

Contributions to a cognitive analysis of the teacher evaluation policy

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ABSTRACT:

The definition of new rules for the evaluation of school teachers was established in Portugal with the publication of Decree Law no. 15/2007, 19th January. Evaluation has now become based on competitive mechanisms, accountability and the possible influence of supranational regulating entities in the elaboration of national policies. Instruments have suddenly emerged from this “culture of performance”, making the nature and format of the knowledge acquired more complex and they appeal to the recomposition of relations between the State and large international organisations. Knowledge is envisaged with a focus that comes from its growth and diffusion on a global scale.

Evaluation, in the form of instrumental regulation, intervenes in the construction of agenda and policy-making and can be regarded as a political process. Knowledge, as a regulating instrument, implies that the type of knowledge mobilised through regulating instruments and the way its reception is processed must be perfected.

Consequently, finding the origin of this new policy and analysing the changes in regulation forms through its study is what matters, viewing the instruments as policy-making products and the frames of reference as producers of these policies.

KEYWORDS:

Teacher Evaluation, Knowledge, Regulation, Instruments of public action.

The publication of Law no. 10/2004, 22nd March, by the 16th Portuguese Constitutional Government established the *Sistema Integrado de Avaliação do Desempenho da Administração Pública* (SIADAP) [Comprehensive Evaluation System of Public Service Performance] — the recently created model for evaluating the performance of civil servants — in anticipation of the new model for special careers, which also covers teachers. Later on, the 17th Portuguese Constitutional Government set the *Reforma da Administração Pública* [Public Service Reform] underway, advocating a culture of aim management with evaluation of worker performance and obtained results. Indeed, this was very much in keeping with its *Programa para a Educação* [Program for Education], in which it defended teacher evaluation “according to the obtained results and good practices acknowledged by their peers”. The definition of new evaluation rules, based on mechanisms rewarding merit and contemplating competitiveness and enabling a differentiation of teachers through their performance levels was consubstantiated when Decree Law no. 15/2007¹, 19th January came into force.

Characterising a global movement of deregulation, normalisation through quality is supported by strong instruments which, under the semblance of political neutrality, sanction private rule interference in the domain of educational public policies. So, what we are witnessing, in fact, is the introduction of new regulation forms and a “contamination” process, whereby the effects are reflected in the new accountability language of political discourse and

rules (e.g. “action geared towards results/advertisement of results”, “differentiation through merit/merit quotas”, paradigm of excellence”)². Stemming from the implications of supranational regulating entities, within the “globalisation” framework, in the elaboration of national policies, this new evaluating State” (Neave, 1988) — which goes along with new patterns of quality that are visible in the extension of ISO normalisation procedures to businesses — is reflected in the realisation stage of educational policies in Portugal, thus, indicating some influence from the State-market dichotomy (Barroso, 2003a, 2003b).

It is within this context that we wish to analyse the construction process of the new policy for the evaluation of Portuguese school teachers. Evaluation has emerged as a regulation process and the concept of “regulation” is used as one of the bases of the study. Indeed, it enables us to discover the regulation forms which occur among the State, the agents and the behaviour of the devices used to accomplish such a policy. We will, therefore, focus not only on the origin of teacher evaluation measures and processes, but also on the influence of knowledge on their development.

RELATIONS BETWEEN KNOWLEDGE AND EDUCATIONAL POLICY

Interest in the way the political agenda and research intercept tends to centre on understanding whether

the transformation of policy-making referents is a result of their contact with knowledge. On this basis, it is necessary to study how the policy-making process occurs and what kind of dynamic is created between knowledge and policies, what *dialogues* establish knowledge and policies, what relationship they both construct and whether there is room for the importation of knowledge to policies or *vice versa*. These questions suggest that an analysis of the relationship between knowledge and policy-making should be made.

This entry is of particular interest to us, given that we are facing political architecture on a global scale, in which “performativity” (Ball, 2004, p. 1116), with a central role in the cultures and practices of the public sector, facilitates “the role of monitoring, on the part of the State, “which governs from a distance” — ‘governing without control’”. Without seeming so, “performativity” enables the State to interfere in the cultures and practices of workers, rendering it more market-oriented, and “the knowledge-work of educational institutions is transformed into ‘results’, ‘performance levels’, ‘quality forms’” (idem, *ibidem*). This “culture of performance” which is associated with economic power, is connected to the international boom in result comparisons, the construction of patterns and quality indicators. These are the new instruments which make the nature and format of acquired knowledge more complex, appealing to a recomposition of relations between the State and large international organisations. Knowledge is envisaged with a focus stemming from the substantial increase in the quantity produced and its dissemination on a global scale.

