

**A CRITICAL EXAMINATION OF IDENTIFICATION PRACTICES
IN SPECIAL EDUCATION**

by

Derek Michael Drummond

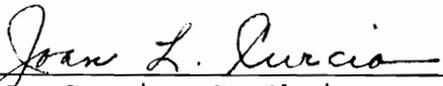
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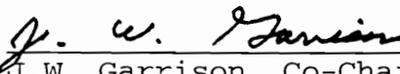
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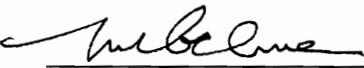
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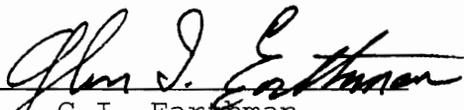
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(ABSTRACT)

This study combines the elements of a qualitative and philosophical approach to examine, analyze, and discuss the process currently used to identify students for special education services in a public school setting. By combining a qualitative and philosophical approach, the study is designed to bring theory and practice together. It strives to mark the limits of current practice in special education and enrich the understanding of its theoretical bases.

The qualitative portion of this study utilized a multiple-case design for the purpose of collecting, analyzing, and discussing data. The study research took place in an elementary school that serves approximately 670 students enrolled in preschool through fifth grade. The transcripts from seven special education eligibility meetings comprise the primary source of data for the qualitative analysis and discussion. Each meeting was considered a single case, or unit of analysis.

The data were codified and analyzed using a process suggested by Strauss and Corbin (1990). Memos written in field notes are cited to augment the interpretation of data. The written reports presented during the meetings were also used in the iterative process. Additionally, references to administrative manuals are made to further support the analysis and discussion. Five general themes emerged as the data were analyzed across the seven cases. The data suggest a number of findings which are presented and discussed.

Michel Foucault's Discipline and Punish (1979) serves as a conceptual framework for extending the qualitative analysis and discussion. While Foucault's theory of power provides a valuable analytic tool for the *critique* of the special education process, it does not offer a viable alternative to current practices. For this reason, the final portion of the study explores the ethics of care movement and its viability for positive change in administering programs in special education. Six observations are made which are considered essential toward an ethic of care in the administration of special education. Recommendations for further study are provided in the final chapter.

DEDICATION

To my wife, Jyl, whose care and commitment toward others touches me deeply; and to my son, Joseph Tyler, whose bright eyes shine with the fullness of possibility and hope.

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Grateful appreciation is extended to a number of faculty members at Virginia Tech. Special thanks to Dr. Jim Garrison and Dr. Joan Curcio for their willingness to co-direct this dissertation. Jim Garrison has been tremendously influential in helping me sharpen and refine the ideas presented in this study. I have greatly appreciated Jim's acumen and expertise in educational philosophy and I feel privileged to be his student. Joan Curcio agreed to serve as my faculty advisor after the untimely death of Dr. Philip Jones in 1994. In the spirit of commitment and care, Joan accepted the challenge of working with me without hesitation. I have benefitted from Joan's keen insight and creativity ever since. Appreciation is extended to Dr. Jerry Cline, Dr. Glen Earthman, and Dr. Diane Gillespie, all of whom served on the dissertation committee. I have appreciated their personal interest and suggestions in the development of this project. I would also like to acknowledge the efforts of the late Dr. Philip Jones. Dr. Jones assisted me in enrolling as a student at Virginia Tech. In doing so, he gave me the opportunity to flourish and grow as both a student and a professional. I miss Dr. Jones, but his influence is still with me.

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My sister, Debra Oliver, is one of those exceptional writers who can compose for any audience and always be understood. I am thankful for the technical advice she provided; it strengthened and clarified my writing. My supportive parents, Dorsey and Joy, have always encouraged me to learn and experience new things. I am profoundly grateful to them.

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For many years, my wife, Jyl, has been teaching me about genuine love and caring. I am indebted to her in many ways, but mostly for having the patience and willingness to stay the course.

PREFACE

During the past decade, I have spoken with dozens of special educators and school administrators about the practice of special education. Invariably, heartening themes of care, commitment, and personal reward emerge as I engage in conversations about the reasons people become special educators. Those of us who have been called to the field of education, particularly special education, simply care about children and their proper nurturance. But these conversations also reveal less benevolent themes: dissatisfaction with rules and regulations that do not adequately meet the needs of children; frustration from working with children without proper resources and commitment from others; disillusionment with the teaching profession in general.

This dissertation grew out of an increasing awareness of the tensions that exist between the personal reasons people become special educators and the professional roles they assume in practice. Within the interplay of themes tied to the field of special education, one can envision a practice that reconciles, in part, some of these tensions. This study is a move toward that vision.

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CHAPTER ONE

INTRODUCTION

The field of special education has evolved in response to complex social and political factors. The Civil Rights movement of the 1960s created a fertile climate for public discussion and debate concerning the rights of individuals with disabilities. In particular, attention was focused on the rights of children. Parents, childrens' rights advocates, special educators, and legislators began questioning educational practices that severely limited opportunities for children with disabilities. Although many states had mandates which required special education services at the local school level, parents found that school districts were not developing and implementing programs for their children (Jones, 1981). In many instances, children and their families were unilaterally denied access to public education. In other cases, exceptional children were taught in separate facilities and treated as second class citizens.

As a result of disjointed and inconsistent educational practices throughout the country, public demand for equal treatment of exceptional children shifted the major responsibility for correcting discriminatory practices to

federal lawmakers (Winzer, 1993; Hume, 1987; Jones, 1981; Levine & Wexler, 1981). In response to pressure by special interest groups, Congress approved the inclusion of Title VI to the Elementary and Secondary Education Act (ESEA of 1965; P.L. 89-10) in 1966. Title VI authorized funding to assist the states in "the initiation, expansion, and improvement of programs and projects . . . for the education of handicapped children at the preschool, elementary and secondary education levels". Title VI also established a Bureau of Education for the Handicapped within the Office of Education. For the first time, children, parents, and special educators had an office at the federal level to address their concerns. In 1967, the Elementary and Secondary Education Act was modified to include additional programs for children with disabilities (P.L. 90-247). Funds were authorized to establish regional resource centers geared to assessing the educational needs of children. Funds were also set aside to advance the recruitment of special education personnel and to facilitate the dissemination of material related to special education programs (LaVor, 1976). In 1968, the Handicapped Children's Early Education Act authorized funding for the establishment of model preschool and early education programs (P.L. 90-538).

The 1970s saw significant judicial and legislative actions aimed at bringing about greater social equity for children with unique physical, mental, and educational problems. In 1971, a class action suit was filed against the Commonwealth of Pennsylvania by the Pennsylvania Association for Retarded Citizens (PARC). At the center of the PARC case was a Pennsylvania statute that relieved the state of the responsibility of educating students who were classified uneducable or untrainable. The court ruled in favor of PARC and overturned the statute (Pennsylvania Association for Retarded Citizens v. Commonwealth of Pennsylvania, 1971). A federal district court, in a 1972 ruling against the Board of Education of the District of Columbia, "put to rest [the] long heard excuse . . . that inadequate financial resources prevented the provision of special education and related services" (Jones, 1981, p. 22; Mills v. Board of Education, 1972). Shortly thereafter, the federal government passed a significant piece of legislation, The Rehabilitation Act of 1973, which prohibited the discrimination of people with disabilities in any activity or program supported by federal funding. That law authorized programs to help states develop and implement plans aimed at meeting the vocational needs of individuals with disabilities. It also supported research, projects,

and demonstrations geared toward the development of innovative rehabilitation services. In 1974, Congress authorized additional funding for states in Public Law 93-380, The Education Amendments of 1974. More importantly, P.L. 93-380 assured due process rights for children with disabilities and their parents. It also assured children an education in the least restrictive environment (Jones, 1981). These actions culminated in the passage of Public Law 94-142, The Education for All Handicapped Children Act of 1975 (EAHCA). This law was retitled the Individuals with Disabilities Education Act in 1990 (IDEA).

The IDEA is permanent legislation and does not require reauthorization by Congress. It established the right of every child to a free, appropriate public education. The law also provides federal funding to assist states in carrying out the costly responsibility of educating children with disabilities. Further, the IDEA includes procedural safeguards intended to assure fairness and appropriateness in the decision making process pertaining to the education of children with disabilities. Additionally, the law establishes managing and auditing standards at all levels of government (Hume, 1987; Jones, 1981, Ballard, 1977). Finally, the IDEA requires school personnel, in collaboration with a child's parents, to develop an

individualized education program tailored to address the child's unique educational needs.

Since the passage of the EAHCA, now titled IDEA, numerous court decisions have interpreted the law, shaping and defining current policies and practices in special education. The courts have helped to establish what constitutes primary and related services, including clean intermittent catheterization, basic self-help and social skills, and summer school for children with disabilities (Battle v. Commonwealth of Pennsylvania, 1980; Hendrick Hudson Central School District v. Rowley, 1984; Irving v. Tatro, 1984; Polk v. Central Susquehanna Intermediate Unit, 1988). Other courts have specified how children with disabilities are to receive disciplinary action at school (S-1 v. Turlington, 1981; Honig v. Doe, 1988). Still other courts have established a "zero reject" principle with regard to educating children with severe and profound disabilities (Abrahamson v. Hershman, 1983; School District v. Rachel W., 1983; Timothy W. v. Rochester School District, 1989).

Today, the challenge of providing special education programs for children with disabilities has gone unabated. More than twenty years after its passage, public education

continues to struggle with the demands of the IDEA in terms of material, financial, and human resources. As school districts grapple with these demands, questions continue to arise with regard to the practice and theory of special education. As Winzer (1993) reminds us: "In many ways special education is still an experiment, a social and educational undertaking in which philosophical, legal and humanistic principles are being worked out" (p. 384).

Criticism of Special Education/Statement of the Problem

In recent years, sharp criticism has been raised by parents, advocates, and educators. Their criticism questions how basic theory in special education is developed by researchers and applied by practitioners in the field.

Skrtic (1991) acknowledges practical criticism has led to superficial changes in the practice of special education. Practical criticism is aimed at the practice of special education rather than the theories which guide it. Much of this criticism has centered around the issue of where special education students receive services. Many critics argue that all students should be integrated within the regular education program (Blackman, 1992; Stainback & Stainback, 1991; Gartner & Lipsky, 1989; Wang & Walberg, 1988). Other critics argue that labeling students may be harmful and stigmatizing (Ysseldyke, Algozzine & Thurlow,

1992; Lipsky & Gartner, 1991). Skrtic argues that the problem with practical criticism "is that it is a form of naive pragmatism" (p. 109) because it fails to precipitate any lasting, meaningful changes. Nor does practical criticism question the theories upon which special education is based. In other words, Skrtic seems to suggest that practice without theory is blind and theory without practice is empty.

In examining the theoretical criticism of special education, Skrtic identifies four grounding assumptions:

1. Disabilities are pathological conditions that students have.
2. Differential diagnosis is objective and useful.
3. Special education is a rationally conceived and coordinated system of services that benefits diagnosed students.
4. Progress results from incremental technological improvements in diagnosis and instructional interventions (p. 54).

Skrtic notes these underlying assumptions have been viewed as assuming an *atheoretical* status (Bogdan and Knoll, 1988; Bogdan and Kugelmass, 1984; Rist and Harrell, 1982; Tomlinson, 1982). In other words, these studies suggest the four assumptions are not based on a particular theory. Skrtic points out these assumptions do include theories of human pathology (deviance) and organizational rationality.

Therefore, he argues they cannot be considered totally atheoretical.

Skrtic also examines two other sources of theoretical criticism of special education: the *confounded theory claim* and the *"wrong theory" claim*. The confounded theory claim argues special education uses both a *pathological model* (derived from medicine) and a *statistical model* (derived from experimental psychology) to define impairments. The pathological model defines impairments according to the presence or absence of particular biological symptoms, such as Down syndrome or cerebral palsy. The statistical model defines impairments by determining "the extent to which an individual varies from the average population on a particular attribute" (p. 113). For example, each person varies in their intellectual capacity. Professionals frequently transpose the pathological and statistical model, thus "turning behavioral patterns into pathological signs" (p. 114).

The "wrong theory" claim asserts special education relies too heavily on principles of medicine and psychology and essentially ignores social and political processes. The reliance of theories from medicine and psychology tends to "locate the root cause of all disability within the person"

(p. 114). This perspective is "wrong" in the sense that it overlooks the social and political contexts of disability.

In spite of various theoretical criticisms, Skrtic believes the "real problem for special education is the field's unquestioned, and thus noncritical, posture toward" its underlying "assumptions" (p. 112). Skrtic calls for a multiparadigmatic and multidisciplinary approach to develop theory and practice in special education. This approach would allow for "self-reflective examination of the limits and validity of special education knowledge and its grounding assumptions" (p. 116). It also requires that special education abandon the functionalist paradigm of social scientific thought. The functionalist paradigm essentially treats the social world as real, objective, and concrete. To understand the social world, scientists and researchers merely have to uncover the universal patterns and rules that guide social structure and organization (Burrell & Morgan, 1979). This paradigm has served as the dominant framework for the development of theory and practice in special education.

Kauffman (1993) suggests the criticism of special education is far too often concerned with image, student placement, and administrative organization and is therefore "relatively superficial". He argues such criticism does not focus on "the learner-teacher interactions that are at the

core of effective instruction" (p. 7). Kauffman believes progress in special education can be achieved by "disaggregating special education populations" when considering placement issues, "repairing and elaborating special education's conceptual foundations" through "carefully honed and coherent statements about its meaning and practice", and "strengthening special education's empirical base" through "reliable quantitative and qualitative research" (p. 11-12).

Without these steps, Kauffman warns us that the current system of special education "is in grave danger". The source of this danger, in Kauffman's opinion, are implementational failures in the field and "the vicious, unjustified, and irrational criticism" reformers use to undermine the profession. Kauffman acknowledges special education has "been remiss in the quality and consistency" of the services it delivers. He notes well: "We are paying dearly for having expanded too rapidly, promising more than we could deliver, and prostituting instruction in the process" (Kauffman, 1994, p. 610).

In order to sustain the field of special education, Kauffman suggests three basic reforms. First, he believes a "clearer articulation" of the philosophies of special education is needed. Kauffman contends that philosophies in special education "have been more implicit than explicit"

and "loosely grounded in shifting, unstated assumptions". As a result, special education has fallen "prey" to unwarranted and unjustified criticism (p. 614). Secondly, Kauffman calls for "significant change" in the training and support of special education teachers. Such training would be guided "by a coherent philosophy" (p. 615). Finally, he suggests that special educators deliver effective and intensive instruction utilizing methods and strategies "with the strongest support in theory and reliable empirical research" (p. 616). By "vigorously" and "persistently address[ing] the issues of philosophy, teacher training, and teaching methods", Kauffman believes special education can provide services in which students "are treated with kindness and respect for their individuality" (p. 617).

In the following sections, an overview of the current belief system that guides much of the research in educational administration will be presented. This overview begins with a discussion of Enlightenment modernity and its basic principles. The discussion will then focus on how the tenets of Enlightenment modernity gave rise to the bureaucratic nature of schools. Finally, the discussion will examine the bureaucratic nature of the IDEA.

Prevailing View of Educational Administration

Much of the current theory and practice in educational administration, including special education, is based on the philosophy of Enlightenment modernity, or what Hallowell calls integral liberalism. Integral liberalism honors "the inherent moral worth and spiritual equality of each individual, the dignity of human personality, the autonomy of individual will, and the essential rationality of men" (Hallowell in Canavan, 1983, p. 40). According to Hallowell (1965), the beliefs and values of integral liberalism (or Enlightenment modernity) may be summarized as follows:

1. A belief in the essential autonomy of the individual will and personality.
2. A belief in the absolute value of individual freedom and equality.
3. A belief in the existence of inalienable natural rights peculiar to individuals in virtue of their humanity.
4. A belief in the essential rationality and goodness of the individual.
5. A belief that the state and its institutions come into existence as a consequence of a social contract drawn between the individual and the state and solely for the rational purpose of preserving and protecting individual natural rights. And further, if inalienable rights are violated, the contract is broken and a new government must be constituted.
6. A belief that social control is best secured by law.
7. A belief in the existence of a transcendental order of truth which is accessible to man's natural reason and capable of evolving a moral response. Further,

this order is the source of the abstract formal natural laws of both physical nature and human nature (pp. 110-111).

The basic beliefs of integral liberalism (or Enlightenment modernity) have played a significant role in the development of the Western democratic tradition and thought (Garrison, Parks & Connelly, 1993). For many of us, the principles of integral liberalism are essential to our thinking and beliefs. Garrison, Parks, and Connelly (1993) suggest "the norms of integral liberalism appear beyond critique". This invulnerability stems from the assumptions implicit in the norms themselves. They assume that

there are rights that human beings inherit because they are rational creatures; that rationality forms the basis of these rights because reason . . . enables them to grasp truth and thus acquire knowledge of right and wrong; that the possession of reason raises humans above brute creation; and that through its exercise they become moral, and ultimately, political agents (Martin, 1985, p. 76).

In other words, rationality allows human beings to be self-assured in their claims of objective knowledge and truth. Pure reason, which allows human access to a transcendental

order of truth, is the final authority for knowledge and morality.

The philosophy of Enlightenment modernity (hereafter referred to as modernity) first originated in the thought of the philosophical rationalists René Descartes and Baruch Spinoza and the political philosophers Thomas Hobbes and John Locke. Later, the ideas were embraced by a number of important 18th century philosophers and scientists, including Newton, Jefferson, Voltaire, Madison, Rousseau, and Diderot. These ideas culminated in Kant's widely influential works, Critique of Pure Reason (1781), Critique of Practical Reason (1788), and Metaphysics of Ethics (1797). The period of time during which these influential thinkers worked is often referred to as the "Age of Enlightenment". They believed they were living in a period of time enlightened by a new respect for reason, scientific inquiry, and humankind. Although more than two hundred years have passed since the Enlightenment Age, the systems of philosophy and methods of scientific inquiry developed during its height continue to strongly influence our thinking today.

Modernity emerged as a reaction to the religious and political autocracy of the Medieval Age and served the needs of the new mercantilist and capitalist classes (Elkind, 1995, p. 8-9). Contrary to the Medieval view of vesting all

authority in established and objective agencies, modernity placed an enduring faith in the force of human reason. Newton's discovery of universal gravitation had a profound influence on modernist thinkers. Scientists, philosophers, and other intellectuals assumed that if "man" could employ scientific reasoning to explain the laws of the universe, then "he" could certainly use this new-found logic to grasp the fundamental laws of nature and society. As did John Locke, the intellectuals of the Enlightenment Age believed knowledge and truth could be discovered through experience and investigation tempered by judicious reason. In their search for universal truth, they believed humanity could one day achieve continuous political, social, religious, and economic progress.

Modernity is further characterized by three additional beliefs (Elkind, 1995). First, there is the fundamental belief in social progress. Society and the individual gradually improve over time. The growth of knowledge and a better understanding of people and societies move humanity toward a better world. Secondly, there are universal, "natural" laws which constitute the "grand theories of science", such as those suggested by "Newton, Darwin, Marx, Freud, and Einstein". The idea that the "creative and rational thought of individuals" can transcend social, political, and historical contexts is fundamental to

modernity. Finally, these "natural" laws occur with "regularity and predictability". The aim of modern science is to reveal the universal and regular natural laws that regulate the "physical and social worlds" (Elkind, 1995, p. 10).

Bureaucracy in Schools

Modernity or integral liberalism informs the functionalist paradigm of social scientific thought (Foster, 1986). Foster writes:

[T]he functionalist paradigm embraces the assumptions that the social world is objective, real, and concrete; that scientists standing, as it were, outside of this world can record and accumulate facts about it. . . . Functionalism does not challenge the social order; rather it assumes that things are right as they are: the scientist merely has to find the underlying regularities that guide social structures. Most of the research done in educational administration and organizational theory can be labeled functionalist in character (Foster, 1986, pp. 55-56).

