, D.C. with the superintendent Michelle Rhee. After months of campaigning and selling the ideas pay-for-performance to the teachers within the district she finally galvanized enough votes to remove tenure and implement market-centered reforms. On the night of the vote, the leaders of the teachers union in D.C. refused to allow the teachers to vote on the issue, out of fear that their position on the issues might be in jeopardy.

Ironically, the hypothesis that suggest that states with strong teachers’ unions, previous history of success, significant administrative capacities, and with a large percentage of highly educated teachers are less likely to enforce NCLB sanctions were not supported by the regression output. This might be a result of several factors, including the limited options for parents. In most rural areas there is only one option for public education which limits the parents’ ability to adequately utilize the sanctioning provision of NCLB and sanction the poorly performing schools by removing their children from the school. This dilemma gravely affects the ability of NCLB to live out its true intentions and might be the answer to why so few parents actually utilize their sanctioning option.

Another possible explanation as to why the organizational variables in the second regression equation are not significant might be attributed to the lack of knowledge about the specifics of the NCLB Act. In order to get the NCLB Act through Congress, the federal government was forced to be very lenient on the states regarding specific instructions. As noted earlier and depicted in Appendix 1, some states purposely allowed the school districts to mislead the parents regarding their progress. Furthermore, some states allow the school districts to deliver the results to the parents at inconvenient times.
For example, the school districts in some states are not required to inform the parents before the next academic year has begun, knowing that the odds of a parent removing their children from a failing school once the semester has begun is very unlikely.

This dissertation then used two economic variables to gauge the climate of each state around the time the NCLB legislation was enacted. The economic variables chosen to conduct the analysis were percentage of Blacks and Hispanics enrolled in the public education system and percentage of money each state allocates to each individual student. These variables were chosen because they directly affect the willingness of states to invest in the education of the youth. The regression suggested that spending per pupil was not statistically significant and did not address the willingness of states’ to enact meaningful performance measures. This may be attributed to the fact that cost of living varies from state to state so drastically that amount of money allocated to each individual is directly affected by the differences in the cost of living from state to state. Therefore, it is impossible to gauge the states’ willingness to enact meaningful performance measures based on the amount they allocate per child enrolled in the public education system.

However, percentage of minority students enrolled in the public education system did prove to have meaningful significance when analyzing the economic climate of states and their willingness to enact meaningful performance systems. As the percentage of minority students increased in the individual states’, so did the states’ willingness to enact meaningful performance measurement systems. This might be attributed to the fact that the Bush Administration promised to increase the amount of money allocated for the enactment of the NCLB policies by billions especially for the provisions that directly affected disadvantaged minorities. “[D]uring the 2003 fiscal year approximately $11.7
billion was appropriated for Title 1 spending (funds given to states to improve the education of disadvantaged students, increase teacher quality, and turn around low performing schools). This accounted for nearly half of the $23.7 billion that was appropriated for the Act” (Patrick, 2007). States merely set up performance accountability systems to appease the federal government in order to receive the federal funds.

Finally, this dissertation analyzes the impact of the performance accountability systems on citizen’s decision to utilize the sanctioning provision provided to them in the NCLB legislation. The results indicate that strength of performance accountability systems does have a statistically significant impact on the decision to utilize the sanctioning provision. As the states create and implement stronger accountability models, the less likely they are to utilize the transfer provision. This can be attributed to the fact that the NCLB Act was seriously diluted at the state level. In order to get the federal legislation passed through congress the NCLB Act had to include discretionary provision for the states. Unfortunately, the states violated the spirit of the legislation and totally disregarded the major intent of the program.

Therefore, with a clearer understanding of the violation of the principal agent relationship between the federal policy makers and the individual states, it is important to understand that it is premature to suggest that the performance reform movement is or is not working. This dissertation suggests that the NCLB Act is indeed a good case study for the performance reform movement as long as it is implemented according to the spirit of the federal legislation. Once the principal agent relationship was violated and the
system is shirked at the state level it is impossible to test the effectiveness of the legislation.
REFERENCES


APPENDIX A

PERFORMANCE INDEX
<table>
<thead>
<tr>
<th>Pre-Existing Performance Measures = 2</th>
<th>10% rule (Did not Use) = 1</th>
<th>75% Confidence Interval (Did not use) = 1</th>
<th>Trajectory Selection</th>
<th>Uniform Avg.</th>
<th>Total out of 7</th>
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<tbody>
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<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>6</td>
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<tr>
<td>2</td>
<td>0</td>
<td>0</td>
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<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
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