Knowledge, since it is spread in a number of ways and emerges simultaneously as the object and vehicle of policies, imposes a new way of doing politics upon politicians and greater ability to relate to the sphere of knowledge. We are talking about the importation of knowledge to justify the discourse constructed by the State and its policies, but also about the conditioning of the production of such knowledge as a result of influence from the political sphere itself (Mangez, 2001; Whitty, 2002). The analytical framework of the relationship established among knowledge, policy-making and public action is becoming more complex while le-

gitimacy goes beyond the policy-making moment; to interfere with the running of the reconstruction and appropriation of the policy-making process by the several agents involved (Lascoumes & Le Galès, 2004). Such would imply that throughout this process a number of influences create multiple effects which are frequently unanticipated (Derouet, 2000). The view on teacher evaluation we put forward here stems from the concept of regulation. From an analytical perspective, we set out to discover and analyse to what extent there are changes in ways of regulating on the basis of a policy (Mangez, 2001).

TEACHER EVALUATION: AMONG THE CONVENTIONS OF AN EDUCATING/EVALUATING STATE

In the dawn of the 21st century, statistical work is mobilising experts and institutions on an international level in networks to come together in the production of new information gathering formats. Having broken away from the “State-educator” conventions, these evaluation instruments set out to recompose articulation between the State and its territories and monitor the de-concentration and de-centralisation of public action processes. These multiple configurations are elaborated over different levels of commitment and create tension in the definition of aims and specification of evaluation-related procedures.

Indeed, with the globalisation phenomenon, the production of global frameworks for interpreting the world is increasingly surpassing the national State, borders and the impositions of governments: “the historical specificity of the State is fading” (Dutercq & van Zanten, 2001, p. 3), “The State seems to be losing its monopoly, it is less the centre of political and conflict regulation processes” (Lascoumes & Le Galès, 2004 p. 23). The centralising role of the State is being questioned by the intervention of other agents in the field of education, and its own domain is being taken over by new forms of governing and regulating. We can, in fact, speak of “transnational regulation”, whereby “low intensity globalisation” is what constitutes transnational regulation” (Barroso, 2003a, 2003b; Teodoro, 2001).

THE TEACHER EVALUATION POLICY IN LIGHT OF A COGNITIVE ANALYSIS OF PUBLIC POLICIES

Barroso (2003a, 2003b, 2005) speaks of a hybridism of the means of institutional regulation³ and the “State-educator” crisis, passed over by the “State-market” dichotomy, visible in the proliferation of evaluation devices and the transference of a kind of control based on result-oriented control standards.

Indeed, nowadays, we may witness the evaluation of public action as an *element of convergence* of European systems, through a common rhetoric based on the modernisation of systems. In terms of education, Estrela and Nóvoa (1993, p. 9) put forward two types of justification for the resurgence of concerns regarding evaluation: (a) the crisis which is affecting almost every educational system and, consequently, the question of effectiveness and resource profitability and (b) the outbreak of reforms in the 80s which gave evaluation a place— a model in the internal regulation and external control of processes of change. The motives put forward to justify the new instruments are varied: transparency, flexibility, workability, competitiveness, mobility, good practices. They correspond to profound changes in national policies which are not detached from mimetic phenomena and/or cooperation throughout States. Indeed, when they cross national borders, they contribute to the circulation of the instruments and to the production of common frames of reference.

And so, an “Evaluating-State”⁴ becomes unveiled, which expresses itself through the promotion of a competitive *ethos* manifested in external evaluation and in the predominance of an instrumental rationality that overvalues the quantifiable and measurable (Afonso, 2001). Dutercq and van Zanten (2001, p. 3) confirm this metamorphosis of the role of the State, rejecting, however, the term “evaluating-State” in detriment to “negotiating-State”, the integrator of different dimensions, measured in accordance with the countries and fields of action. A natural re-definition of roles is taking place, of new actors called to intervene in the policy-making process, as well as new, political learning dynamics. This restructuring and transformations are revealed through the instruments (Lascoumes & Le Galès, 2004, p. 368), by means of which the State, composing its policies with different scales of power, oversees the issues and, effectively, governs from a distance.

Our focus then, is on the policy-making process in terms of understanding the impact of knowledge on the definition of the political agenda which implies an analysis of the frames of reference and the type of knowledge which legitimises them. An approach through frames of reference leads us to the production of meaning, both at the stage of decision and in the implementation of a policy, which immediately moves us away from a sequential kind of approach, a canonical scheme of public policy analysis. This kind of approach to public policies transposes the text in the assumption that policies *move* and *act* in different contexts and are the fruit of negotiations between different agents. The policy-making process and accomplishment of a policy is “policy in action”. It is the multidimensional nature of the policy (Taylor *et al.*, 1997, p. 15), in the sense of knowing who intervenes in policy-making, how it is organised, with what status and for what.