The functionalist paradigm has played a substantial role in the efforts of public school reformers since the end of the 19th century. In response to calls for significant

reform (particularly in urban schools), school administrators have adopted Weber's classic model of bureaucracy and Taylor's principles of scientific management and applied them to the public school setting (Tyack, 1974). In terms of organization and structure, schools are bureaucratic (Sergiovanni, Burlingame, Coombs & Thurston, 1992; English, 1992; Lunenburg & Ornstein, 1991; Evers & Lakomski, 1991; Campbell, Cunningham, Nystrand & Usdan, 1990; Hoy & Miskel, 1987; Lewis, 1987; Silver, 1983).

The bureaucratic nature of schools is rooted in the Progressive school reform movement of the late 19th century. The efforts of the early school Progressives laid the groundwork for the social efficiency movement in schools during the early part of 20th century (Callahan, 1970; Tyack, 1974). The social efficiency movement was characterized by increasing bureaucratization and legalization of schools. As Callahan notes, beginning at the turn of the century "school administrators perceived themselves as business managers, or as they would say, 'school executives' rather than as scholars and educational philosophers" (p. vii). Callahan also notes the "school executive" mentality came about as a result of public opinion and pressure for public school reform. He writes:

The sudden propulsion of scientific management into prominence and the subsequent saturation of American society with the idea of efficiency together with attacks on education by the popular journals made it certain that public education would be greatly influenced. But the extent of this influence was increased by the vulnerability of the leaders in the schools--the superintendents--to public opinion and pressure (p. 52).

Tyack (1974) observes how the influence of "centralization and the corporate model" brought about "the growth of vast layered bureaucracies of specialized offices" and "a new 'science' of education" to public schooling (p. 176). This "new science" included methods and techniques for differentiating students on the basis of ability and achievement (p. 199).

Today, the power of these early efforts remain. As Sergiovanni et al. (1992) suggest, "[b]ureaucracy in school endures because of the assurances of order, rationality, accountability, and stability it provides to the public" (Sergiovanni, Burlingame, Coombs & Thurston, 1992, p. 137). Kaestle (1983) reminds us that the "faith in the efficiency . . . equity . . . and necessity of centralized decision making has been manifested in many ways" during our present

time. As examples, Kaestle points to the development of standard curricula, minimum competency testing, and financial equalization formulas at the state level. He also points to federal legislative actions which mandate a national movement toward "integration, sexual equality, and secularism" (p. 222). Greene (1988) notes the "cheerful formulas, the quantifications, [and] the simplifications" school systems currently use to address complex social and educational problems (p. 114). She is also concerned with a mode of thinking about schools characterized by an emphasis on "calculable results, by tests of efficiency and effectiveness" (p. 54). This mode of thinking is no doubt the consequence of continued calls for public education reform since the early 1960s.

Schools have been characterized as bureaucratic due to their reliance on policy, regulation, and routine. Rules are intertwined in virtually every aspect of a school's day to day operation. There are rules for everything from student dress to teacher conduct. These rules vary little from school to school. Formal policies and regulations prescribe the manner in which schools in a particular system must operate in providing instructional programs for students. Further, school systems develop specific curriculum guides to ensure uniformity of instruction. As a measure of accountability, students are routinely assessed

to determine their progress toward meeting the goals of the system-wide curriculum. In short, rules, policies, and regulations make school systems more alike than different. It is this attention to detail, sameness, and routine that makes a school system bureaucratic.

The highly refined organizational hierarchy of schools is another mark of a bureaucracy. As Campbell et. al (1990) note, "the idea of a chain of command permeates most school organizations" (p. 282). A strict division of labor ensures that each school functions in a precise, regular manner. Each individual is assigned specific responsibilities to ensure that optimal learning takes place. The principal, or building administrator, supervises the instructional program and staff, maintains public relations, and performs other managerial tasks. Teachers are given the responsibility of instructing students and ensuring adequate student performance on various accountability measures, such as standardized tests. A central office staff, including supervisors of curriculum, testing, and instruction, work to help individual schools meet county or district goals. The entire system is supervised in turn by various directors, associate superintendents, and ultimately, a division superintendent.

Perhaps the most pronounced instances of the bureaucratic and legalistic nature of educational

administration can be found in the provisions of the IDEA. Howe and Miramontes (1992) have succinctly dubbed the nature of the law "bureau-therapeutic" (p. 47). The provisions of the IDEA are bureaucratic: federal funding is available to any school district that provides special education services to children following its administrative mandates. The law is also therapeutic: school districts are required to provide a medical-like evaluation for each child suspected of having a disability and then prescribe a remedy or therapy for each qualified child in the form of an individualized education plan (I.E.P.). In most states, this medical-like evaluation is comprised of a medical, educational, sociocultural, and psychological component. A child may be qualified to receive special education services based on one or more disabilities prescribed by the IDEA.

The IDEA requires school districts to provide special education and related services to each qualified student on the basis of their eligibility for such services. A student's eligibility is determined by the accumulation, examination, and discussion of a student's medical and school records, individualized test results, school performance, and behavior. A multidisciplinary team, comprised of a school administrator, school social worker, school psychologist, and educational specialist, reviews a student's case and determines whether or not he qualifies

for services. This decision is based on the finding that a particular student meets the criteria for a certain kind of disability. If he qualifies, an individualized education program is developed for the student. Provided that a state adheres to the procedural requirements of the IDEA, it receives federal funding for each student who qualifies for special education and related services. States that choose not to comply with the requirements of the law are not entitled to receive federal funds.

The intent of the IDEA is good. It intends to bring about greater social equity by requiring school districts to (a) provide a free, appropriate public education to all students, (b) implement a means of identifying students with unique educational needs, and (c) follow a set of rules and procedural safeguards in providing such services. Today, the IDEA serves as a reminder that when remedies to social injustice cannot be envisioned and articulated, legal imperatives often take their place. However, legal remedies are only that, leaving the spectrum of important social, ethical, and philosophical considerations for another arena.

Need for the Study

There has been little focus on the social, ethical, and philosophical underpinnings of special education. Barton and Tomlinson (1984) call for a sociological and comparative

study to analyze changes and developments in the field. In their view, the functionalist paradigm has provided the ideological justifications used to rationalize policy, theory, and practice in special education. Sociological and comparative studies would allow researchers and practitioners to engage in a dialogue outside of the functionalist paradigm and to critically examine special education policy, theory, and practice.

Bogdan and Kugelmass (1984) recognize the functionalist paradigm has guided much of the research in special education. They conclude: "In short, most research has been *for* special education (serving the field as it conceived of itself), not *of* special education, that is looking at the field from an alternative vantage-point" (p. 173). In other words, the research in special education has been largely acritical as Skrtic suggests. Bogdan and Kugelmass call for a systematic approach to developing alternative means of examining the identification and instructional practices used in special education.

By viewing special education from a sociological perspective, Tomlinson (1982) suggests a better understanding could be achieved in terms of how education systems develop. In her view, this perspective would demonstrate that education systems "develop . . . in the

interests of particular groups" and "in particular ways" (Tomlinson, 1982, p. 27). Tomlinson contends the development of special education has well-served the interests of teachers in regular education, of professionals in the fields of medicine, psychology and special education, and of politicians as well. By ignoring important social issues, Tomlinson argues special education has come to be protected by a philosophy of "benevolent humanitarianism" (p. 6). This philosophy views special education from the single perspective of "doing the right thing" for children. Tomlinson believes if professionals working in the field thought "in wider historical, social and political terms", they could improve their practice. However, Tomlinson recognizes the difficulty in challenging existing views: "[I]t does appear that when challenged, the education system will defend itself by reverting to innate, individualistic explanations stressing the pupils' deficiencies" (p. 162).

Oliver (1988) suggests special education services have been shaped not only by a humanitarian desire to help disabled children, but by complex social, economic, and political forces as well. Oliver contends our current definition of disability is informed by three distinct views. Disability is seen as (a) an individual problem; (b) a social construction; and (c) a social creation.

Oliver notes that much of the current practice of special education relies on viewing disability as an individual problem; that is, an individual has a disability and must be given the skills to cope with it in society. Oliver argues this view often organizes services "in such a way as to meet the needs of the professionals" and not the students (p. 26). The view of disability as a social construction has been taken up primarily by researchers and policy makers. These individuals have attempted to correct social problems by changing the terms used to define various disabilities. If you alter "the way people think about disability", you "can eliminate the problems of disabled people" (p. 17). The problem with this view, Oliver contends, is that society will never achieve a definition of disability which is free of a particular social context. Any definition of disability will inevitably reflect some of the attitudes, beliefs, and values of a given culture while excluding others (p. 20). The social creation view maintains that society creates disabilities by the manner in which it reacts to impairments (p. 17). Oliver gives the example of a building which is inaccessible to people with disabilities. The problem does not lie in the nature of disability, but in the way that the building is designed and constructed. Oliver believes a more fluid, meaningful teaching practice could be achieved if the term disability

was viewed as a social creation. Such a view would allow practitioners to free their thinking about the term "disability" and to include people with "disabilities" in the planning of educational and social programs, public facilities, and social policies.

Ferguson, Ferguson, and Taylor (1992) note that special education has a small "tradition of qualitative research that concerns disability in schools". The authors further observe this "dearth may be . . . explained by special education's reliance on a traditional quantitative and behavioral approach to educational research" (p. 100). Peck and Furman (1992) note the value of qualitative research in special education in terms of understanding school processes and practices, student life, and social policy. They also "argue that the paucity of this type of work currently evident in the field [of special education] is unfortunate" because a number of important issues could be explored through qualitative research (p. 35).

Mehan, Hertweck, and Meihls (1986) employed ethnographic methods to analyze the referral and placement decision-making processes used by a school district in southern California. Perhaps the most compelling findings were the discrepancies noted between the decision-making process outlined by the IDEA and the actual process used in the schools. Mehan et al. (1986) believe these

discrepancies were the result of the school division's organizational, legal, and financial limitations and the ideological beliefs that govern decision-making processes. They conclude that:

student identities are constructed by the institutional practices of the school. This means that designations like "learning disabled student", "mentally gifted minor", or "average student" are characteristics not exclusively of children's conduct (e.g., their talent) or those characteristics associated with social class background. Nor are they a direct manifestation of educators' beliefs or expectations. Instead, they are a consequence of institutional practice (p. 159).

In addition to concerns related to the sociology of special education, attention has also focused on ethics. In The Ethics of Special Education, Howe and Miramontes (1992) conclude "that the ethics of special education has so far received scant attention, either as a field of ethical inquiry or as a topic in teacher education" (p. 1). They suggest the actions of courts, legislative bodies, and other governmental agencies have placed legal issues in the forefront of consideration while ignoring important ethical issues (p. 8). Howe and Miramontes point out: "In most cases, the legal thing to do will also be the ethical thing

to do. But this will not always be so, since laws and regulations may be defective from an ethical point of view" (p. 9). Howe and Miramontes call for strong professional ethics, based on moral principles and ethical compromise, in the field of special education. Such ethics are necessary in order for professionals in the field of special education to take into account the views of others, while at the same time adhering to their own beliefs and value systems.

As we have seen, the theory and practice of educational administration, particularly special education, is largely permeated by the tenets of modernity and predicated on the functionalist paradigm of social scientific thought. In a sense, much of the theory and practice of educational administration is "uni-perspectivalist"; that is, it views itself from only one perspective. We have also seen that modernity and the functionalist paradigm are largely unreflective and uncritical (Foster, 1986; Ritzer, 1980).

Recently, a number of important works have illuminated the need to view administrative practices in education from varied perspectives (Apple, 1982; Foster, 1986; Giroux, 1988; Cherryholmes, 1988). Apple argues that educators should not restrict or diminish their thinking to the "technical/administrative knowledge" widely used in educational settings (Apple, 1982, p. 66). Such knowledge informs both productive and reproductive practices which

"may . . . bear little resemblance to even our best intentions" (p. 13). Foster (1986) encourages us to view the field of educational administration as a "moral science". From this perspective, administrators come to understand that they

deal with moral dilemmas. Each [administrative] decision carries moral, rather than just technical implications. This realization distinguishes the administrator from the technocrat. *Each administrative decision carries with it a restructuring of a human life*; this is why administration at its heart is the resolution of moral dilemmas. The new administrator will operate from a set of values that stresses not only research in the field but also understanding and critical inquiry (Foster, 1986, p. 33).

Giroux (1988) notes: "Educational theory has usually not included a language or mode of analysis that looks beyond the given or the phenomenon" (p. 4). He encourages a mode of thinking that "extends rather than restricts human possibilities" (p. 175). Cherryholmes challenges us to examine the arrangements of power in educational settings and to consider the effects of power on what is said (discourse) and done (practice). Following the

poststructural (postmodern) interpretative tradition, Cherryholmes believes the discourse-practices of education are defined within a particular period of time and subject to change. He articulates this view:

Professional educators would like to believe they are in control of what they say and do and that their discourses-practices are based on true statements. But if truth is discursive and discourses are historically situated, then truth cannot be spoken in the absence of power and each historical arrangement of power has its own truths (Cherryholmes, 1988, p. 34.)

Keeping with the tradition of Apple, Giroux, Foster, and Cherryholmes, a study is needed to provide an alternative perspective for examining the special education process, particularly in terms of its language. Such a study will provide new insights into the larger social, ethical, and philosophical contexts of administering programs in special education.

Purpose of the Study

This study will provide an alternative framework for the analysis and discussion of the special education process. By viewing special education from "an alternative vantage-point" as suggested by Bogdan and Kuggelmass (1984),

the study will lay the groundwork for a deeper understanding of the social, ethical, and philosophical issues which have been relatively ignored in the literature. It will challenge the traditional ideology of special education as one of "benevolent humanitarianism" or presumed benevolence. Such an ideology has provided the "moral framework within" which special education "professionals and practitioners work" (Tomlinson, 1982, p. 6). It will also challenge the functionalist paradigm of social scientific thought and (to a large extent) the philosophy of modernity.

The study examines how mild disabilities may be the result of what Gelzheiser (1987) describes as the "uniform expectations of a traditional classroom" (p. 148). Gelzheiser acknowledges the importance of viewing mild disabilities, such as learning disabilities or mild mental retardation, as a social construction. She reminds us: "Detection of these conditions occurs in schools, not prior to school entry. . . . In schools, uniform standards for achievement and uniform methods of instruction serve to create a group viewed as deviant" (p. 147). This study will have particular relevance to students with these mild disabilities. It will have less bearing on the kinds of special education services required to meet the needs of students with moderate or severe physical and/or cognitive disabilities.

The study will combine elements of both a qualitative and philosophical approach to examine, analyze, and discuss the process currently used to identify children for special education services in a public school setting. By combining a qualitative and philosophical approach, the study will endeavor to bring theory and practice together. It will strive to mark the limits of current practice in special education and enrich the understanding of its theoretical bases. Its goal is to weave together the fabric of diverse practical and theoretical viewpoints--the findings of the qualitative research, the perspective of Michel Foucault, and the ethics of care--into a single, meaningful cloth.

The difficulty in conducting this study, as with any study employing a qualitative research methodology, is that the researcher begins with a particular interpretive forestructure. Hansen (1958) described this phenomenon as "theory-ladenness"; that is, observation is dependent on theory for meaningful interpretation. Garrison (1986) used the term "concept-ladenness" interchangeably with Hansen's term. According to Garrison (1986), "[c]oncept-ladenness" contends there are no concept independent facts . . . [It] challenges the very meaningfulness of facts independent of theory" (p. 15). In other words, one must not have any illusions of being entirely objective or value-neutral when conducting research. A researcher comes to the laboratory

or enters the field with a combination of experience, theory, and reason that allows her to make sense of what she sees. In this view, rationality consists of reflectively recognizing the inevitability of relying on some interpretative forestructure in research. Reflective recognition allows both researcher and critics of research to proceed systematically and intelligently. All research questions, including my own, have conceptual presuppositions that "laden" the inquiry. It is well-known that any finite data base can verify an infinite number of logically valid theories (Garrison, 1986). Critics of my findings who wish to construct alternative interpretations will readily recognize the "concept-ladenness" of my research. This will allow critical discussion to proceed rationally.

At least three elements constitute the interpretive forestructure of this study and are acknowledged here:

(a) the ethics of justice that now serve as the primary basis for action in special education, (b) Foucault's theory of disciplinary technology, and (c) the ethics of care which have been described as the "missing link" in special education (Pazey, 1993). By acknowledging these biases, I hope to control them better and allow the reader to recognize and control them as well. Of course, the study will strive to entertain other possibilities should the qualitative evidence suggest them.

Overview of the Chapters

Chapter Two presents an overview of postmodernism and the work of Michel Foucault. In particular, Foucault's Discipline and Punish (1979) is examined and discussed. This overview is provided to prepare readers for the analysis and discussion presented in Chapter Five. Readers are strongly encouraged to contrast the overview in Chapter Two with the discussion of modernity presented previously in this chapter.

Chapter Three outlines the qualitative methodology used in the data analysis and discussion and describes the limitations of the research.

Chapter Four presents the findings of the qualitative analysis. Utilizing a "grounded theory" approach (Strauss & Corbin, 1990), this chapter addresses the following questions:

- (a) What are the events that characterize the eligibility meeting?
- (b) What is the focus of this meeting?
- (c) How does power/control play out in this meeting?
- (d) Who exercises this power/control?

Through the systematic coding of data, Chapter Four attempts to explicate a story line to answer these fundamental

questions (and possibly others). Chapter Four ends with a summary and conclusions based on the findings presented.

In Chapter Five, the study uses a postmodernist lens for a philosophical examination of the special education eligibility process. Through this particular lens, the term disability will be viewed as a social construction. It draws extensively from the critical work of the French postmodernist, Michel Foucault, particularly his Discipline and Punish (1979). Discipline and Punish serves as a conceptual framework for an extended analysis and discussion of the findings presented in Chapter Four. Using a postmodern interpretative forestructure, this portion of the study strives to unmask the reality of the eligibility process. This analysis examines the following questions:

- (a) How does the special education eligibility process function as a "disciplinary technology" as described by Foucault?
- (b) What happens to the good intentions of the special education process when examined under a Foucauldian lens?

Once addressed, these questions will challenge the established discourse-practice of special education and its power structures.

While Foucault's theory of power provides a valuable analytic tool for the *critique* of the special education process, it fails to provide a viable positive alternative to current practices. Indeed, much has been written about Foucault's failure to provide useful options to the myriad social and political issues he so deftly criticized and challenged (Hoy, 1986). For this reason, Chapter Six suggests an ethic of care to serve as the basis for positive change in administering special education programs. Chapter Six concludes with recommendations for further study.

CHAPTER TWO

POSTMODERNISM AND THE WORK OF MICHEL FOUCAULT

Postmodernism

In many ways, postmodernism is the antithesis to Enlightenment modernity and functionalist social science. It questions the very model of reason that has traditionally characterized Western thought. As Racevskis (1993) notes, the "postmodern critique seeks to invalidate first the pretense of a rational design for humanity carried under the aegis of a disinterested pursuit of truth" (p. 7). In other words, postmodernism questions whether or not truth can be divorced from the interests of society or the individual.

Postmodernists highlight many instances where Enlightenment modernity overlooks the stark reality of modern society. For instance, postmodernists, among others, point to the subjugation and marginalization of women and minorities (e.g., religious, racial, ethnic) in our culture. In many respects, the true social condition belies the Enlightenment ideology of "equality and emancipation" (Racevskis, 1993, p. 8). While reason and rationality have been viewed as the catalysts for human progress, they have also been used to legitimize obstacles to true human progress, such as slavery (Elkind, 1995). According to

postmodern thinkers, the beliefs of modernity "were not entirely wrong, but they were often idealized and blind to the dark side of human nature, of scientific discovery, and of technological development" (Elkind, 1995, p. 10).

Racevskis (1993) concludes:

Modern "man's" belief in the self-sufficiency of his reasons allowed him to neglect all that escaped the realm of his self-generated and self-validating limitations. By vesting all claims of earthly authority in universal reason, by endowing the knowledge necessary for maintaining a sociopolitical order with the prestige of truth, the project of civilization could make itself impervious to the rule of contingency and the force of history (p. 8).

Racevskis and Elkind both contend the modernity project often distorts the true picture of the human condition. In their view, modernity has been sustained by a self-interested claim of objective knowledge and truth. This claim allowed modernity to ignore any knowledge or truth that it could not substantiate. "All that escaped" modern thought was simply incapable of being reconciled with its "self-generated" and "self-validating" claims. By neglecting all knowledge and truth inconsistent with its

purposes, the project of modernity has sustained itself since the Age of Enlightenment.

In The Postmodern Condition, Lyotard (1984) argues "scientific knowledge is a form of discourse" (p. 3). According to this view, science is simply a ritualized, specialized, and highly technical form of talk which is not based on objective data or facts (Ritzer, 1992). Like Lyotard, other postmodernists seek to replace the modernist view of the world with one based on language. They recognize, however, that language is particular to a given culture and time. Rather than focusing on the search for grand, universal, and necessary truths, postmodernists are concerned with particular and contingent social, political, and cultural issues, all of which are situated within a given historical context.

Postmodernists view societies and the professions "as constituted by [a set of] historically contingent rules" which determine what a person can say or write at a particular moment in time (Garrison, Parks & Connelly, 1993). The rules are contingent because they can change according to the needs or desires of a particular social, political, or historical context. In essence, the rules are constructed. They are only necessary as the context requires them to exist and function. These rules for written language and speech are referred to as "discourses".

According to Foucault, discourses are "practices that systematically form the objects" they describe. "Discourses are not about objects; they do not identify objects, they constitute them and in the practice of doing so conceal their own invention" (Foucault, 1974, p. 49). In other words, discourses come into existence as a result of practice. What is done (practice) provides meaning and clarity to what is said (discourses). The relationship between discourse and practice is the same as the proverbial chicken and the egg. Once established, discourses become embedded within the context of everyday life; in a sense, they appear to be quite natural and given very little reflective or critical thought.

While modernity emphasizes reason and thought, postmodernism is concerned with language and how it shapes, defines, and regulates society. As Ritzer notes, postmodernism views the social world "as a series of texts that need to be interpreted largely in relation to other texts" (Ritzer, 1992, p. 367). These texts or discourses provide content through spoken and written language. Discourses are then used to determine practice or "what is done" (Cherryholmes, 1988, pp. 8-9).

Cherryholmes (1988) observes: "Professions are constituted by what is said and done in their name. Regularities in what is said (discourse) and done (practice)

are based on shared beliefs and values ranging across tasks accomplished, problems addressed, values articulated, and research undertaken" (p. 1). Simply stated, the various professions fashion themselves according to a "self-generating" and "self-validating" agenda. A sense of shared values and beliefs guide each profession in shaping and determining its unique identity.

Postmodernists are also concerned with the decentering of the subject "man". They reject the Enlightenment notion of an "individual's unified consciousness" which is transcendental of time and circumstance (Sarup, 1989, p. 4). They also reject the idea of "man" as a rational, autonomous being. There is no such thing as pure reason. A person's thought is inexorably linked to their language and to particular social, political, or historical contexts.

The Work of Michel Foucault

In his work, the late Michel Foucault challenged the basic modernist ideas that people generally accept as permanent or universal truths about human nature and society. For example, he questioned whether or not there was such thing as autonomous individuality and innate free will and rationality. Instead, he believed that personal identity was a contingent social construction, freedom was an achievement, and rationality was a function of the

discursive-practices of a given culture. Foucault's work posed serious questions regarding the discourse-practice of modern institutions like hospitals, prisons, and schools. He attempted to show how these institutions classify and regulate individuals on the basis of a constructed system of knowledge.

Power/Knowledge. Foucault was particularly interested in how knowledge about human beings was constructed and how the power generated by this knowledge acts on people and society. He critiqued Francis Bacon's assertion that "knowledge is power" by casting doubt on whether or not we have any knowledge of certain or absolute truth. In the absence of certain or absolute truth, Foucault questioned what would constitute knowledge. He suggested the relationship between knowledge and power could be reversed--that power is knowledge. Knowledge would then simply be whatever a particular group in society decided it to be.

Foucault theorized that human knowledge is historically contingent and socially constructed by agents of a powerful minority who impose their notion of truth, reason, and rationality on the rest of society. Foucault's ideas could be extended in the following way: A small group of individuals decide on a particular truth and convince (or coerce) as many other people as possible to accept it. This

socially constructed truth is then more important than some unknowable or indeterminate truth. The people who claim to have discovered (or arrived at) a particular truth may then claim to be most knowledgeable and to understand the truth more than anyone else. In this way, Foucault believed power becomes knowledge. For Foucault, power determines and establishes the rules for discourse-practice and the criteria for truth. In his view, "power produces [knowledge]; it produces reality; it produces domains of objects and rituals of truth" (Foucault, 1979, p. 194).

Foucault concluded "the formation of knowledge and the increase of power regularly reinforce one another in a circular process" (Foucault, 1979, p. 224). Those in a position to decide what constitutes knowledge and truth are on the receiving end of power. The more knowledge and truth one claims to possess, the greater their share of power. Foucault elaborated: "[P]ower and knowledge directly imply one another; . . . there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations" (Foucault, 1979, p. 27).

Foucault believed the development of the social (or human) sciences cannot be completely separated from the exercise of sovereign or juridical power in modern society. During an interview in 1978, Foucault explained:

[T]he fact that societies can become the object of scientific observation, that human behavior became, from a certain point on, a problem to be analyzed and resolved, all that is bound up, I believe, with mechanisms of power-knowledge which, at a given moment, indeed, analyzed that object (society, man, etc.) and presented it as a problem to be resolved. So the birth of the human sciences goes hand in hand with the installation of new mechanisms of power (Foucault in Kritzman, 1988, p. 106).

The need for these "new mechanisms of power" emerged at the end of the Classical Age (about 1650 to 1800) as the great European monarchies began to consolidate. In the place of large, public spectacles of discipline and punishment, a more generalized, subtle, and refined form of power and social control was being developed. The role the human sciences played during the next century was the accumulation of a greater knowledge of "man", which was translated into what Foucault described as "bio-power". This knowledge (or bio-power), combined with sovereign and juridical power, made possible the creation of what Foucault described as "calculable man" (Foucault, 1979, p. 193). Through the discourse-practices of the human sciences, man

achieved the status of both subject and object. Man became the subject who knows and the object of this knowledge.

Foucault did not view power as a type of commodity that exists through a contractual or legal framework between the state and the individual. Power is to be understood "in terms of the politics of everyday life" (Marshall, 1989, p. 105). For Foucault, power does not exist merely by means of sovereign, juridical, or epistemological origins. Power exists in a continuous, dynamic state and is "distributed throughout complex social networks" (Rouse in Gutting, 1994, p. 106).

In this sense, Foucault was primarily concerned with the exercise of power at the micro-level in society. He viewed power as a "capillary function" (Foucault, 1979, p. 198). Just as capillaries insinuate themselves in every part of the body, Foucault believed power insinuates itself in every relationship. As a capillary function, power allows the state or ruling agency to operate through "already existing relations. The state is superstructural in relation to a whole series of power networks that invest the body, sexuality, the family, kinship, knowledge, technology and so forth" (Foucault in Rabinow, 1984, p. 64). In other words, Foucault believed in order to achieve social control, the state frequently takes advantage of personal and social relationships. Power exists in these

relationships and is exercised by individuals, either knowingly or not, at any given moment. Foucault explained:

[P]ower . . . is conceived not as a property, but as a strategy, . . . its effects of domination are attributed not to 'appropriation', but to dispositions, manoeuvres, tactics, techniques and functionings; . . . one should decipher it in a network of relations, constantly in tension, in activity, rather than a privilege that one might possess. . . . In short, this power is exercised rather than possessed; it is not the 'privilege', acquired or preserved, of the dominant class, but the overall effect of its strategic positions--an effect that is manifested and sometimes extended by the position of those who are dominated. [T]his power is not exercised simply as an obligation or a prohibition on those who 'do not have it'; it invests them, is transmitted by them and through them; it exerts pressure upon them, just as they themselves, in their struggle against it, resist the grip it has on them (Foucault, 1979, pp.26-27).

While it is difficult to determine precisely where the power of the state resides in Foucault's conceptualization of power-knowledge, it does imply "that all forms of knowledge have a political dimension" (Jones in Ball, 1990,

p. 100). In other words, all knowledge is used in one way or another to accomplish social and political ends. It could also be said all knowledge is informed by certain social and political viewpoints. "[P]ower . . . is not under the immediate dependence or a direct extension of the great juridico-political structures of a society; it is nonetheless not absolutely independent" (Foucault, 1979, p. 222). In this sense, Foucault was acutely aware of the power held by agencies of the state. Further, he was sensitive to the state's use of the language developed by the human sciences as a means of social control. Foucault elaborated this point:

Modern society then, from the nineteenth century up to our own present day, has been characterized on the one hand, by a legislation, a discourse, an organization based on public right, whose principle of articulation is the social body and the delegative status of each citizen; and, on the other hand, by a closely linked grid of disciplinary coercions whose purpose is in fact to assure the cohesion of this same social body (Foucault, 1980, p. 106).

According to Foucault, the emergence of the social or human sciences during the 18th and 19th centuries marked the beginning of the accumulation of human knowledge. By

determining and establishing truth, professionals in the human sciences characterized and analyzed human beings as they worked within the contexts of various social agencies. Foucault attempted to show how this constructed knowledge has had purposeful and debilitating effects on people and societies.

For instance, in Madness and Civilization (1965), Foucault examined the treatment of the mentally ill over the course of several centuries. He pointed out that in earlier times, "madmen" were accepted as part of their community. With the emergence of psychology in the late 18th century, he showed how mentally ill people were marginalized and incarcerated. "Madness" was no longer tolerable in a community. It had become appalling and was to be removed from society. According to Foucault, these new ways of viewing madness were not "an ineluctable triumph of compassion based on scientific objectivity, but . . . the product of suspect forces peculiar to the social and intellectual structures" of the Enlightenment Age (Gutting, 1994, p. 11).

For instance, the emergence of hospitals and clinics changed the way illness was once treated (The Birth of the Clinic, 1973). Prior to the 18th century, Foucault noted, sick people were generally treated at home by their families. The notion that illness was best treated in

hospitals and clinics came about as a result of gradual developments in the field of medicine. Doctors of medicine claimed to have knowledge others did not have. The fact they possessed this specialized knowledge gave them power to pursue their self-interests in establishing special places to practice their profession. Today, it is hard to imagine the treatment of illness without a vast system of hospitals and clinics.

With the development of specialized languages, the human sciences revealed the truth of human nature according to the essences, categories, characteristics, and qualities that the disciplinary elite constructed. This allowed the human sciences to regulate the behavior of individuals according to the norms and standards of the disciplinary experts. By holding the individual as both the subject and object of study, the human sciences extended and legitimized the exercise of power. Foucault wrote:

The human body was entering a machinery of power that explores it, breaks it down and rearranges it. A 'political anatomy', which was also a 'mechanics' of power, was being born; it defined how one may have hold over others' bodies, not only so that they may do what one wishes, but so that they may operate as one wishes, with the techniques, the

speed and the efficiency that one determines (Foucault, 1979, p. 138).

Much of Foucault's work focused on the categorization of people into the normal and abnormal. In his view, this distinction is a primary mechanism of the human sciences. Throughout his writings, Foucault studied and commented on an astonishing array of historical documents and records. From his studies, Foucault concluded the definitions of madness, illness, criminality, and sexuality have changed significantly over the span of several centuries (Madness and Civilization, 1965; The Birth of the Clinic, 1973; Discipline and Punish, 1979; The History of Sexuality, Volume 1, 1977; The Use of Pleasure, Volume 2 of The History of Sexuality, 1985; The Care of Self, Volume 3 of The History of Sexuality, 1986). Foucault attempted to show the distinctions between normal and abnormal people are socially contingent and constructed. The essences, categories, characteristics, and qualities that constitute normal and abnormal human behavior vary greatly depending on time and social circumstance.

As one example, Foucault pointed to the European view of madness during the Classical Age (Madness and Civilization, 1965). During that time, madness was not viewed as an illness which required medical treatment in

order to be cured. Madness was a type of moral fault which required physical containment and social isolation. In our modern time, madness is viewed as a natural phenomenon--a manifestation of certain biological and psychological conditions gone awry. Through intensive therapy and drug treatment, a person's madness can be ameliorated or cured. Foucault maintained that neither the Classical nor the modern view of madness is incorrect. They are simply social constructions that have merit when examined within their own particular social and historical contexts. Neither view can provide access to the real truth concerning madness.

A more striking example can be seen in Foucault's The History of Sexuality, Volume 1 (1977). In this lengthy work, Foucault examined how the subject of sexuality became the object of scientific inquiry during the Victorian Age. Foucault called this discourse on sexuality *scientia sexualis*. Through this discourse, Foucault claimed that the human sciences, particularly psychology, defined sexuality and its cultural meanings for the rest of society. In The History of Sexuality, Volume 1, Foucault contended that before the nineteenth century, sodomy was a type of forbidden or unsanctioned act. In the creation of *scientia sexualis*, however, the terms "homosexual" and "homosexuality" emerged to describe a particular kind of

deviancy. The act of sodomy, once only thought of as an aberrant act, now had a personage--the homosexual. Again, Foucault claimed that neither view of sexuality is preferable over the other. He simply maintained that both views must be interpreted within a particular social and historical perspective.

According to Foucault, the human sciences have systematically defined and described the differences between normal and abnormal people since the 18th and 19th century. While societies continue to marginalize and incarcerate abnormal individuals, it nonetheless keeps constant watch (or surveillance) over them. Normal is not delineated first without due consideration to abnormal; only through abnormality can an image of normality emerge. In other words, normal and abnormal set up parameters for each other. By careful examination and observation of the abnormal, our society has come to better understand the normal. The differences between normal and abnormal are continually subject to serious social, political, and philosophical debate.

In Foucault's view, the establishment of normal and abnormal allows the exercise of power relations in a given society. The exercise of power, coupled with the specialized, technical language of the human sciences, gave rise to modern institutions like the hospital, prison, and

school. A new technology emerged in these institutions--a technology of power.

Discipline and Punish. In Discipline and Punish, (1979), Foucault traced the origins of the present scientific and legal bases "from which the power to punish" is derived (p. 23). Foucault was interested in how society came to punish the "soul" (or "psyche") rather than the body --how it evolved from punishing criminals by the dramatic public execution of the body to the quiet incarceration of the "soul". In the development of a more benevolent, humane way of punishing criminals, new forms of social control began to emerge. These forms of power utilized the "force of sensibility and passion" and ignored the use of "armed power" (p. 106). At the end of the Classical Age, there was no longer a need for extreme physical force to punish unsanctioned acts. Those who were graced with common sense knew there were natural consequences for their ignoble actions or shortcomings.

At first, these new forms of social control were developed in isolated social institutions like prisons, army camps, hospitals, factories, and schools. However, their use and application were eventually extended to other social contexts. Foucault described this broadening of their use as the "swarming" of disciplinary mechanisms:

[The] . . . mechanisms have a certain tendency to become "de-institutionalized", to emerge from the closed fortresses in which they once functioned and to circulate in a "free state"; the massive, compact disciplines are broken down into flexible methods of control, which may be transferred and adapted (p. 211).

These new forms of power over society were "apparently innocent, but profoundly suspicious" in the sense that they emerged gradually and seemingly from nowhere (p. 139).

Foucault specifically examined the "technology of power" and how it "transforms", defines, describes, and shapes society and the individual.

Part Three of Discipline and Punish, entitled "Discipline", describes the use of the "technology of power" or "disciplinary technology" in a number of modern institutions including the school. Foucault defined discipline as "a type of power". It is comprised of "a whole set of instruments, techniques, procedures, levels of application, [and] targets; it is a 'physics' or 'anatomy' of power, a technology" (p. 215). Based on this definition, "[d]iscipline 'makes' individuals. Discipline is the specific technique of power that regards individuals both as objects and instruments of its exercise" (p. 170). Through

discipline, the individual "becomes an element that may be placed, moved and articulated on others" (p. 164).

In the chapter "Docile bodies", Foucault discussed the body as both an "object and target of power" (p. 136). A docile body is one "that may be subjected, used, transformed, [and] improved" (p. 136). This is accomplished through a number of disciplinary techniques; spatialization (or "the distribution of individuals in space", p. 141), the control of activity and movement, and the control and accumulation of time.

For instance, in a school of music students are distributed across classes according to their degree of accomplishment on the piano (spatialization). Each student is given repetitive assignments to practice, such as scales, to develop their ability and dexterity (control of activity). Scales must be performed using the same finger patterns each time (control of movement). Students are required to practice for a specific amount of time each day and to keep a record of their practice (control and accumulation of time).

The second chapter, "The means of correct training", describes three "simple instruments" of disciplinary power. They are "hierarchical observation, normalizing judgement and their combination in a procedure that is specific to it, the examination" (p. 170).

Hierarchical observation exists largely within the structure and organization of a given institution.

"Hierarchized, continuous and functional surveillance . . . enables the "multiple, automatic and anonymous [exercise of] power" (p. 176). It supervises each gesture, movement, and act (p. 172). Its purpose is

to establish presences and absences, to know where and how to locate individuals, to set up useful communications, to interrupt others, to be able at each moment to supervise the conduct of each individual, to assess it, to judge it, to calculate its qualities or merits. It [is] a procedure, therefore, aimed at knowing, mastering and using (p. 143)

This level of supervision is accomplished by enclosing, segmenting, and partitioning activity, time, and functional space within buildings and institutions (e.g., hospitals, schools, prisons). Hierarchical observation allows for each individual to be constantly watched, including "the very individuals who are entrusted with the task of supervision" (p. 177). It allows an institution to "operate in transform[ing] individuals . . . to provide a hold on their conduct, to carry the effects of power right to them, to make it possible to know them, to alter them" (p. 172).

Using the previous example of the school of music, students are classified according to their ability on particular instruments and given assignments to improve their skills. At the end of each term, the students perform for a jury of teachers who assess their progress. These same teachers are required by the dean to show evidence of their own musical growth, either through a series of scholarly writings, compositions, lectures, or performances.

Normalizing judgment allows an individual to be "precisely observed and compared to others. At the same time and by the same means", normalizing judgement allows the ordering of every individual to be "successfully carried out" (Dreyfus & Rabinow, 1983, p. 156). Foucault explained the process in greater detail:

The effect of normalizing judgement is complex. It proceeds from an initial premise of formal equality among individuals. This leads to an initial homogeneity from which the norm of conformity is drawn. But once the apparatus is put into motion, there is a finer and finer differentiation and individuation, which effectively separates and ranks individuals (Foucault, 1979, p. 158).

The distribution of ranks or grades in a school constitutes one example of normalizing judgement. Each school is

organized by various grade levels. Students are assigned to a particular grade by virtue of their age and their successful performance in the previous grade.

Normalizing judgment places an individual on a continuum in relation to other individuals. Whatever attributes a particular individual may possess, they may be defined according to the extent to which others possess those same attributes. For example, an individual may be said to be more or less intelligent than others. Discipline begins first by imposing a rule of homogeneity on individuals. Everyone is alike until differences are noted. Once differences are noted, an individual is given a rank according to the extent to which they possess a particular attribute.