Thus, our starting point is the role of knowledge in policy-making and not knowledge as a policy constructor. Therefore, taking knowledge to be fundamental in the regulation of the educational social project (Mangez, 2001; Whitty, 2002), we aim to articulate knowledge and policy-making, focusing on the analysis of the relationship between both. We begin with the construction of a specific policy, in this case teacher evaluation, also involving the agents so that the relationship with knowledge may be interpreted in the joint relation with the two levels — Policy Making and Public Action. From this perspective, the production of a policy involves the construction of a representation, an image of reality in which we wish to intervene: the frame of reference. As Muller states (2004, p. 62): “It is in reference to this cognitive image that the agents organise their perception of the issue, confront their solutions and define their action proposals: this vision of the world is called a policy frame of reference”. So, each policy is the carrier of an idea of an issue, of a representation of the social group or sector in question, thus, contributing to its existence, and of a theory of social change (Muller, 2005, pp. 152-153).

The term “frame of reference” is presented as a site for meanings which illustrates the world and opens the way for reflection on change in different dimensions (Muller, 1985, 2004, 2005). The cognitive and normative nature of public action is viewed in a complex process based on giving meaning to reality, constructing interpretation frameworks, in other words, establishing the frames of reference (Muller, 2003). Central questions are being raised again such as the search for meaning in policies (which do not normally convey the frames of reference taken by the agents as true) and the difficult relationship (which moves among imposition, acceptance or rejection) that the agents establish with the frames of reference. However, beyond the policy-making, knowledge is still viewed as a regulating instrument through specific instruments, namely the measures/devices which stem from the new model of teacher performance evaluation.

To sum up, political regulation goes through the institutionalisation of public policies and stems from the constant confrontation between diffuse sources and multi-forms of power — or governing — with the centres, themselves sets of counter powers, resistances, rebellions and contestations against the established order (Pollet, 1987, p. 38). Hence, the interest in focusing on the multiplicity of regulating and governmentality-producing entities, as well as the forums and practices which involve the various stages of the debate.

THE STUDY OF INSTRUMENTS AND THE TEACHER EVALUATION POLICY

Since the late 20th century evaluation has been converted into an institutional obligation on an international scale and in the majority of developed countries. The Anglo-Saxon countries were the first to apply instruments measuring efficiency and quality, and were rapidly accompanied by great international organisations. Naturally, evaluation as an instrumental form of regulation, intervenes in the construction of the political agenda and policy-making, in the establishment of aims, giving origin, as a political process, to “an art of governing (...) which can not be reduced to the instruments or techniques, to a functional or epistemic view, to a kind of “black

box” which is inaccessible to laymen” (Normand, 2005v, s. p.).

As previously stated, nowadays, the State is questioned in its traditional role, in view of the emergence of Anglo-Saxon accountability. The culture of performance has emerged in alliance with a conception of education which is increasingly like the extension of economic calculation, associated with the development of international result comparisons, the construction of patterns and indicators of teaching quality, the emergence of statistics and control frameworks on both local and regional levels. Classical approaches in political science see the instruments as purely technical choices, studied in view of their efficiency, from a functional perspective which “generally tends to reduce the analysis of the origin and development of public policies to a simple history of intentions, desires and rational actions of those responsible” (Pollet, 1987, p. 28). Such a vision overlooks the primordial issues as being the reasons which lead to the choice of one instrument over another and primarily omits the effects induced by the choice of instruments. In our opinion, it is a reductive analysis, for which reason we will endeavour to overcome the positivist visions of the instruments and the prescriptive nature that the rational studies conclude. This is the reason for our brief approach regarding the instrumentation of public action (Lascoumes & Le Galès, 2004, p. 12), which emphasises the importance of the choice and use of instruments in the materialisation of action, as well as the subsequent political effects. Indeed, such an approach not only enables us to state that the choice of instruments is significant of the choice of public policies and characteristics, but also alerts us to the effects brought on by the instruments of public action.

The study of the instruments and their transformations helps shed light upon the transformations that occur between governors and those governed and the recomposition phenomena of the State, particularly through regulation mechanisms and re-centralisation. Therefore, Lascoumes and Le Galès (2004, pp. 26 and 29) base themselves on two principles: a) That the instrumentation of public policy reveals a theorisation of the governor/governed relationship and b) That the instruments are not neutral mechanisms, they produce specific ef-

fects which are independent of the aims carried out and which structure public action, in accordance with their specific logic. Furthermore, Lascoumes and Le Galès (2004, pp. 28-29) make clear that this analysis of public action instruments is not the introduction of a new paradigm in the field of political science, nor does it have a normative scope. For the authors, it is a complement to the classical approaches namely, strategic analysis, neocorporativism and cognitive analysis, especially as far as the study of changes in public policy is concerned.