The examination is the disciplinary technique by which power holds its subjects as objects to be studied and evaluated. The examination constitutes an individual "as a describable, analyzable object . . . in order to maintain him in his individual features, in his particular evolution, in his own aptitudes or abilities". It also places the individual in a "comparative system" with others which makes "possible the measurement of overall [human] phenomena, the description of groups, the characterization of collective facts, the calculation of the gaps between individuals, [and] their distribution in a given 'population'" (p. 190).

An excellent example of the examination is the process a doctoral student endures in order to complete their degree. After a series of written and oral examinations, a student enters a period of candidacy for the degree. During this time, the student writes her dissertation. After the dissertation is written, the candidate must face yet another examination. This series of examinations and requirements make the doctoral student a "case" who is constantly watched and scrutinized. She is rendered an object of surveillance and falls "under the gaze of a permanent corpus of knowledge" and faculty of professors (p. 190).

"Panopticism" is the third and final chapter of Part Three of Discipline and Punish. The Panopticon was an elaborate architectural design proposed by the 19th century philosopher Jeremy Bentham. The Panopticon consists of a central watchtower surrounded by a circular building divided by individual cells. Each cell has two windows, one facing the window of the watchtower and the other on the outside of the cell. This arrangement allows the constant and uninterrupted surveillance of each individual in each cell. Foucault believed the Panopticon is an architectural model for the way power-knowledge functions in society.

Panopticism is the "penetration of regulation" into every aspect of the social and political body (p. 198). It is brought about by the continuous, multiple, and automatic

exercise of power which plays out in everyday life. The power exerted by the panoptic mechanism is "everywhere and always alert, running through society without interruption in space or in time" (p. 209). As individuals, we know that we are subject to surveillance, but we can never be certain when we are being watched. The concept of panopticism is well-characterized in George Orwell's novel, 1984, by the memorable phrase "BIG BROTHER IS WATCHING YOU".

According to Foucault, the combination of three simple disciplinary instruments--hierarchical observation, normalizing judgement and the examination--allows panopticism to function in society. By combining these instruments, the human sciences have created "a very real technology, that of individuals" (p. 225). This technology has made the "formation and accumulation of new forms of knowledge" about human beings possible (p. 224). Borne out of this knowledge is "an obscure art of light and the visible" that usher in "techniques of subjection and methods of exploitation". These techniques and methods have allowed the human sciences to analyze, categorize, and differentiate individuals according to established discursive-practices (p. 171).

CHAPTER THREE

QUALITATIVE METHODS

Multiple-case, qualitative design

The qualitative portion of this study utilized a multiple-case design for the purpose of collecting, analyzing, and discussing data. Data were drawn from the special education eligibility process currently used in a public school setting. The data collected were codified and analyzed using a process suggested by Strauss and Corbin (1990). Strauss and Corbin define coding as "the process of breaking down, examining, comparing, conceptualizing, and categorizing data" (p. 61). The study arrived at a story line which is used to examine and discuss the major events that characterize the special education eligibility process.

The Eligibility Meeting as a Case

The study research took place in an elementary school that serves approximately 670 students enrolled in preschool through fifth grade. The school is located within a middle-class neighborhood in Northern Virginia. Students are grouped in heterogenous, self-contained classrooms at each grade level. The school serves approximately 83% Caucasian (non-Hispanic) students, 10% African-American students, 4% Hispanic students, and 3% Asian-Pacific Island students.

The study provided an in-depth examination of seven eligibility meetings held at this particular school. Eligibility meetings are part of the process currently used in identifying special education students throughout the school division. Specifically, the study focused on the language, process, and speech events (both verbal and non-verbal) that characterize these eligibility meetings. Each meeting was considered a single case, or unit of analysis.

Students were considered for special education eligibility for one of two reasons. First, they had already been identified through the eligibility process and were being re-evaluated at the end of the three year cycle mandated by federal, state, and local requirements (triennial review). Second, a student was experiencing academic or behavioral difficulties believed to be the result of a "presumed" or "suspected" disability.

The "presumption" or "suspicion" of a disability followed the efforts of the Child Study team. In this particular school, the team is comprised of the student's teacher, a special educator, an administrator, and occasionally the student's parents. Together, the team members discuss the student's academic or behavioral problems and then recommend modifications, adaptations, and/or strategies aimed at helping the student experience greater success in school. Often, the student's school

related problems are moderated or eliminated through the Child Study process. This eliminates the need for a comprehensive evaluation and eligibility determination.

Sample

The seven cases that comprise the sample for this study were pre-selected from a group of students who were under consideration for special education services at the time the study was conducted. Case pre-selection was necessary due to constraints in time and resources. Several of the cases involved students who were already identified for special education services. The other cases involved students who were referred for a comprehensive evaluation through Child Study for the first time. These cases represented differences in age, gender, race, and learning characteristics. In each case, the student's parents were contacted for permission for their child to participate in the study. All participants signed an informed consent form to acknowledge their voluntary participation in the study.

Data were collected during each of the eligibility meetings. Specifically, data were collected from the following sources:

- a) field notes taken during each meeting, including my personal reflections on the individual meetings;

- b) records and reports pertaining to each meeting;
- c) administrative and procedural manuals.

Researcher as Participant/Observer

In my job as assistant principal, I have the opportunity to be directly involved in the special education process. This allows me to observe a particular phenomenon of interest. I chose to assume the role of participant-observer in this study because of the trust and rapport I have established with parents, students, and other professionals through my daily experience and interaction with them.

It would have been difficult to conduct this kind of research at another site--one in which I would have been a stranger. I was concerned about the impact my presence would have on the eligibility process in such a situation. In a manner of speaking, it made sense for me to "stay home" for this study since I have been enculturated to the distinct and subtle ways the process plays out in this particular school.

This personal and professional knowledge I have about the school enhances my "theoretical sensitivity" for conducting this kind of research (Strauss & Corbin, 1990; Glaser, 1978). As with any kind of research employing a qualitative methodology (e.g., ethnographical, sociological,

and anthropological studies), being an accepted part of the context, culture, or situation of interest plays an important function in the overall outcome(s) of the study.

Use of Participants to Verify Information

The following plan of action was followed throughout the length of the study to ensure that (1) the data collected were as accurate and complete as possible and (2) the interpretation of data was reported in a fair manner:

- a) transcriptions of each meeting were reviewed by participants; participants were given the opportunity to correct information and/or add information;
- b) participants were given the opportunity to review my interpretation of data; alternative interpretations were reported in the study where relevant;
- c) the findings were presented to non-participants for review, comment, and critique; these individuals included various supervisors of special education for the school district.

Limitations

The methods applied in this study had a number of limitations stemming from the "boundedness" of the research. The data collected were limited to various aspects related

to each eligibility meeting. As a result, ambiguities emerged because the study focused on a specific context in the multidimensional and multifaceted process of special education. The data collected account for only a small portion of the meaning, intention, and purpose of the special education process.

The study examined some, but not all, of the possible outcomes of the eligibility process. There is a wide range of outcomes for each eligibility meeting (e.g., a student may be found eligible for services as a result of a learning disability, mental retardation, speech impairment, visual impairment, hearing impairment, emotional disturbance, physical impairment, developmental delay, health impairment, etc.). A student may be found ineligible as well. Because the sample of this study did not address all of these possible outcomes, it is considered limited.

Data were not drawn from the multiple interactions between teachers, parents, students, administrators, and other school personnel that take place in school every day. Such interactions are highly contextual and occur in classrooms, hallways, offices, meeting rooms, over the phone, and numerous other settings, including Child Study meetings. These interactions stem from parent concerns, poor student performance, student behavior, and medical issues. All of these factors contribute to the decision

regarding whether or not a child is evaluated for special education services. Due to the "boundedness" of this study, I did not have the opportunity to see or hear the child in these contexts before and after the eligibility meeting. Nor did I have an opportunity to see or hear the participants in other contexts. This resulted in incomplete sets of data about the child and the participants of the meetings.

The "boundedness" issue also raises important questions regarding the ability to generalize the findings of this study to other contexts. The study provided an in-depth examination of the eligibility process at a particular school. While an attempt was made to generate a theory that transcends each case in this specific setting (substantive theory), these theoretical generalizations may have no practical use in another setting (formal theory). In short, there is a potential inability to move beyond substantive theory in this study.

As a participant-observer, I may have filtered what I heard and saw through my personal theory-ladenness (in particular, my reliance on postmodern thinking). I have fully acknowledged certain biases and I made every effort to control for them. It should be noted that such biases are characteristic of all studies employing qualitative methodologies. The use of multiple sources (e.g., field

notes, manuals, participant reaction) works toward neutralizing these biases.

Finally, I was presented with a significant challenge in conducting this study: No audio or video taping was allowed during the eligibility meetings. Thus, the study was limited to the data collected through my ears and eyes. While every effort was made to draw complete and accurate sets of data, the potential for incomplete data exists. Several strategies have already been discussed to compensate for this problem.

CHAPTER FOUR

THE ELIGIBILITY MEETING: QUALITATIVE ANALYSIS AND DISCUSSION OF CASE STUDIES

Case Studies: An Overview

Eligibility meetings are an important part of the multidimensional process of special education. During each eligibility meeting, school personnel and parents share and discuss information about an individual child. Reports and records are reviewed which may include information related to a child's: (a) social, developmental, medical, and school history, (b) cognitive and academic functioning (as evidenced by standardized tests, report cards, and teacher reports), (c) speech and language functioning, (d) social, emotional, and adaptive functioning (as evidenced by rating scales and projective measures), and (e) perceptual, fine, and gross motor skills (as related to a child's functioning in the school environment). At the conclusion of the meeting, a decision is made by school personnel as to whether or not the child qualifies for special education services based on all of the information reviewed. A child may qualify for services if the eligibility committee determines he/she has a particular disability that impacts his/her ability to learn.

Eligibility meetings are mandated by federal and state law. By virtue of their function as agencies of the state, local school districts are granted legitimate authority in carrying out their duties related to the special education process. School professionals have the legal right and responsibility to (a) identify students with disabilities; (b) provide these students with a free, appropriate public education; and (c) follow regulations and procedural safeguards in providing these services.

The transcripts from seven eligibility meetings comprise the primary source of data for the analysis and discussion presented in this chapter. Memos written in separate field notes are cited to further support the interpretation of data. Additionally, the written reports presented during the eligibility meetings were used in the iterative process utilized in analyzing the transcripts. However, no direct citations from these written reports appear in the text.

Data were also collected as I elicited feedback from participants and non-participants in response to my initial analysis of the "eligibility" data. (By the term "non-participants", I refer to individuals who were not directly involved with the eligibility meetings but are knowledgeable about the process.) I refer to this "feedback" data in many places throughout the text of this chapter. Finally,

specific references to administrative procedure manuals are made in order to support the analysis and discussion.

Each of the seven eligibility meetings represent a single case. In each case, a particular student was being considered for special education services. These students differed in age, race, gender, and learning characteristics. Efforts were made to include references from each of these cases in the text of this chapter. When a reference is made pertaining to an individual child, a brief description of the child is provided in the text.

In every case, members of the eligibility committee included the school principal and/or assistant principal, a school psychologist, a school social worker, and an educational specialist. There were occasions when the speech/language therapist joined the committee. In most cases, the student's classroom teacher and a special education teacher were also present at the meeting. The student's parent/guardian was also present in all but two of the cases. There were variations in the standard committee membership: the seven cases involved two different school psychologists, two educational specialists, two school social workers, and two speech/language therapists.

In general, the tone of the eligibility meetings was pleasant and amicable. There were no clear instances of contention or animosity between school personnel and

parents. Neither were there any obvious instances of contention existing among various school professionals. This is not to suggest there were no differences of opinion related to individual cases. However, these differences were mediated in a fair and respectful manner.

The Iterative Process

The iterative process utilized in this study began with a coding of the "eligibility" data. As codes emerged, I began the process of linking codes together to identify general themes. Strauss and Corbin (1990) refer to this process as axial coding. For example, the following initial codes led me to identify the general theme of *power/control*: *establishing control, asserting control, relinquishing control, assuming lesser status, reticence, establishing ground rules, sidestepping, subordination of parent, and acquiescence*. As these codes were linked together, a number of codes began to merge. For instance, the codes *subordination of parent* and *assuming lesser status* merged to form the single code *status*. As another example, the codes *establishing control, asserting control, and relinquishing control* merged to form the single code *establishing control*. At the completion of the coding process, the theme of

power/control consisted of the following subthemes: *status*, *establishing control*, *sidestepping*, *acquiescence*, and *reticence*. The other general themes and subthemes were developed in a similar fashion.

As I coded the "eligibility" data, I periodically reviewed the written reports that were presented during each of the meetings. Because the information presented during the meetings closely followed these written reports, they were extremely useful in terms of verifying the material contained in the transcripts. Participants were afforded the opportunity to verify and correct the transcript material as well. Additionally, the feedback I received from participants and non-participants in response to my initial analysis proved valuable in terms of enhancing my theoretical sensitivity for conducting the study. Based on the "feedback" data, I reexamined my initial analysis and discussion. I believe the "feedback" data helped me to better characterize the events of the eligibility meeting.

Through this iterative process, five general themes emerged as the data were analyzed across the seven cases. The five themes are: (a) science of education; (b) power/control; (c) exchange of information; (d) contextualizing the child; and (e) the eligibility decision. Each of these general themes is in turn comprised

of numerous subthemes. Specific examples are cited from the data in order to illustrate the general themes and the related subthemes that characterized the eligibility meetings.

Theme One: Science of Education

Professionals working in the field of special education receive training in the administration and interpretation of standardized tests, rating scales, and other test instruments. Using a variety of standardized measures and other key sources of information (e.g., school records, interviews with parents, reports from teachers, and behavioral checklists), school professionals determine whether or not a particular student qualifies for special education services. The eligibility decision is made on the basis of the committee's discussion and analysis of test reports and other relevant information. Central to the decision-making process is a predetermined set of criteria for each type of disability. A student who meets the criteria for a particular kind of disability may be found eligible for services.

The term *science of education* is used to describe the science-like process used by school personnel in making an eligibility determination in the cases examined for this study. The theme science of education is comprised of the

following subthemes: (a) instrumentation; (b) reification of test scores; (c) decontextualized objectivity; and (d) professional language. Each of these subthemes are discussed in turn.

Instrumentation. A variety of sources were used to determine whether or not a child qualified for special education services. The various standardized tests used to measure achievement, intellectual ability, and social/personal development were important sources of information during each eligibility meeting. This was particularly true in cases where a child was suspected to have a mild or "high incidence" disability (e.g., learning disabilities or developmental delays). The *instrumentation* used by school personnel significantly contributed to the decision the eligibility committee made in each case.

The various measuring instruments--achievement tests, intelligence tests, social behavior rating scales, etc.--also served as a framework for organizing the flow of the eligibility meeting. Each committee member presented their report in turn, thereby establishing a *proforma approach* to conducting the eligibility meetings. Such an approach appeared to foster a predictable, routinized method which ensured uniformity and standardization from meeting to meeting. A proforma approach allowed school personnel to

know in advance how the meeting would proceed. Thus, they were better able to direct the focus of each meeting. In a sense, a proforma approach allowed each eligibility meeting to become an instrument of legitimate authority and power--one that prescribed the manner by which school personnel made decisions about particular students.

Reification of test scores. The scores yielded by a student's performance on various testing instruments played an important factor in the eligibility determination. In the case of a child suspected of having a specific learning disability, differences were noted between his ability scores (as measured by a general intelligence test) and his achievement scores (as measured by an individual academic achievement test). In other cases, scores on personality, social/adaptive, and/or affective rating scales were used to detect the presence (or absence) of particular student traits against a standardized, predetermined list of criteria. The manner by which scores were factored into the eligibility determination signaled a *reification of test scores*; that is, test scores assumed the status of real, concrete objects.

The reification of test scores is typified by several passages taken from the case of Timothy, a third grader with difficulties in reading and written expression. At one

point during the meeting, Mrs. Page discussed the results of the educational testing with Ms. Field's, Timothy's mother, and the other committee members.

Mrs. Page (Educational specialist)

[The Woodcock-Johnson Tests of Achievement are] commonly used measures of academic achievement that yield a number of scores which we will compare to Timothy's overall I.Q. from the psychological report.

Later in the same meeting, school personnel deliberated Timothy's eligibility for special education services. Mr. Haynes read from the list of operational criteria used for specific learning disabilities.

Mr. Haynes (Committee chairperson)

There is a severe discrepancy between ability and achievement in one or more areas listed below as shown by a 23 point difference between full scale IQ and achievement test scores.

Mrs. Hanson (School social worker)

Yes--in reading and written language. Timothy's reading score was 88 and his broad score was 90. That's 30 and 28 points. There are other differences, but none that are more than 23 points.

Because of significant discrepancies between his ability and achievement scores, Timothy met one of several criteria used to determine eligibility for special education services. The differences in these scores served, in part, as the

basis for labeling Timothy "learning disabled". In a sense, these differences provided "scientific" evidence to support the notion that Timothy had a learning disability. (Readers will note I refer to this same passage in a subsequent discussion related to the eligibility decision).

Another example of the reification of test scores is illustrated by comments made in reference to Franklin, a five year-old child whose behaviors led school personnel to suspect he was autistic. The comments were made by Mrs. Greene, the school psychologist.

Mrs. Greene (School psychologist)

Three separate observers rated Franklin using the Childhood Autism Rating Scale. The CARS has 15 categories and evaluates . . . autistic behaviors. Generally, scores of 30 or lower are considered to characterize non-autistic behaviors--scores of 30 or above are considered to represent mild to severe autistic behaviors. The raters' total scores were 29, 29, and 32. The slight differences in these scores may be accounted for by different peoples' contact with Franklin. He obtained an average score of 30 which characterizes his behavior within the mildly autistic range.

In terms of his behavior, Franklin's score of 30 on the Childhood Autistic Rating Scale classified him as mildly autistic. It is interesting to note that Franklin may not have been considered autistic had his overall score been one point lower. And what would Franklin's score have been if three different observers had completed the rating scales on

a different day? This objective manner of viewing scores marked their reification during the eligibility proceedings.

In my field notes, I wrote the following comments to myself after the committee had deliberated Philip's case. Philip, a fifth grader, had received services in the learning disabilities program for several years.

During the deliberation of Philip's case, we used the criteria worksheet that the county requires to determine eligibility. In this case, we suspected Philip had a specific learning disability. What struck me as interesting here was that we seemed to be no longer talking about Philip, but about the differences between his IQ scores and standard scores on the achievement tests. It was as if we were no longer concerned about Philip as a student or a learner, but as a bearer of certain numbers that had real meaning in determining whether or not he was learning disabled.

The constraints imposed by county requirements appear to have had the effect of reducing the committee's interest in Philip to his scores on standardized tests. The focus shifted from a concern for the child to a concern for satisfying established procedure. Because test scores took on real, substantive properties which disclosed the essence of a particular child's identity, they assumed an important role in the decision-making process.

Decontextualized objectivity. Some of the professionals who prepared the evaluative reports for the eligibility meetings (e.g., the school psychologist and

educational specialist) had little contact with individual students for extended periods of time. Rather, they were responsible for evaluating dozens of students enrolled at schools throughout the county. Their job was to establish a prompt rapport with students, assess them using a variety of standardized procedures, and present their findings to the eligibility committee in written and oral form. This method of assessment supported the *decontextualized objectivity* seen as necessary for making the eligibility decision. Utilizing a detached, objective method of assessing students allowed professionals to view the results of their evaluations as impartial and bias free.

The notion of decontextualized objectivity reveals itself in a passage taken from my field notes. The comments were written after the committee had reviewed the case of Adam, a fourth grader who had been found ineligible for services a year earlier.

In spite of the fact that [none of the individuals responsible for making the eligibility decision] had ever worked with Adam for an extended period of time, we were able to draw conclusions about him based on the various reports gathered. My thoughts were, "Isn't this odd? We are making decisions about Adam and we don't really know him".

From the standpoint of a professional skilled in the administration and interpretation of standardized measures,

it is entirely possible to assess a child without "really knowing him". The consequence of using standardized measures is they allow for maximum detached objectivity. The examiner has to devote little time in establishing a meaningful rapport with the examinee. But the passage also hints to the limitations of decontextualized objectivity: Is it possible to thoroughly assess a student without "really knowing him"? Is there a *contextualized objectivity* that may be realized through an on-going relationship with a student? What insights and perceptions stem from this on-going relationship? How can these insights and perceptions enhance an assessment of the student?

In response to my views on contextualized objectivity, one of the participants, responding to my early analysis, wrote:

Obviously, there needs to be an objectivity to eligibility meetings which incorporates the humanity of the student.

But he went on to question my notion of decontextualized objectivity by suggesting that observing or interacting with a student changes the student. He wrote:

In this view there would appear to be no such thing as "decontextualized objectivity" because the objective individual brings his or her own context into the assessment process and by interacting with the student changes the student.

Professional language. An important aspect of the *science of education* is the unique language associated with the field. Many of the terms and phrases used by school professionals are peculiar to education and its related disciplines. For instance, terms such as "learning disability", "math manipulatives", and "short-term visual memory" have wide-spread application in education, but their use may be limited outside the context of schooling. Within the context of the eligibility meeting, the ability to use and comprehend this language separated school professionals from parents. It was through this peculiar language that power appeared to be established in the relationships between school professionals and parents.

Theme Two: Power/Control

The differences between power and control are difficult to discern. Power is best understood in its broadest sense. According to the Oxford English Dictionary (Second Edition, 1971), the term power refers to the capacity to rule, dominate, govern, and/or make decisions. Power stems from the continuous interplay between individuals and groups engaged in various social contexts. The social interplay is governed and prescribed by the laws, customs, beliefs, and values generally accepted within a given community. Within

this interplay, power functions in a fluid, dynamic state and shifts from individual to individual or from group to group. This shifting occurs as individuals vie for *control* of power in the social order. The Oxford English Dictionary defines *control* as the means by which individuals or groups attempt to regulate, restrain, or curb power. *Control* is best understood in relation to the ways people seek to manipulate power. Because the words are closely related, I use them in tandem--power/control--to describe how authority and influence may be exercised and established during the eligibility meeting.

My initial analysis and discussion of power/control and its functioning within the context of the eligibility meetings drew strong reactions from several readers. One of the participants wrote:

I am somewhat uncomfortable with the thought that there is always a control issue [during the eligibility meetings]. Perhaps there is always to some degree and, in a few cases, to a large degree . . . However, I would like to believe that parents and teachers (and other professionals) are usually trying to work together to help a child.

This reaction, as well as others, prompted me to think carefully about my initial work. It is not my intention to imply school professionals engage in the process of special education merely to exercise power/control. On the

contrary, professionals working in the field are motivated by compassionate, humanitarian reasons. However, a person's sense of duty or responsibility may obscure issues of power/control. This may be particularly true in contexts which involve caring, benevolent purposes. I explore this possibility through the analysis and discussion presented here.

The purpose of this section is to elucidate the themes of power/control which may remain hidden beneath the surface of people's words and actions. While school personnel and parents do not consciously or deliberately attempt to manipulate power/control at all times during the eligibility meeting, there may be occasions during eligibility meetings when school professionals and parents do exercise power/control.

Power/control is not necessarily about what school professionals and parents "have" or "do". It is often called quietly into play by the social context (and social arrangements) of the eligibility meeting. In carrying out their personal and professional responsibilities during the eligibility meeting, school personnel and parents may assume power/control at various points during the meetings whether knowingly or not. Themes of power/control played out during the eligibility meetings are illustrated by the following examples.

Status. Power/control is associated with the legitimate authority of school personnel to preside over the eligibility meeting and to make decisions pertaining to individual students. The authority granted to school personnel is associated with *status*. Status refers to the titles or credentials used in establishing an individual's rank or standing within a particular social context. Within the context of the eligibility meeting, educators had a number of titles (e.g., principal, school psychologist, educational specialist, classroom teacher).

The notion of titles is illustrated by a passage taken from the case of Philip. Mr. Haynes, the committee chairperson, introduced the committee members to Mr. Davis, Philip's father.

Mr. Haynes (Committee chairperson)

Mr. Davis, thank you so much for joining us this afternoon. Let me take a moment to introduce all of these folks to you. Mrs. Marks is our principal. Mrs. Greene is our school psychologist. Ms. Burke is our speech and language teacher. Mrs. Hanson is our school social worker. And of course, you and I have talked many times.

Titles established school personnel as *professionals*. This professional standing confirmed their legitimate authority during the eligibility meetings.

Status was also conferred upon parents as a result of the legitimate authority of school personnel. This idea is represented by a passage from Philip's case. Mr. Haynes explained Mr. Davis' role in the meeting.

Mr. Haynes (Committee chairperson)

[Mr. Davis at] the end of these reports and after we answer all of your questions, we will ask you to leave so that our committee can make a decision about whether or not Philip continues to qualify for services.

Essentially, Mr. Davis was told that school personnel have the responsibility for making educational decisions about his son. As experts, school personnel would make the eligibility determination. As Philip's father, Mr. Davis was given no voice in the committee's determination.

While school personnel gained a professional status, parents did not. The non-professional status (in terms of education) associated with parents is illustrated by the comments made by Mrs. Russell, Franklin's mother. Recall school personnel suspected Franklin was autistic.

Mrs. Russell (Parent)

At home, Franklin's a lot different. I don't know how to explain it. He does so many things, like playing on his computer. He just seems so capable. And so many times, he is affectionate.

Mrs. Russell articulated an inability or reluctance to communicate on the same professional level as school personnel. She had a particular view of Franklin and this view was inconsistent with that of school personnel ("At home, Franklin's a lot different"). However, Mrs. Russell appeared to lack the specific professional language to strengthen her position ("I don't know how to explain it").

Status may have also been communicated by school personnel through third person references to parents. Consider a short passage taken from the case of Becky, a first grader with delays in reading. During the sociocultural report, Mrs. Blackmon, the school social worker, discussed Becky's developmental history. In doing so, she revealed an interesting way of referring to Mrs. Scott, Becky's mother.

Mrs. Blackmon (School social worker)

As far as developmental history, according to the mother, Becky's milestones were age appropriate and possibly a little early . . . The mother was not aware of her daughter experiencing any early coordination difficulties.

On one hand, the reference to Mrs. Scott as "the mother" may have had the effect of stripping away her identity and status. To an extent, parents, as well as their children, may have become objects of discussion during eligibility

meetings. Third person references may have had the unfortunate affect of conferring status upon parents and objectifying them at the same time.

On the other hand, the reference to Mrs. Scott as "the mother" may have in fact affirmed her identity and status. As one of the participants wrote in response to my interpretation:

[Mother] is an important role. She is not the step-mother, legal guardian, or surrogate parent.

A similar idea was communicated by another participant during a conversation regarding my analysis.

When I say "the mother", I mean it in the highest regard. Mothers are important in the life of a child.

A third interpretation was suggested by yet another participant. Use of the article "the" may simply be a function of the English language. Readers will note I use similar references (e.g., "the school psychologist", "the school social worker", "the child") throughout the text of this chapter.

Establishing control. School personnel were observed to use various strategies to establish control and exercise power during the eligibility meeting. Because of the authority granted to them by the state, school personnel had

a great deal of influence during these meetings. The position of school personnel was also strengthened by their professional status and privileged access to the technical language of special education.

One of the ways in which school personnel gained power/control was by *establishing ground rules*. By clearly defining the rules which govern the decision-making process, school personnel communicated the limits of the power/control parents had in the meeting. The ground rules established by school personnel in the first few minutes set the tone for the balance of the meeting. The following example illustrates the notion of establishing ground rules:

Mr. Haynes (Committee chairperson)

Let me explain the purpose of our meeting today and tell you how the meeting will go. We are meeting today of course to determine whether or not Timothy meets the eligibility criteria for any kind of special education services that the county has to offer. We have a number of reports to share with you and we will go over these one at a time. At any time during the meeting, if you have questions or need clarification, please feel free to ask. Ms. Fields, at the end of these reports we will ask if you have any questions about the test results. If not, we will ask you to leave the meeting. The committee members will look at all of the information we have and make a decision about whether or not Timothy qualifies for special education services.

In his opening statements, Mr. Haynes exercised the authority granted to schools in carrying out the eligibility

meeting. He placed the locus of power/control in the hands of the professionals. In doing so, he established the right and legal responsibility of school personnel to make their decision concerning Timothy's eligibility for special education. He also suggested a particular agenda would be followed (the reports will be presented "one at a time"). Ms. Fields would have the opportunity to ask questions and provide/verify information concerning Timothy. However, she was given no voice in the decision the committee would make (" . . . we will ask you to leave the meeting"). In essence, Ms. Fields became a passive recipient and occasional provider/verifier of information as a result of Mr. Haynes' comments. Ground rules had the effect of broadening the power/control of school personnel and limiting that of parents.

Although the committee was responsible for making a decision about Timothy's eligibility, it was not necessarily "the" decision. In his openings comments, Mr. Haynes did not inform Ms. Fields that she could appeal the committee's decision. Because Mr. Haynes did not communicate this information at this point in the meeting, he denied the legitimacy of Ms. Field's role in the decision-making process. Mr. Haynes did communicate this information to Ms. Fields, but after the meeting had adjourned. If Mr. Haynes had communicated Ms. Fields' right to appeal at the start,

he would have affirmed the legitimacy of her role in the decision-making process.

Parents were also observed to exercise power/control at specific times during the eligibility meeting. This exercise of power/control occurred when a professional member of the eligibility committee asked a parent if they had any questions related to the reports being presented. These moments allowed the opportunity for parents to *assert control* and interrupt the flow of the meeting. An example of asserting control can be seen in the case of Timothy:

Ms. Fields (Parent)

If I understand correctly, Timothy's ability is above average.

Mrs. Greene (School Psychologist)

That is correct.

Ms. Fields

Then why is Timothy having difficulty in school?

In spite of a lengthy report made by the school psychologist, Ms. Fields was not certain why her child was having trouble in school. Her question to Mrs. Greene was legitimate: she wanted a clear explanation for her child's difficulties.

Questions like the ones posed by Ms. Fields offered parents an opportunity for asserting control during the eligibility meetings. Parents did have the capacity to manipulate the flow of power/control, but it was often limited and short-lived. This brevity becomes clear as I examine another strategy of power/control--sidestepping.

Sidestepping. Sidestepping refers to a specific strategy observed to be used by school personnel in responding to pointed questions raised by parents. Sidestepping allowed school personnel to reestablish the school's power/control during the meeting. Rather than directly answering Ms. Fields' question (see above), Mr. Haynes offered the following response:

Mr. Haynes (Committee chairperson)

We will look at Timothy's academic achievement in a few minutes. We will compare his performance on educational tasks to what we know about his intellectual ability. What we are looking for are differences in what we know about Timothy's intellectual ability and his actual achievement in school.

Ms. Fields

(Nods her head to indicate an understanding of Mr. Haynes' response.)

Mr. Haynes sidestepped Ms. Fields' question by providing a quasi-technical description of how the committee would formulate its decision (criteria based on discrepant ability and achievement scores). By using a professional idiom, Mr. Haynes quietly reassumed control of the meeting. Ms. Fields accepted his response to her question, even though it clearly indicated Mr. Haynes did not have an answer at this point in the meeting.

Following the report from the educational specialist, Ms. Fields asserted control again by asking a similar question.

Ms. Fields

It looks as if Timothy has the most trouble in reading and written language. Will he get help in these areas?

And once again, Mr. Haynes sidestepped her question. Ms. Fields did not ask any further questions.

Mr. Haynes

That's what the committee has to decide based on all of the reports. Timothy's abilities in the areas of written language and reading do appear to be weaker in comparison to his math skills. These are the kinds of things the committee must now consider. Do you have any other questions?

Ms. Fields

No.

Another example of sidestepping may be represented in the case of Mark, a nine year-old child suspected of having learning and behavioral problems. In the final moments of the meeting, Mark's mother, Ms. Reeves, wanted to know what the committee would deliberate after she left the room. For Ms. Reeves to assess the decision the committee would make, she needed to know the basis for their decision. Ms. Reeves was clearly thinking about her role as Mark's parent. Ms. Reeves' phrasing of the question was considerably sharp and it represented an effort in asserting control.

Ms. Reeves (Parent)

So what are you all looking for here, L.D., E.D., or what?

Mr. Haynes, the committee chairperson, provided an indirect response to her question and reestablished the school's authority. Following Mr. Haynes' comments, Ms. Reeves finally acquiesced.

Mr. Haynes (Committee chairperson)

We suspect that Mark has a learning disability, but we have to first look at the criteria to see if he meets them. If he does not meet the criteria for L.D., then there may be other possibilities we can look at. That's the job we have to do now. What other questions do you have?

Ms. Reeves

I think that's it.

Acquiescence. From one view, the relative silence of Ms. Fields and Ms. Reeves following the comments made by Mr. Haynes suggests their questions were satisfactorily answered. From another view, their silence may have signaled an *acquiescence* to authority. As parents yielded to the school's authority during the meetings, they assumed a lesser status and they diminished their voice in the decision-making process. Thus, the interests of the school were maintained because the balance of power/control shifted to the hands of school personnel.

Reticence. Silence, or *reticence*, was observed to be a strategy of power/control during the eligibility meeting. Within the cases studied, reticence most often occurred following the individual reports made by various school personnel. Frequently, parents were quiet at the conclusion of the sociocultural report. One possible reason for this silence is that parents provided the information for the report. Their silence may have indicated agreement with the information provided by the school social worker. Another reason for this silence may be the sociocultural report contained a great deal of private family information. It is

possible parents remained quiet because they felt somewhat embarrassed, uncomfortable, or peculiar about having private information shared about them in a room full of strangers. By remaining silent, parents avoided any further uncomfortableness they may have experienced during the meeting. School professionals were often silent during the interim between the presentations of various reports. Committee members may have accomplished a number of purposes by remaining silent during these moments of transition. First, reticence may have allowed them to maintain the flow of the meeting and to minimize the interruptions which might have stemmed from questions or comments. Second, reticence may have allowed the focus of the meeting to remain on the "hard data" of standardized tests and limited the chance of "soft data" (e.g., parent's feelings and perceptions about their child) from being introduced.

Theme Three: Exchange of Information

As the committee considered each case, a great deal of information was presented and discussed. School personnel provided information to parents concerning the results of their child's evaluation. Parents were asked to verify specific information and to provide other insights about their child to help the committee make an informed decision. The theme *exchange of information* is comprised of several

subthemes: (a) providing information; (b) seeking information; and (c) confirmatory statements and requests. In the following discussion, I examine each of these subthemes.

Providing information. Often, committee members shared information with parents at a technical or jargon level. Many parents were not familiar with the specialized language used by school professionals on a routine basis (terms like standard scores, percentiles, visual-motor integration, digit span, short-term auditory memory, etc). Of course, a parent's understanding of this specialized language depended upon their educational background, astuteness, and the number of previous opportunities they had for discussing this kind of information with school personnel.

In some instances, the manner in which information was provided by school personnel may have established the committee's power/control in subtle ways. This subtlety may be represented in the following example:

Mrs. Greene (School psychologist)

Let me share the results of the WISC with you. The test gives us several IQ scores and I'll try to explain each of these to you.

First, Mrs. Greene indicated to the parent that she had specific expertise which enabled her to administer, score,

and interpret the WISC (WISC is an abbreviation for the Wechsler Intelligence Scale for Children, a commonly used measure of general intelligence). This established Mrs. Greene's professional status. Second, Mrs. Greene assigned a non-professional status to the parent. As a professional, Mrs. Greene indicated that she would "try to explain" to the parent, who was a layperson, the results of the standardized test.

Power/control may have also been established by the manner in which the sociocultural reports were presented. The source of information for these reports was the students' parents. The school social worker interviewed each student's parents and wrote the sociocultural report based on this interview. In the process, the information was translated into professional language by the school social worker. In turn, the school social worker shared this information to the committee during the eligibility meeting. The information provided by parents was useful as long as it was reported by the school social worker. By presenting the sociocultural report in this fashion, power/control may have been established over parents. Parents provided input, but in the words of the school social worker and under the conditions established by a standardized procedure.

Power/control may have also been limited by the way information was provided by school personnel. In several cases, the manner in which committee members reported and discussed their findings had the effect of casting doubt on the assessment of particular students. For instance, the committee had a difficult time deliberating the case of Franklin. The report from the psychologist "characteriz[ed] Franklin's behavior within the mildly autistic range". Mrs. Russell, Franklin's mother, seemed unwilling to accept this characterization of her child and a lively conversation by the entire committee ensued. In my field notes, I made the following entry:

A lot of discussion here between Mrs. Greene (school psychologist), Ms. Glenn (Franklin's teacher), and Mrs. Russell (Franklin's mother). There is much agreement that Franklin can perform lots of skills and communicate with others. Ms. Glenn and Mrs. Greene point out that some of the tests we have to use are limited in their capacity to describe Franklin's true abilities.

In essence, Ms. Glenn and Mrs. Greene admitted that some of the assessment methods used to gauge Franklin's abilities and characteristics are inadequate. Consequently, Mrs. Russell was being told, "Here are the results of our assessments, but don't put a lot of stock in them. They don't tell us everything".

Seeking information. As the committee neared the end of its review of Philip's case, Mr. Davis expressed a concern "about what all of the test scores mean". In seeking an explanation to address his concerns (seeking information), Mr. Davis asked for clarification about the test results. He wanted to know what he could expect from his son in terms of future school performance. The committee members, in technical language, explained the use and purpose of various testing instruments. In spite of their explanations, Mr. Davis continued to express the same concern. Additional explanations were offered by several members of the committee. Finally, Mr. Davis acquiesced and accepted the committee's explanation even though his original concern was left unaddressed. The committee members did not perceive Mr. Davis' need for an explanation free of educational jargon. The committee's repeated use of professional language prevented Mr. Davis from asking any additional questions.

Mr. Haynes (Committee chairperson)

Mr. Davis, do you have any other questions or comments?

Mr. Davis (Parent)

I don't have any more questions.

Confirmatory requests and statements. By seeking confirmation from parents, school personnel maintained power/control by defusing any arguments or objections about the reports. The following passage, taken from Timothy's case, is an example of such a *confirmatory request*.

Mrs. Greene (School Psychologist)

Finally, it does not appear that Timothy exhibits any signs of emotional disturbance or any specific personality factors which are interfering with his academic progress. Timothy seems to have a healthy self-image, and his drawings suggest positive family and peer relationships. Timothy appears to want help in improving his school work. Does this sound like Timothy?

At Mrs. Greene's request, Ms. Fields confirmed her assessment of Timothy. In addition, Ms. Fields added her parental assessment of Timothy to the dialogue. Not only did Ms. Fields' response confirm Mrs. Greene's report, it also allowed her to establish credibility as a parent. Ms. Fields' response is an excellent example of a *confirmatory statement*.

Ms. Fields (Parent)

Timothy really wants to do well in school and he enjoys going. He usually gets along with me and his brother and he has friends this year. All in all, it sounds like Timothy. I always thought he was smart.

Ms. Fields not only agreed with Mrs. Greene's assessment of Timothy, she implied that she didn't need an I.Q. test to know he was smart. As Timothy's mother, Ms. Fields "always thought he was smart".

Theme Four: Contextualizing the Child

In Virginia, a student who experiences difficulty in school may be monitored through a process referred to as Child Study. Child Study involves the collaborative team efforts of educators and parents who join together to attempt to solve a student's problems in school. The team members discuss and document (in written form) the student's academic or behavioral problems and recommend strategies intended to help the student be more successful in school. Many times, a student's difficulties in school can be moderated or eliminated through the Child Study process. When the Child Study team feels it has exhausted all possible remedies for ameliorating a student's problems, it may suspect the student has a disability which impedes his ability to perform satisfactorily in the regular education program. At this point, the Child Study team may refer the student for a comprehensive evaluation by the eligibility committee.