We refer to instruments of public action as a governmental technology in that they are axiological devices which spread a kind of political theorisation and produce specific effects that are autonomous in relation to the aims initially set out. The purely administrative function of the instruments is accompanied by the emergence of symbolic functions of authority legitimacy and the transmission of values, which involves political options and reveals the deepest transformations of public action. There is a kind of de-politicisation of the State through the devices, which disconnect themselves from the aims set out *a priori*, to take the place of events that render themselves legitimate. This perspective comprehends a substantial heuristic scope which helps to anatomize the presence of knowledge in policy-making and public action. In addition to the fact that an approach through the instrumentation of public policy makes the accomplishment of a useful analysis of public policies possible, articulating itself with the concept of frame of reference revealed through instrumentation (Lascoumes & Le Galès, 2004).

On this level, the understanding of the policies as a construction of social order through raising the issue of the State's recomposition and action control is achieved through the articulation of two analysis models: one which regards the instruments as products of policy-making (Lascoumes & Le Galès, 2004); the other, which looks upon the frames of reference as creators of these very policies (Muller, 2003). Thus, it is the aim to find out how the new teacher evaluation policy is received by the agents directly involved and affected by it. Knowledge, taken here to be the regulation instrument, implies that the kind of knowledge mobilised and spread through regulation instruments as well as the way its reception is processed needs to be perfected.

TOWARDS A GENEALOGY OF THE TEACHER EVALUATION POLICY

Our methodological framework is of a hybrid nature, open to the various analysis models of public policies, where Neopluralist contributions are included, with recourse to the concepts of "interest networks" and "public policy networks" (Pollet, 1987). It is a line of research that brings together state and pluralist paradigms and which has developed on the basis of the notion of "network", thus, enabling an ideological analysis of the conflicts, commitments and negotiations among groups of interest which are constituted as autonomous agents of the political field. To speak of rationality and consensus in political production is a fallacy (Gale, 2003). Public policies are much more than mere decision processes in which a certain number of agents may participate. They are the means for a society to construct its relationship with the world (Muller, 2004). The "who" in political production must be determined as well as the aspects of interaction, where strategies for licensing some (groups of) agents over others are included.

Doing the genealogy of the new evaluation policy for teachers of basic and secondary education implies mapping the process and reconstructing the history of policy-making, questioning: "by means of which social, political or administrative processes are decisions that form policies made? In other words, how are public policies "born" and transformed?" (Muller, 2004, pp. 87-88). The study of public action instruments assumes the adoption of a diachronic attitude and the historicisation of the instrument: "Each instrument has a history and its properties can not be dissociated from the purposes attributed to them" (Lascoumes & Le Galès, 2004, p. 15). Likewise, this analysis should be marked by a sense of chronology of agendas and events, so as to understand the strategies employed in the advance of some agendas over others. What, in fact, we are interested in is not the historical background of the legislative measure, but rather the aspects that have contributed to its occurrence. In other words, we are interested in finding out how it was constructed and what the underlying elaboration process was.

In short, we propose to determine the definition of the new teacher evaluation policy from a number of perspectives, namely synchronic, network-re-

lated, the diachronic reconstitution of processes, based on the following aims: (1) To identify the network of agents involved in the elaboration and development of the evaluation policy of basic and secondary school teachers; (2) To describe and analyse how these agents applied for the elaboration

of this policy; (3) To identify the frame of reference of the teacher evaluation policy, acknowledging the knowledge that contributed to its elaboration; (4) To analyse how the reception of knowledge/regulating instruments of the teacher evaluation policy is processed.

ENDNOTES

1. It altered the career status for nursery teachers and teachers of basic and secondary education (E.C.D.).

2. This new frame of reference is set out in the *Programa do XVII Governo Constitucional Português* [Program of the 17th Portuguese Constitutional Government], to convey the government's ambition for "culture, the practice of evaluation and the accountability to take root in all dimensions of the educational and training system" through a teacher evaluation model, guided by "criteria of results, efficiency and fairness of schools and supporting technical services".

3. Institutional regulation is understood here as "a set of decided and accomplished actions by an entity (government, organisation hierarchy) to guide the actions and interactions of the agents, over which it holds a certain amount of authority" (Maroy & Dupriez, 2000, in Barroso, 2003a, p. 64).

4. See. João Barroso (2003a, 2003b, 2005) and Afonso (1999, 2001). Ball (2004, p. 1105) speaks of a "political agreement [global] of the 21st century post Welfare State".

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