The process of Child Study marks the beginning of the school's efforts in *contextualizing the child*.

Documentation prepared by the Child Study team serves as the foundation for gathering additional information concerning a student's difficulties in school. By accumulating written documentation for each student, the school can effectively make a case to confirm or rule out the need for special education services. The following are subthemes of *contextualizing the child*: (a) professional language (also a subtheme of *science of education*); (b) professional reports; (c) normalizing statements; (d) medical, social, and cultural statements; (e) school history; and (f) expectations.

Professional language. School professionals used specialized language that was important for both the written and oral reports prepared for each child. These documents and reports contained innumerable references that had the effect of contextualizing the child. As an example, consider the following description of Timothy made by Mrs. Greene during the eligibility meeting:

Mrs. Greene (School psychologist)

Timothy presented as a pleasant and cooperative student as he came with me without any problems to the testing room. He worked really hard throughout the testing and was consistent in the level of attention he paid to the various tasks. Timothy did not appear anxious about the testing and seemed very much at ease.

The phrase "presented as a pleasant and cooperative student" is a simple example of the quasi-technical language used by school professionals in describing children. These comments "contextualized" Timothy by describing his behavior within the setting of the testing room. By comparing his behavior in one situation to another, the committee members verified whether or not his behavior was consistent across various social contexts.

Another example of this kind of language is illustrated in Mark's case. The comments were made by Mr. Williams, the school psychologist.

Mr. Williams (School psychologist)

Mark's verbal comprehension score reflected average scores on tasks assessing verbal expression, vocabulary, and verbal reasoning. Mark scored within the average range on a task requiring him to identify pictorial absurdities.

The comments made by Mr. Williams were commonplace within the context of the eligibility meeting. When taken out the context of schooling, these comments may have little application. Through the use of specialized language, school professionals prepared the documents and reports that contextualized each child.

Professional reports. A number of written reports were presented and discussed during the eligibility meeting. These reports generally included information regarding a student's educational, psychological, sociocultural, and medical status. The classroom teacher provided additional information through a separate report. The committee reviewed the student's school records, including attendance history and grades. Additionally, written minutes were taken which summarized the proceedings of the meeting.

These reports had the effect of rendering each student an object of study and formed the basis for the committee's decision. This objectification was not limited to the eligibility meeting. After the eligibility determination was made, the reports and other written documentation were placed in the student's permanent school records. These confidential records are made available for review by school personnel and parents.

Normalizing statements. A student's performance on standardized measures or rating scales (e.g., behavioral, social/personal, developmental) is most often compared to the performance of students of the same chronological age or grade level placement. These comparisons are considered *normalizing statements*. Essentially, normalizing statements are evaluative. A child who has the same characteristics,

qualities, and traits as the majority of her peers is considered average. Thus, average takes on an implied value: To be average is "good" or "normal".

Normalizing statements place a child on a performance continuum. At the center of this performance continuum is the notion of average. A great deal of variance exists in terms of what constitutes average performance and this variance is marked by degree (i.e., a child may be considered slightly below average, high average, significantly below average, well above average, etc.). By comparing students against a standard of average, school professionals and parents build individual cases to warrant the need for special education services.

The concept of normalizing statements is characterized by the comments made Mrs. Greene in reference to Peter, an eleven year-old child who had received special education services for a number of years.

Mrs. Greene (School psychologist)

On the WISC-III, Peter obtained a verbal scale IQ score of 95, ranked at the 37th percentile. His performance scale IQ was 107, ranked at the 68th percentile, and his full scale IQ score was 101. All of these scores are within the average range. Peter's overall level of cognitive functioning equals or exceeds that of about 53 percent of the population.

Peter's performance was described numerically in terms of (a) his individual IQ scores and (b) the relative ranking yielded for these scores in comparison to the normative population. In other words, Peter was compared with others and he was found to be average.

Peter's educational report, prepared and presented by Mrs. Page, contained a similar kind of language.

Mrs. Page (Educational specialist)

Let me go over the results of the Woodcock Johnson with you. I gave Peter the Letter-Word Identification test. His standard score was 82, which yielded a percentile rank of 12. On the Passage Comprehension test, Peter's standard score was 90 with a percentile rank of 25. Combined the two tests yielded a standard score of 84. In writing, Peter's standard score in Dictation was 80 with a percentile of 9. On the Writing Samples test his score was 88 with a percentile of 21. His Broad Written Language standard score was 78. Overall, Peter's skills in reading and written language are about two years below age and grade level expectations.

Again, Peter's performance on the Woodcock-Johnson Tests of Achievement was compared to the performance of his age and grade level peers. On the basis of this comparison, Peter was considered below average in reading and written language. (Readers may note that both of the previous examples illustrate the reification of test scores as well.)

Normalizing statements were not the exclusive domain of school personnel. Parents also made statements that

normalized children. Consider the information provided by Mrs. Davis, Philip's mother, during her interview with the school social worker. Mrs. Hanson shared this information with the eligibility committee.

Mrs. Hanson (School social worker)

Mrs. Davis reports that Philip has made great progress in the past three years and she reports that her son is working on grade level in all subjects. Philip is said to put forth average effort and his grades overall are Bs and Cs.

The information provided by Mrs. Davis had the effect of placing Philip on the same performance continuum as Peter. According to Mrs. Davis, Philip is average. Philip's work is on grade level, his effort toward school work is average, and he receives average grades. In summary, normalizing statements were used by school professionals and parents to describe a particular child in relation to a standard of average.

Medical, social, and cultural statements. In addition to normalizing statements, the reports also contained references to a child's medical, social, and cultural status. This information was reported so a complete picture of the student was revealed. In order to rule out any medical reasons for a student's school related problems, the committee reviewed all relevant medical information. This

review included prenatal and postnatal care, the status of the student's hearing and vision, and an accounting of all of the significant childhood illnesses the student had experienced. The committee also reviewed information pertaining to a student's family situation and background in order to uncover any sociocultural explanations for a student's difficulties. This review included the student's hobbies and interests, the student's relationships with others, and a history of moves and other significant family changes.

An interesting point regarding Peter's family history was made by Mrs. Hanson, the school social worker, during the presentation of her sociocultural report. At the end of her report, she noted that "Peter's father is said to be dyslexic". As I was reading this particular part of the transcript from Peter's meeting, I made the following note to myself in the margin:

Interesting. We tend to describe "what" a child is--learning disabled, dyslexic, emotionally disturbed, etc. How does this distort "who" they are within the larger context of the community? While we report on a lot of information concerning a child's unique life situation in other contexts, inevitably the focus seems to shift back to the context of schooling and how the student functions within that context. It seems the same is true for Peter's dad.

I made the note to myself because of the reference to Peter's father as "dyslexic". Peter's father enjoys the

success of running his own business and the challenge of raising three children. Yet, at the conclusion of the sociocultural report, "what" Peter's father is ("dyslexic") seems to have eclipsed "who" he is as a productive member of the community. The recognition of "who" a particular child is within the larger context of the community may help to inform our assessment of him/her.

School history. Each student's educational history was reviewed to assist the committee in understanding his/her unique situation. The review focused on a student's previous performance in school, attendance records, and relationships with adults and peers. A description of the student's school history was provided by the parent through the sociocultural report. It was also provided by school professionals through the background information contained in the psychological and educational report, as well as the report from the student's classroom teacher.

The following excerpt, taken from Peter's case, typifies the kind of information the committee reviewed related to a student's school history. The source of the information was Peter's step-mother, Mrs. Johnson, and was reported by Mrs. Hanson, the school social worker.

Mrs. Hanson (School social worker)

When Peter entered third grade he was unable to read or write and had not learned basic math facts. Peter has made significant academic progress since that time yet continues to be working below grade level in all areas. Grades overall are Bs, Cs, and Ds. He is said to put forth 75-80% effort level in school. His written work varies in quality and length depending on his effort. He is said to have difficulty organizing his thoughts in written work and also struggles with the mechanics of writing and has just begun to proofread his work. In class, Peter is reluctant to ask for help when he needs it for fear of appearing ignorant. At home, he works closely with Mrs. Johnson to complete his homework assignments. He enjoys some aspects of school and attends willingly and regularly. He is said to have good peer and adult relationships and exhibits no significant behavior problems.

In addition to helping the committee to contextualize Peter, Mrs. Johnson's comments also revealed normalizing statements (Peter is "working below grade level in all areas" and he "exhibits no significant behavior problems"). By examining Peter's school history, the committee ruled out the possible effects of school attendance or situational changes which could have explained his difficulties.

Expectations. Often, the expectations communicated for a particular student had the effect of building a case for special education services. Along these lines, consider a few brief comments taken from Mark's case. The comments were made by Mark's classroom teacher, Mrs. Randall, in her

educational report. They were shared by Mr. Haynes during the eligibility meeting.

Mr. Haynes (Committee chairperson)

[Mrs. Randall] reports that Mark does not enjoy group work and will not or cannot participate. Peers are not able to drop down to his academic level. Fourth grade curriculum is too advanced for him.

Mrs. Randall's comments portrayed Mark as a student who could not be successful in his fourth grade classroom. In her view, Mark was simply not capable of completing fourth grade work. By implication, Mrs. Randall's comments suggested that Mark required something other than the standard fourth grade program.

Expectations were not always concealed from the student. Consider the comments made by Mr. Williams, the school psychologist, during his report about Mark:

Mr. Williams (School psychologist)

[On the Revised Childrens' Manifest Anxiety Scale], Mark's score fell within the average range. [Mark admitted] having a difficult time making a decision, having trouble sleeping, being quick tempered, and being fidgety. [This anxiety is] most likely related to his expectation for failure, being less capable than his peers, and his expecting to be criticized.

It is interesting to note Mark's perception of himself parallels the perception of his teacher, Mrs. Randall (see

above). Mark's expectations for himself are strikingly similar to Mrs. Randall's.

Expectations were also communicated in subtle ways by parents. In completing the Achenbach Child Behavior Checklist (a rating scale), Mrs. Banes expressed a number of concerns about her son, Adam. These concerns are shared by Mr. Williams, the school psychologist.

Mr. Williams (School psychologist)

[Mrs. Banes' responses to the Achenbach] indicate clinically significant levels on the withdrawn, somatic complaints, social problems, thought problems, and attention problems indexes. All of them were above the 90th percentile. [Mrs. Banes' responses indicate that Adam] exhibits some withdrawal tendencies, a high degree of stress, and significant social and attentional problems.

Mrs. Banes clearly communicated a number of significant concerns she had about Adam through the rating scale. These concerns pointed to Mrs. Banes' expectation that Adam needed some kind of intervention at school. This expectation manifested itself in the form of "clinically significant levels" on the rating scale completed by Mrs. Banes.

Mrs. Banes' perception of Adam's abilities were not always consistent. During the sociocultural report, Mrs. Blackmon shared Mrs. Banes' concerns about Adam to the committee.

Mrs. Blackmon (School social worker)

[Mrs. Banes reports that since Adam's] L.D. help was dropped at the time of his last eligibility, he experienced a lot of difficulty during his fourth grade school year.

Later in the same meeting, Mrs. Blackmon reported:

Although [Mrs. Banes feels that] Adam has some difficulty with reading comprehension, [she] estimates his reading to be on the fourth or fifth grade level.

In light of these inconsistencies, one might wonder about the "clinically significant levels" indicated by the rating scales Mrs. Banes completed for Mr. Williams.

Theme Five: The Eligibility Decision

The decision as to whether or not a child qualified for special education services was made by school professionals during the eligibility meeting. This decision-making authority is conferred upon school personnel by federal and state law. When the moment arrived for the committee to determine eligibility, the parent was excused from the meeting.

The committee followed a prescriptive model as it deliberated each case. The test results and other relevant information were used to describe and define a student's characteristics, qualities, and traits. The student's

characteristics were then matched against a list of institutionalized criteria based on the federal definition for each disability. Given that the student's characteristics corresponded with the criteria established for a particular disability, he was found eligible for special education services.

The eligibility decision is comprised of three subthemes: (a) anticipation of outcome; (b) proforma approach; and (c) "boiler plate" approach to determination. I discuss each of these subthemes in the following section.

Anticipation of outcome. The outcome of the eligibility meeting was not known in advance. This is not to suggest school personnel avoided any discussion of a student's case prior to the meeting. On the contrary, school professionals engaged in numerous discussions about each case prior to the formal meeting. These conversations gave the committee members an opportunity to review information, share insights, formulate meeting strategies (in the event a contentious meeting was anticipated or difficult information about a student had to be shared), and finalize details. School professionals had an intuitive sense about a particular student based on these conversations--experience told them whether or not a student would qualify for services.

While not based on professional experience, parents also had an inkling about whether or not their child would be found eligible. Most often, parent's feelings and perceptions were based on the conversations they had with school personnel in advance of the meeting. The sense of knowing in advance what the committee's decision would be marked an *anticipation of outcome*.

The anticipation felt by parents and committee members is well-characterized by a short passage taken from Franklin's case. The meeting had just begun. Mr. Haynes introduced the committee members, stated the purpose of the meeting, and indicated to Mrs. Russell (Franklin's mother) that he would be contacting her at a later time to let her know the committee's decision. At this point, Ms. Glenn stepped in:

Ms. Glenn (Special education teacher)

Mrs. Russell and I were going to meet right after to discuss Franklin's I.E.P. for next year. Remember?

Mr. Haynes (Committee chairperson)

Oh, that's right. I had forgotten. But we do have to determine whether Franklin qualifies for services before we talk about his I.E.P.

Ms. Glenn

Right. That's a good point.

Mr. Haynes

Mrs. Russell, please feel free to wait in the lobby for us after the meeting to talk about Franklin's I.E.P.

The reference to an I.E.P. (individualized education program) clearly indicated Ms. Glenn and Mr. Haynes expected Franklin to qualify for services. (An I.E.P. is developed after a student is found eligible for services.) The anticipation of outcome is shared by Ms. Glenn, Mr. Haynes, and Mrs. Russell. Mr. Haynes buffered this anticipation by reminding Ms. Glenn that Franklin had to qualify for services before discussing an I.E.P.

Proforma approach. The committee relied on forms and written documents to provide structure and consistency in conducting the eligibility meetings. The method of conducting each meeting in a similar fashion constituted a *proforma approach*. By adhering to a predictable, routine manner of directing each meeting, school professionals exercised and maintained their authority in the decision-making process.

A proforma approach became especially evident during the final stage of the eligibility meeting. At this point, county requirements and procedures weighed heavily on the actions of the committee. The following passage illustrates

the concern for adhering to established protocol. Mrs. Marks, a new principal to the county, was learning procedures by observing the meeting and completing the summary pages (minutes). Mr. Haynes and Mrs. Hanson offered advice and suggestions.

Mr. Haynes (Committee chairperson)

Mrs. Marks, we need to complete the summary sheet.

Mrs. Marks (Principal)

I'm still having a hard time trying to figure out exactly where things go on these forms.

Mrs. Hanson (School social worker)

Under recommendations, you need to indicate exit criteria. I have them written in the back of my planner. Here . . .

(Mrs. Hanson opens to the page in her planner.)

Mrs. Marks

And I write these here?

(Mrs. Marks points to the eligibility meeting summary page.)

Mrs. Hanson

That's it.

Mr. Haynes

We write these for each student who qualifies for L.D. services. I usually specify the academic areas. In this case, reading and written language.

Mrs. Marks

What about basis for committee action?

Mr. Haynes

Indicate that [the child] has a significant discrepancy between her full scale IQ and achievement scores in reading and written language. Although considered, indicate that exclusionary factors are not the primary cause for these discrepancies.

The interchange reflects an adherence to process typical of the proforma approach used during the eligibility meetings. Clearly, the "exit criteria" referenced by Mrs. Hanson were used frequently--enough so that she kept an example of them written in the back of her planner. Mr. Haynes' quick response to Mrs. Marks' question concerning "the basis for committee action" also suggests a generalized, uniform manner in completing the requisite forms.

"Boiler plate" approach to determination. The adherence to a proforma approach led to a "boiler plate" method of determining eligibility. The special education administrative procedures manual issued by the county clearly outlines the process the eligibility committee

followed. According to these procedures, the actions of the committee must include: (a) referring to local guidelines when determining eligibility; (b) completing the appropriate operational criteria worksheet and summary pages for each student and forwarding copies to the supervisor of eligibility; (c) documenting a decision on the summary pages; and (d) referring a student back to Child Study in the event he does not qualify for special education services. Other requirements are specified by the manual as well. All of these requirements directed the course of action taken by the committee.

The "boiler plate" approach is exemplified by a passage taken from the case of Timothy. (Readers will remember part of this passage is cited in my discussion about the reification of test scores.) After Ms. Fields (Timothy's mother) left the room, the committee began considering whether or not Timothy met the criteria for eligibility.

Mr. Haynes (Committee chairperson)

Let's take a look at the operational criteria to see if Timothy qualifies. We're looking to determine whether or not he is learning disabled.

(Mr. Haynes reads from the operational criteria worksheet.)

Okay. The student has had learning experiences appropriate for age and ability levels.

Mrs. Hanson (School social worker)

Yes--he's been in three schools, including Eastern Hill.

Mr. Haynes

(Writes "yes" next to first criteria. Continues to read from the worksheet.)

Next, the student has average to above average intelligence.

Mrs. Greene (School psychologist)

Yes--the full scale from the WISC was 118.

Mr. Haynes

(Writes "yes" next the second criteria. Continues to read.)

There is a severe discrepancy between ability and achievement in one or more areas as listed below as shown by a 23 point difference between full scale IQ and achievement test scores.

Mrs. Hanson

Yes--in reading and written language. Timothy's basic reading score was 88 and his broad written language score was 90. That's 30 and 28 points. There are other differences, but none that are more than 23 points.

Mr. Haynes

(Notes these differences on the worksheet and writes "yes" next to the third criteria. Continues to read.)

The discrepancy is not primarily the result of the following exclusionary factors: visual, hearing, or motor disability; mental retardation; emotional disturbance; environmental, cultural, or economic disadvantage.

Mrs. Hanson

Yes--but the family history is significant in terms of the parents' separation. The kids have been through a lot, especially Timothy because he is the oldest. But I don't think it's affecting his learning that much. There's a big difference in scores.

(Several committee members indicate agreement by nodding their heads.)

Mr. Haynes

(Writes "yes" next to the fourth criteria. Continues to read.)

Timothy's classroom performance in the areas of the severe discrepancy is significantly below the level of students of similar ability as shown by the current report card and other indicators.

Mrs. Greene

Yes--you have the report from the classroom teacher and the classroom observation. You also have Ds and Fs on the report card.

Mr. Haynes

(Writes "yes" next to the fifth criteria. Continues to read.)

The student requires special education.

(Committee members indicate agreement by nodding their heads or saying, "Yes". Mr. Haynes writes "yes" next to the final criteria.)

Alright, Timothy qualifies for services to address specific learning disabilities in the areas of reading and written language.

The committee followed a prescriptive guide in determining Timothy's eligibility for services. This method of decision-making is characteristic of a proforma approach. In Timothy's case, the predetermined list of criteria for specific learning disabilities was selected and applied. This list enabled the committee to "boil" down Timothy's essence to match a narrowly defined set of criteria. A number of lists were available that described other types of disabilities. These were selectively used by the committee to make institutionalized decisions about students within the narrow context of the eligibility meeting.

Summary

Five major themes emerged as the data were analyzed across each of the seven cases. These themes include: (a) science of education; (b) power/control; (c) exchange of information; (d) contextualizing the child; and (e) the eligibility decision. Each of these general themes contained numerous subthemes, which were also presented and discussed.

In terms of conceptualizing the events that characterized the eligibility meetings, perhaps the dominant theme examined was power/control. Notions of power/control emerged throughout the discussion of the other themes and related subthemes. School personnel maintained and established power/control through the use of various strategies. In less significant ways, parents also utilized strategies of power/control. The strategies employed by both school professionals and parents were presented and discussed.

In general, the eligibility meetings were characterized by a proforma approach. Such an approach involved a predictable, routinized manner of conducting each meeting. Institutionalized procedures were implemented that assured uniformity from one meeting to the next. In the final analysis, the eligibility determinations were made utilizing a "boiler plate" approach. This method of decision-making was presented and discussed.

Conclusions

First, the findings suggest the need for raising the consciousness level of school professionals with regard to issues of power and control. Based on the findings, it is clear that school professionals need to be attentive to the manner in which eligibility meetings are conducted. School

professionals, particularly those in leadership positions, must be sensitive to the feelings and needs of parents in this process. Additionally, they must endeavor to understand the implications of their behavior during these meetings. Pre-service and in-service programs may provide school personnel with the interpersonal skills, knowledge, and competencies required for greater effectiveness in working with parents in complex social settings. The effectiveness of school personnel may also be enhanced through peer-coaching and self-reflection.

Second, the findings suggest a multitude of indeterminate themes abound within the context of the eligibility meeting. As a relatively simple example, recall my interpretation of the use of the phrase "the mother". Other participants suggested a number of alternative interpretations (p. 88). Whatever interpretation is made with regard to these kinds of references, the possibility for misunderstanding and ambiguity exists.

This reasoning may be applied to other examples as well. Recall the comments made by Ms. Glenn and Mrs. Greene regarding Franklin's case (p. 100). It is unclear why Ms. Glenn and Mrs. Greene question the usefulness of certain tests. Perhaps they wished to demonstrate care and concern for Mrs. Russell, knowing that her child's case was difficult and complex. In pointing to these limitations,

did Ms. Glenn and Mrs. Greene unwittingly lead Mrs. Russell to silently question the validity of all of the reports? The answer to this question remains unclear. It is important for school personnel to anticipate and resolve ambiguity and miscommunication while conducting eligibility meetings. Through pre-service and in-service programs, school professionals may enhance and sharpen their interpersonal communication skills. By refining these skills, school personnel may improve their effectiveness in communicating with parents. Given these skills, school professionals may avoid unintentionally blocking parents out of the decision-making process.

Third, the findings suggest the need for raising the consciousness level of parents with regard to the eligibility process. There appears to be a continued need for workshops and other sources of information to help parents understand their role in the decision-making process. Given the right information, parents may increase their involvement during eligibility meetings. By increasing parents' knowledge and participation during the meetings, school personnel may avoid the ambiguity and miscommunication suggested by the findings.

Fourth, the findings suggest school professionals and parents rely heavily on normative statements to describe and contextualize children. This reliance was particularly

evident in the final stages of deliberation by the eligibility committee. The findings suggest the need for alternatives to standardized measures and scales in making eligibility decisions. Alternative forms of assessment, used in combination with traditional standardized measures, may allow school personnel and parents to gain a more thorough and accurate understanding of each child.

Finally, the findings suggest that the focus of the eligibility meetings can easily shift from a concern for the child to a concern for following established protocol. This finding emphasizes the importance of school professionals to reconsider the purpose of these meetings and to redirect their focus on the child. A reconsideration of the manner by which eligibility meetings are conducted may be necessary in light of these findings.

CHAPTER FIVE

SPECIAL EDUCATION AS A DISCIPLINARY TECHNOLOGY: REFLECTIONS ON THE WORK OF MICHEL FOUCAULT

In order to broaden the theoretical bases for understanding the study's findings, the formalized theories suggested by Michel Foucault are examined in this chapter. In particular, a discussion of Foucault's Discipline and Punish (1979) is presented. Although the discussion is not driven by the data presented in Chapter Four, Foucault's concept of "disciplinary technology" is examined in relation to the special education eligibility process in general. By aligning Foucault's work with the qualitative findings, I will endeavor to advance the current understanding of the meaning, purpose, and intention of the special education process.

Recall that in Discipline and Punish (1979), Foucault claimed the social sciences employ three disciplinary instruments in establishing and exercising normative power: hierarchical observation, normalizing judgment, and examination. Foucault believed these instruments, infused throughout the social and political body, determine and sustain the prevailing norms in our society. These norms allow the institutional categorization of people as either normal or abnormal.

In this chapter, I suggest these disciplinary instruments manifest themselves in powerful ways in the special education process. In describing these instruments as they relate to special education, I draw upon my experiences as both a special education teacher and school administrator. As I draw from these experiences, I reflect on the data presented in Chapter Four to extend the ideas presented here. Readers are encouraged to reflect on these findings as well. Finally, I discuss how special education, as a dynamic part of the overall structure and organization of schools, may be viewed as the final disciplinary mechanism Foucault labeled "panopticism".

By utilizing Foucault's work as an analytic tool for a critique of special education, I am using a perspective which casts a disturbing light on educational practices that seem ordinary and routine. From this perspective, I hope to accomplish two purposes. First, I endeavor to challenge the current discourse-practice in special education. As I suggested in Chapter One, this discourse-practice is wrought with modernist notions and sympathetic to the functionalist paradigm of social scientific thought. Foucault's work provides a position from which modernist views may be confronted. Secondly, I wish to theoretically enhance the findings reported in Chapter Four. These findings suggest

that the special education eligibility process induces effects of power/control in subtle, imperceptible ways. Foucault's work may be used to broaden my discussion of power/control and its relationship to the special education process.

Notions of Average: The "Power of the Norm"

The beginning of the special education process in a typical school is initiated when a student has difficulty keeping up with the social or academic demands of the classroom. Generally speaking, such a process begins after the teacher has tried a variety of instructional strategies to help the child do better. Typically, a student who is formally evaluated is one who is having difficulty performing "average" work.

The notion of average is embodied in what Foucault (1979) described as the "art of punishing" in the "regime of disciplinary power" (p. 182). The average is "to be respected" (p. 183). It is the "perpetual penalty that traverses all points and supervises every instant." It "compares, differentiates, hierarchizes, homogenizes, [and] excludes. In short, it normalizes" (p. 183).

By establishing a concept of average, those in power have an effective means of defining and judging, in quantitative terms, the value of an individual. It measures

according to a prescribed standard or rule; it makes it "possible to measure gaps, to determine levels, to fix specialties and to render the differences useful by fitting them one to another" (p. 184). In other words, the concept of average allows for the sorting, classification and categorization of individuals; some of them average (normal), some of them not (abnormal). It assumes that there is a value to which all individuals may be compared in some mathematical way. This assumption has serious implications, especially in the field of education.

In education, "average" is a powerful word. For this reason, Foucault described the notion of average as the "power of the Norm" (p. 184). "The Normal," he wrote, "is established as a principle of coercion in teaching with the introduction of a standardized education" (p. 184).

Indeed, we have established curriculum and developed modes of instruction based on the assumption (whether stated or implied) that the average student can readily digest them. Average would appear to mean that the greatest number of students can make sense of what we teach and how we teach it. "An environment designed" to accommodate "the needs of the majority" through a "uniform manner and pace of instruction will necessarily handicap some individuals". It "ensures that some students will fall . . . behind, resulting in them "being stigmatized or segregated from the

classroom" (Gelzheiser, 1987, p. 148). When a student is not average, he is thought to be in need of special education services.

School Structure and Organization: A Panoptic Mechanism

The concept of average is central to the disciplinary instruments Foucault described in Discipline and Punish (1979). These instruments may be viewed as part of the disciplinary technology inherent to the structure and organization of schools which includes special education. All of these instruments contribute to the panoptic nature of schools.

Hierarchical observation. The first of these instruments, hierarchical observation, exists largely within the structure and organization of the school itself. In most schools, there are wide corridors with rooms on either side. Each room has a door with a window. The corridors are connected to one another and converge in a central location, typically near the office. Each classroom has an assigned number of students who are roughly the same age and said to be in the same grade. These students are taught by a teacher who is certified to teach that particular grade or subject. These arrangements facilitate an "internal, articulated and detailed control" of every person in the school (Foucault, 1979, p. 172).

As the students enter and exit the building, they are closely monitored by the staff. In elementary schools, students are escorted by their teacher to specialists and other activities outside of their classroom. In secondary schools, faculty and staff members monitor the activity in the hallways between scheduled classes. All movement inside and outside of the school building is constantly watched. Students who are tardy must report to the office. Students who leave the building early must report to the office where their parents must sign them out. Parents are contacted by phone when their child is absent.

Within each classroom, students are given both individual and group assignments. The students are assigned work to ensure that they meet the grade level objectives for each subject as defined by school-wide, uniform curricula. As the students work, the teacher closely monitors their activity. The teacher reviews each student's work and keeps detailed records of their progress. Tests are periodically given to ensure that each child is on grade level and making satisfactory progress. Careful documentation is made with regard to students who are experiencing difficulty. Students who are having trouble may be subject to a higher level of scrutiny than a student who is performing average work. These students may ultimately be referred to Child Study or a similar process.

Records on each student are kept in a central location, usually in the office. There are registration documents, physical examination records, test records, and a cumulative report of the child's grades, attendance, and overall behavior. If the child has had difficulty in school, there may be a Child Study record. If he receives special education services, then even more detailed records are kept. These records are updated and reviewed on a routine basis by school personnel.

The teachers in a given school are subject to surveillance as well. The building supervisor, or principal, is responsible for making sure the teachers are utilizing appropriate instructional methods, materials, and classroom management techniques in their efforts to teach the curriculum. The results of standardized tests are used to draw inferences about a teacher's ability to teach. In turn, the principal is accountable to various central office supervisors, including the division superintendent. Principals are responsible for creating an environment conducive to learning and teaching. They are ultimately held accountable for school-wide student achievement as measured by standardized tests. Test results are frequently reported in local newspapers for the community to see.

By virtue of its architecture and organization, the school itself becomes an instrument of surveillance. It

functions as a "whole that produces 'power' and distributes individuals" in a "permanent and continuous field" (p. 177). As Foucault suggested, this power is indiscreet, "since it is everywhere and always alert", and discreet, "for it functions permanently and largely in silence" (p. 177). This power relationship is not necessarily from top to bottom, "but also to a certain extent from bottom to top and laterally" (p. 176). The school creates a power that "regards individuals both as objects and instruments of its exercise" (p. 170). The eligibility meeting is an excellent example of hierarchical observation. The members of the eligibility committee, in effect, become instruments (and objects) of the power wielded by special education. This power, in turn, objectifies each student and his/her parents.

In short, all individuals within the school are subject to hierarchical observation. In the state of Virginia, students who experience difficulty are monitored through a higher standard of surveillance which is referred to as Child Study. Once a student enters the Child Study process, he becomes a case. Foucault described a case as an "individual as he may be described, judged, measured, [and] compared with others" (p. 183). Such documentation is made as a result of normalizing judgment, the second instrument

of discipline related to the structure and organization of schools (and thus, special education).

Normalizing judgment. The distribution of ranks, or grades, in the school constitutes one element of normalizing judgment. Typically, a school is organized by various grade levels. Students are assigned to a particular grade level by virtue of their age and their successful performance in the previous grade and/or subject.

Within each classroom, teachers make judgments about the quality of each child's work. Teachers determine whether or not a particular student is working on, above, or below grade level in a variety of subjects. Often, the criteria for such judgment comes from the teacher's individual experience working with children. The teacher also uses formalized methods of assessment, including tests, to determine a student's progress. After a specified period of time, the student's progress is reported to her parents, usually in the form of letter grades. These formal and informal methods of assessment are elements of normalizing judgment.

A final element of normalizing judgment is tied to the results of frequent standardized testing. Such tests are designed to provide school personnel information regarding a child's innate cognitive abilities and present level of

academic achievement. The results of these tests are reported in terms of percentile ranks, stanines, and standard scores, all of which place a student on a continuum with all other students. In this way, school personnel can make judgments regarding the status of an individual student when compared to all other students in the same grade. The results are used to differentiate students from one another "in terms of the following overall rule: that the rule be made to function as a minimal threshold, as an average to be respected or an optimum towards which one must move" (p. 182-183). In short, these test results help define and hierarchize the value of "the abilities, the level, [and] the 'nature' of individuals" (p. 183).

Examination. A child who is not performing at grade level expectations may be referred to Child Study. The Child Study committee examines the child's records, considers the report from her teacher, and determines the next course of action. Often, the committee recommends additional instructional strategies for the teacher to try with the student. Once all remedies have been tried, the committee may recommend that the child be formally evaluated to determine if she qualifies for special education services. A student's disability (abnormality) is documented by failure (academic or behavioral) in the

classroom and poor performance on standardized tests. In essence, the child fails to be average.

The referral for a complete evaluation constitutes the final instrument of the disciplinary technology of special education, the examination. The examination is the instrument by which power holds its subjects in a "mechanism of objectification. In this space of domination, disciplinary power manifests its potency, essentially, by arranging objects" (p. 187). As a subject of study, a particular student becomes an object of power within the process of special education.

In the special education process, the examination (evaluation) consists of a battery of tests and reports which place a student "in a field of surveillance" and situate "them in a network of writing; it engages them in a whole mass of documents that capture and fix them" (p. 189). The accumulation of these documents makes it possible for a school "to classify, to form categories, to determine averages, [and] to fix norms" (p. 190). The results of this examination are reviewed by the Eligibility Committee, which constitutes yet a higher level of surveillance.

During the Eligibility Committee meeting, the student's classroom performance and test results are discussed and evaluated by a *multidisciplinary* team. The student is found

either eligible or ineligible for special education services based upon whether or not he meets the criteria for his suspected disability. These criteria are wrought with notions of averageness. In the event that the student qualifies for services, the special education process continues.

Having determined that the student is in need of special education services, the documents that form each child's case are reviewed by yet another committee. The I.E.P. committee (I.E.P.--individualized education program) determines the child's present level of performance and a placement decision is made. By determining an appropriate placement, the school endeavors to train or correct the student by providing services tailored to ameliorate their disability. This training or correction may occur in the regular classroom or in a special education class with other deviant students. Students with "mild" or "high incidence" disabilities receive instruction aimed at helping them reach grade or age appropriate levels; in other words, the instruction helps them become average. The concept of average (Power of the Norm) has reached its desired effect; it has classified and categorized; it has determined levels and fixed various "specialties"; it has differentiated individuals and "rendered these differences useful by fitting them one to another" (p. 184).

In summary, Foucault suggests disciplinary power is derived from the use of three simple instruments: hierarchical observation, normalizing judgment, and examination. Central to these three instruments is the concept of average, which Foucault describes as the "Norm". Given the structure and organization of schools, "[i]t is easy to understand how the power of the norm functions within [their] system of formal equality, since within a homogeneity that is the rule, the norm introduces as a useful imperative and as a result of measurement, all the shading of individual differences" (p 184). The three instruments are combined to form a disciplinary technology that permeates the structure and organization of schools: panopticism. The special education process is a dynamic part of the panopticism that characterizes a typical school.

Panopticism. Within the "enclosed, segmented space" of schools, students and school personnel are "observed at every point." They "are inserted into a fixed place" in which their "slightest movements are supervised." "[A]ll events are recorded." "[P]ower is exercised without division, according to a continuous hierarchical figure, in which each individual is constantly located, examined and distributed" in relation to others (p. 197). By virtue of their structure and organization, schools are panoptic.

Panopticism is a permanent state of surveillance in which an individual is constantly visible and immediately recognizable. The individual is held by this visibility in a fixed state of objectification. Although panopticism functions largely through its invisibility, the individual is ever-conscious of its all-knowing gaze. The power exerted by the panoptic mechanism is both "visible", for the individual knows that he is being watched, and "unverifiable", for the individual never knows precisely when he is being observed (p. 201).

Special education may be viewed as a panoptic mechanism. It "lays down for each individual his place . . . by means of an omnipresent and omniscient power that subdivides itself in a regular, uninterrupted way even to the ultimate determination of the individual, of what characterizes him, of what belongs to him, of what happens to him" (p. 197). A student who does not meet the criteria for average will surely meet the criteria for some disability (or deviancy). Once it is determined that a student has a disability, she is placed in a special education program.

From the perspective of a panoptic mechanism, special education operates "according to a double mode; that of binary division and branding" and "that of coercive assignment" (p. 199). A student is either eligible or

ineligible for special education services based upon her averageness or deviancy (normal/abnormal). If a student is "deviant" and found eligible, then she is described, characterized, and assigned to a program and placed under strict, constant surveillance. Special education brings into "existence a whole set of techniques . . . for measuring, supervising and correcting the abnormal" (p. 199).

In Foucauldian terms, special education calls into play "multiple separations" and "individualizing distributions" to organize a particular type of "surveillance and control" (p. 198). It is a type of power, a disciplinary technology, "which is comprised of a whole set of instruments, techniques and procedures" that are used by schools for a particular end (p. 215).

The special education process is but one of the many strict divisions that exist in a school. All of these divisions constitute a "complete hierarchy that assure[s] the capillary functioning of power" (p. 198). The power relationships derived from these multiple divisions make certain that each "individual receives as his status his own individuality, and in which he is linked by his status to the features, the measurements, the gaps, the 'marks' that characterize him and make him a 'case'" (p. 192). This individuality exists within a permanent, fluid state of

surveillance where homogeneity is the rule. Within this field of homogeneity, the special education process is used to judge, define, measure, and compare students. The process renders all individual differences visible and prescribes the classification, training, and normalization for each exception to the rule.

Summary

In this chapter, I have drawn parallels between Foucault's notions of discipline and the special education process. Through a Foucauldian lens, special education is viewed as combining three instruments of discipline-- hierarchical observation, normalizing judgment, and examination--into a single disciplinary technology. As part of the structure and organization of schools, special education may serve as a "capillary function" of power. Along with other functions and instruments of power and discipline, special education may contribute to the panopticism of schools.

Through a postmodernist lens, the Enlightenment notions associated with special education are easily dismissed. We find ourselves confronted with the possibility that current theory and practice are severely limited. Although Foucault's work provides a useful, valuable analytic tool for critiquing special education, it falls short of

articulating viable improvements to current theory and practice. Turning away from a postmodern interpretation of special education practice, I look to the ethics of care movement for constructive change.

CHAPTER SIX

TOWARD AN ETHIC OF CARE IN SPECIAL EDUCATION: OBSERVATIONS AND RECOMMENDATIONS

In this chapter, I will consider the ethics of care in my search for a positive course of action in the field of special education. First, an overview of the ethics of care movement will be presented. The overview will examine and engage the works of Gilligan, Noddings, and Martin. Following this overview, I will examine the concepts of moral agency and moral perception and their relevance to a caring approach in special education. Caring strategies will be suggested that may be incorporated into the current discourse-practice of special education. Finally, recommendations are suggested for further study.

Ethics of Care: An Overview

During the 1980s, feminine researchers and thinkers began challenging and expanding the limits of theory and practice in many fields, among them psychology, philosophy, and education. The work they initiated continues to illuminate the relative silence of women's voices in the study and development of theory and practice in the respective disciplines. Their contributions launched an important effort across the various fields of study--the

study of an ethic of care. The following discussion will consider the efforts of three feminist scholars; Gilligan, Noddings, and Martin. It will also examine critical analyses of their work.

Gilligan's Work. Gilligan challenges the dominant model of moral development suggested by her colleague and former collaborator Kohlberg in her controversial book In a Different Voice (1982). Kohlberg's original theory, an extension of Piaget's classic work, consisted of six stages of moral development; lower stages are concerned with issues of punishment/obedience and cooperative interaction based on simple exchange between individuals, middle stages involve notions of being a "good person" and doing one's duty in order to maintain social interests, and final stages have to do with an individual recognizing the mutual standards and rules of a society and adhering to universal ethical principles (Kohlberg, 1969). Kohlberg's model thus defines morality as justice and fairness through the application of objective, universal, and abstract principles. Recently, Kohlberg and others have suggested that only four stages can be applied to a large majority of children and adults (Kohlberg, Levine, & Hower, 1983). Kohlberg's theory, like Piaget's (1932/1965), was constructed and validated exclusively on a sample of adolescent boys.

As a result of her association with Kohlberg, Gilligan became interested in the relationship between people's moral thinking and their true course of action when faced with real moral dilemmas. While Kohlberg had developed his theory by asking subjects to think through and judge hypothetical moral dilemmas, Gilligan began conducting her research by asking subjects to explain their moral reasoning and subsequent course of action in resolving real life situations. Although her research did not originally lead her to think in terms of gender differences, Gilligan began noting discrepancies between women's descriptions of moral dilemmas and existing theories of moral development. As a result, Gilligan began to reflect on these theories. The discrepancies she found in her research, she believes, is the result of "consistent observational and evaluative bias" (recall that Kohlberg and Piaget used all male samples) and the tendency of social scientists to view "life through men's eyes" (Gilligan, 1982, p. 6).

Much of Gilligan's In a Different Voice focuses on a study of women who were considering abortion during the first trimester of their pregnancies. As Gilligan listened to these women describe their situations and explain their decision-making processes, she heard a voice that was inconsistent with Kohlberg's model of moral development.

This voice centered on attentiveness to the needs of other people and a concern for maintaining caring relationships with them. Gilligan explains:

When one begins with the study of women and derives developmental constructs from their lives, the outline of a moral conception different from that of Freud, Piaget, or Kohlberg begins to emerge and informs a different description of development. In this conception, the moral problem arises from conflicting responsibilities rather than from competing rights and requires for its resolution a mode of thinking that is contextual and narrative rather than formal and abstract. This conception of morality as concerned with the activity of care centers moral development around the understanding of responsibility and relationships, just as the conception of morality as fairness ties moral development to the understanding of rights and rules (p. 19).

While the voice of care is primarily associated with women in her book, Gilligan notes that the two modes of moral thinking (rights/rules and care/responsibility) are "characterized not by gender but theme". She cautions the reader not to interpret the gender differences implied in her book as absolutes (p. 2).

Gilligan does suggest, however, that these two modes of thinking are gender-related. She asserts that these gender differences are inadequately represented in the theories of moral development first suggested by Piaget and later refined by Kohlberg. In her opinion, this lack of representation of women's thinking has the effect of characterizing the moral thought of women as immature. In terms of moral reasoning, Kohlberg's theory emphasizes separation rather than connection and places primary consideration on individuals rather than on relationships (p. 19). Thus, Gilligan contends that Kohlberg's theory is inattentive to caring modes of moral reasoning and heavily favors a morality of justice and rights. As a result, "it becomes clear why a morality of rights and noninterference may appear frightening to women in its potential justification of indifference and unconcern". It also "becomes clear why, from a male perspective, a morality of responsibility appears inconclusive and diffuse, given its insistent contextual relativism" (p. 22). For Gilligan, Kohlberg's oversight--a failure to give equal consideration to a moral perspective based on care--constituted a serious shortcoming in the understanding of human moral development.

In an effort to extend and supplement existing theories of moral development, Gilligan suggests that two distinct moral voices emerge as men and women interpret and resolve

moral dilemmas and evaluate the choices they make in reaching their decisions. One voice, embodied in Kohlberg's model, is favored by men and values justice, fairness, and objectivity in reaching moral decisions. This voice regards individuals as equals in relationship to one another. Each individual has the responsibility not to impose or interfere with the other's rights. Conflicts arise when competing interests render the relationship between two (or more) parties unequal. From this perspective, morality consists of a person taking an impartial, objective stance when confronted with a moral dilemma in an effort to be fair. This voice is not only consistent with Kohlberg's model, but also with the liberal-egalitarian views introduced by Rawls in his widely influential work A Theory of Justice (1971). The other voice, articulated by Gilligan, is usually preferred by women and values care, connection, and relationships in resolving moral problems. This voice places a priority on attachment to others in nurturing, give and take relationships. When a conflict occurs, this voice seeks a resolution that will not cause harm to anyone and will maintain relationships. From this perspective, morality consists of a person locating themselves in intimate relationship with others and responding to the needs of every person involved. According to Gilligan, these two voices represent "two modes of judging, two

different constructions of the moral domain--one traditionally associated with masculinity and the public world of social power, the other with femininity and the privacy of domestic interchange" (p. 69). Although these differences are gender-related, they are not gender-determined. Men and women are capable of attending to both voices when confronted with moral dilemmas. However, it is difficult for an individual to attend to both voices because they have a tendency to obscure one another; as one voice emerges the other fades away. Gilligan often uses the "imagery of a gestalt-shift (e.g. the vase-face illusion)" to suggest that ethical deliberation "involve[s] seeing things in different and competing ways" (Flanagan & Jackson in Larrabee, 1993, p. 71).

Extension of Gilligan's Work. Since the publication of In a Different Voice, a number of researchers, including Gilligan, have attempted to extend and validate the findings she reports in her seminal work. Lyons (1988) presents empirical evidence to demonstrate that men and women use both justice and care reasoning. However, gender differences existed in the use of each reasoning mode, with men favoring the justice mode and women favoring the care mode. Lyons also reports that when people described themselves in relation to others it was through two

different orientations: "separate/objective" or "connected". These differences also were gender-related, with men using more "separate" descriptions and women using more "connected" ones. Lyons reports a number of implications of her work. First, "a morality of care appears to be a systematic, life-long concern" for both men and women and is not "subsumed within a morality of justice" (p. 42). Second, "a definition of self in relation to others is found *in both sexes at all ages*" (p. 43). Third, the fact that individuals interpret and resolve moral dilemmas differently indicates a need to reconsider "theories of cognitive and social development based on unitary models of social perspective". Fourth, terms such as "'obligation' and 'responsibility' may be understood differently from a justice and/or a care perspective". Fifth, Lyons suggests "a need to move from a psychology of the individual" to one of relationships. Finally, Lyons suggests that studies in cognitive and social development include sex as a variable. This would lead to "an improved understanding of theory and practice" (p. 43).

Johnson (1988) reports differences in the way male and female adolescents responded to moral dilemmas posed in two of Aesop's fables. Her findings support Gilligan's hypothesis that there are gender differences in moral

reasoning. In her study, Johnson reports that male and female adolescents can apply both justice and care perspectives in their moral reasoning. However, while most children indicated a knowledge of both orientations, they preferred "one over the other as a solution to a moral dilemma" (p. 60). Boys as a group preferred the justice orientation. Girls, on the other hand, frequently chose "both orientations" (p. 61). Differences were also reported in the way children attended the contextual differences of both fables. Boys discerned "individual differences in the participants rather than their potential relationship as salient" in resolving conflicts. As a consequence, boys tended to choose the care orientation only when there was a "possibility of relationship" between characters "beyond the conflict". Conversely, girls most often assumed that a relationship could continue after the conflict and saw "relationships as [the] prominent" feature of each fable (p. 65). Consequently, girls demonstrated greater attention to relationships in solving the moral dilemmas posed in the fables.

Gilligan and Attanucci (1988) report findings which suggest both justice and care considerations are made when men and women are faced with real life moral dilemmas, but they tend to rely on one perspective more than the other in resolving them. Gilligan and Attanucci contend that such

findings indicate the problems with using an "all-male sample for theory and test construction" and recommend careful attention to interpretation when analyzing gender differences in moral reasoning (p. 82). There is a potential for skewed analysis if women are excluded from studies that analyze moral deliberation. Further, depending on interpretation, justice considerations can overshadow care perspectives. This is because the moral reasoning described by women in the study could have been "scored and analyzed for justice considerations without reference to the considerations of care" (p. 82). Gilligan and Attanucci "consider both perspectives as constitutive of mature moral thinking", but acknowledge the difficulty in using both perspectives in resolving moral dilemmas. They conclude:

The tension between these perspectives is suggested by the fact that detachment, which is the mark of mature moral judgment in the justice perspective, becomes *the* moral problem in the care perspective --the failure to attend to need. Conversely, attention to the particular needs and circumstances of individuals, the mark of mature moral judgment in the care perspective, becomes *the* moral problem in the justice perspective--failure to treat others fairly, as equals (p. 82).

Thus, Gilligan and Attanucci view the justice and care perspectives as contrary moral views. The moral reasoning applied to a particular situation inevitably favors one perspective over the other.

Criticisms of Gilligan's Work. The publication of In a Different Voice also generated immediate discussion and debate concerning its findings. Many writers and researchers have questioned Gilligan's findings and methodologies.

In reviewing sixty-one studies on moral development, Walker found few gender differences by employing a meta-analysis technique as an adjunct to a traditional literature review. The meta-analysis and the literature review revealed consistent results: "sex differences in moral reasoning in adulthood are revealed only in a minority of studies, and even in those studies the differences are small" (Walker in Larrabee, 1993, p. 174). Further, Walker found many of the studies that indicated gender differences utilized an earlier scoring instrument which was later revised by Kohlberg. Later versions of the scoring instrument placed individuals at higher levels of moral development when compared to the levels yielded by the earlier methods. These findings led Walker to conclude: "This review of the literature should make it clear that the

moral reasoning of men and women is remarkably similar, especially given publication and reporting biases that make differences more likely to be reported" (p. 176).

Greeno and Maccoby question whether or not Gilligan has enough empirical evidence to support the claim that women have a different voice when expressing themselves in moral terms. They insist that Gilligan provide evidence of a quantitative nature to strengthen her far-reaching claims. One study on abortion, confined to women subjects, is not enough data to conclude that gender differences truly exist. They conclude:

A claim that the two sexes speak in different voices amounts to a claim that there are more women than men who think, feel, or behave in a given way. Simply quoting how some women feel is not enough proof. We need to know whether what is being said is distinctly *female*, or simply human (Greeno & Maccoby in Larrabee, 1993, p. 197).

Luria expresses similar concerns to those articulated by Greene and Maccoby. First, Luria points out the less than convincing sample Gilligan cites as the basis for her study. Luria writes: "Twenty-nine women considering abortions in Boston may provide an important example of

decision-making, but they cannot provide data on how men and women differ in such thinking" (Luria in Larrabee, 1993, p. 200). Second, Luria notes that Gilligan's data-coding procedures are not well defined or articulated. Thus, the reader cannot be certain about the way Gilligan's findings are classified and reported. Third, Luria notes that Gilligan combines relatively disparate samples--children, Harvard students, women considering abortion--without telling us how she overcomes the difficulties in doing so. Luria points out that typical "rules of psychological procedure--shared samples, shared procedure, shared scoring"--are not mentioned by Gilligan. As a result, Gilligan's findings seem to lack "objectively derived data" (p. 200-201).

Other critics have pointed to serious limitations of Gilligan's argument in formalizing a comprehensive theory of moral development and have suggested ways of strengthening her position. Flanagan and Jackson acknowledge that Gilligan's use of the gestalt-shift is helpful in three ways: (a) there may be some people who cannot consider justice and care issues alternatively, just as there are some people who cannot see the face and the vase alternatively; (b) most people favor a particular way of viewing moral dilemmas; and (c) there are some moral dilemmas, such as abortion, which have no "proper

construal". The "proper construal" in such dilemmas" is an issue of deeply incompatible perception" (Flanagan & Jackson in Larrabee, 1993, p. 73). However, Flanagan and Jackson point out that the gestalt-shift metaphor is misleading in two ways: (a) some moral issues are not open "to alternative construals", just as some visual stimuli are not ambiguous; and (b) while it is impossible to see the face and the vase at the same time, "it is not impossible to see both the justice and care" issues in moral dilemmas "and to integrate them in moral deliberation" (p. 73). Flanagan and Jackson write:

The important point is that there is no impossibility in imagining persons who are both very fair and very caring and who, in addition, have finely honed sensitivities for perceiving moral salencies and seeing particular problems as problems of certain multifarious kinds (p. 74).

Flanagan and Jackson believe Gilligan's work needs "further refinement, development, and defense before its full psychological and normative importance is clear" (p. 83) and contend that the "precise nature and extent" of gender differences in her view of moral reasoning remains unclear. If such differences do exist, Flanagan and Jackson question what social causes may account for these differences.

Further, they question "the plausibility of carving morality into only two voices" (p. 84).

Friedman believes "Gilligan's interpretation of justice is far too limited". Justice includes many "positive rights, such as welfare rights," or the rights of persons with disabilities (Friedman in Larrabee, 1993, p. 267). In Friedman's view, Gilligan has overlooked the "potential for violence and harm" in human relationships. The notion of justice often stems "out of relational conditions in which most human beings have the capacity, and many have the inclination, to treat each other badly". Friedman points out that "social life encompasses the human potential for helping, caring for, and nurturing others *as well as* the potential for harming, exploiting, and oppressing others. Thus, Friedman believes "Gilligan is wrong to think that the justice perspective completely neglects" relationships (p. 267). Justice provides some measure of protection in the face of a social reality that is not always caring.

Friedman also takes issue with Gilligan's tendency to "genderize" morality into two distinct and separate voices. In her view, there are no *intrinsic* differences between women and men in terms of moral reasoning. She points to "cultural myths" and "stereotypes of gender" which contribute to cultural expectations that require men and

women to think and react differently when faced with moral problems (p. 262-263). Along these lines, she believes "that nothing intrinsic to gender demands a division of moral norms which assigns particularized, personalized commitments to women and universalized, rule-based commitments to men" (p. 271). According to Friedman, "Gilligan has discerned the symbolically female moral voice, and has disentangled it from the symbolically male moral voice" (p. 262). In essence, the cultural attributes we assign to women and men may influence the way we think about morality and gender; we expect men to be concerned with justice and rights, just as we expect women to be concerned with relationships and care. This limits our capacity to view justice and care as "conceptually compatible" (p. 263). Friedman concludes:

We need nothing less than to "de-moralize" the genders, advance beyond the dissociation of justice from care, and enlarge the symbolic access of each gender to all available conceptual and social resources for the sustenance and enrichment of our collective moral life (p. 271).

In spite of these limitations, Gilligan's work continues to stimulate interest, discussion, and research across a wide range of disciplines, including psychology,

philosophy, social and political theory, history, law and jurisprudence, nursing, professional ethics, and education (Larrabee, 1993). Without a doubt, Gilligan's work has left an indelible mark on the minds of researchers and practitioners across a wide range of disciplines.

Nodding's Work. While Gilligan concentrated her work on pointing out the inadequacies of psychological theories on moral reasoning and moral development, other feminist scholars began focusing on traditional views of philosophy. Noddings, writing about the same time as Gilligan, proposes a philosophy based on an ethic of care in her work Caring: A Feminine Approach to Ethics and Moral Education (1984). At the center of this philosophy is what Noddings describes as the "ethical ideal". This ethical ideal arises out of our basic human nature and exists in the relationships we have with other people. It stems from our need to care and to be cared for in intimate relationship with and response to one another. Noddings distinguishes the two parties in human relationships as the "one-caring" and the one "cared-for". Both individuals contribute to the caring relationship. The "one-caring" strives to meet the one "cared-for" in response to his or her particular needs. The one "cared-for" responds to this caring affectively, thereby enhancing and maintaining the caring relationship.

Noddings suggests that care exists, in one degree or another, in every relationship between people. Caring requires what Noddings describes as engrossment, or the ability of the "one-caring" to remain open and receptive to the one "cared-for" in a non-selective way. Caring also requires commitment and displacement of motivation on the part of the "one-caring". In order for the "one-caring" to maintain the ethical ideal, he or she must set aside narrow self-interests in responding to the needs of the one "cared-for".

This conception of moral/ethical response between individuals (or reciprocity) is markedly different from the one suggested by liberal theorists like Rawls (1971), who suggest that relationships take the form of a "contract" between individuals and are governed by principles of justice and equity. Noddings writes:

It is this ethical ideal, this realistic picture of ourselves as one-caring, that guides us as we strive to meet the other morally. Everything depends upon the nature and strength of this ideal, for we shall not have absolute principles to guide us. Indeed, I shall reject ethics of principle as ambiguous and unstable. Wherever there is a principle, there is implied its

exception and, too often, principles function to separate us from each other (Noddings, 1984, p. 5).

Thus, Noddings considers an ethic of justice inadequate for meeting the needs of individuals in relationship to one another. Human moral and ethical response has an emotional/affective component which is neglected solely from the justice perspective. An ethic of justice, which requires the application of objective and abstract rules, cannot satisfactorily sustain our relationships with one another. There are times when rules cannot be meaningfully applied in our dealings with other people. "The one-caring, male or female, does not seek security in abstractions cast as either principles or entities. She/[he] remains responsible here and now for this cared-for and this situation and for the foreseeable futures projected by herself/[himself] and the cared-for" (p. 43).

Noddings, in rejecting principle-based ethics, is by no means suggesting that we adopt "arbitrary and capricious behavior" in our efforts to maintain the ethical ideal (p. 25). Because appropriate ethical and moral response requires us to be attentive to particular situations and contexts, Noddings suggests we adopt flexible, relativistic behaviors. Such behaviors are

conditioned not by a host of narrow and rigidly defined principles but by a broad and loosely defined ethic that molds itself in situations and has a proper regard for human affections, weaknesses, and anxieties. From such an ethic we do not receive prescriptions as to how we must behave under given conditions, but we are somewhat enlightened as to the kinds of questions we should raise (to ourselves and others) in various kinds of situations and the places we might look for appropriate answers (p. 25).

For Noddings, the ethical ideal requires a flexible, relational approach in solving moral problems. Such an approach "recognizes and calls forth human judgment across a wide range of fact and feeling" and allows us to suspend impersonal, rational decision-making in deference to human "faith and commitment" (p. 25). According to Noddings' ethical ideal, one does not look to canned, prescribed modes of thought and action for guidance in making moral decisions.

Noddings recognizes that we establish various institutions and agencies (e.g., schools, clinics, social service agencies) in order to provide the care we deem necessary for the social good. Their establishment often arises out of an individual's recognition of a particular

need or an absence of care in a place where caring should be. The emotional, subjective feeling of "I must do something" shifts to a rational, objective "Something must be done" as groups of individuals begin addressing this perceived need or lack of care (p. 25).

Unfortunately, the original effort toward care often becomes distorted in the abstract rules and procedures set in place in these institutions and agencies. Such rules and procedures are unresponsive to the particular, individual needs of the "cared-for". This unresponsiveness comes with the shift in focus from the ones "cared-for" toward the rules and procedures instituted to provide care. Individuals "entrusted with caring may focus on satisfying the formulated requirements for caretaking and fail to be present in their interactions with the cared-for" (p. 26). As a result of "formulated requirements" of care, the ones "cared-for" are often "treated as 'types' instead of individuals". In other words, they become objectified. On this point, Noddings concludes: "The fact is that many of us have been reduced by the very machinery that has been instituted to care for us" (p. 66).

Because of their tendency to diminish our innate human capacity to care, Noddings insists we have a "duty to promote skepticism and noninstitutional affiliation". By Noddings account, "no institution or nation can be ethical".

Nations or institutions can only recognize, describe, and approximate what caring individuals would do in clearly defined situations.

According to Noddings' view, each situation and context calls into play a host of factors which elude neatly defined, predetermined categories and courses of action. The ethical ideal requires each of us, as "ones-caring", to be open to possibility and to meet the one "cared-for" without regard to abstract rules or principles. Noddings writes:

Laws, manifestos, and proclamations are not, on this account, either empty or useless; but they are limited, and they may support immoral as well as moral actions. Only the individual can be truly called to ethical behavior, and the individual can never give way to encapsulated moral guides, although she may safely accept them in ordinary, untroubled times (p. 103).

Thus, Noddings ethical ideal suggests the need for rules and principles as a course of action under conditions that are routine and nonproblematic. Their usefulness, however, becomes limited when the situation and context require the "one-caring" to be attentive to the distinctive needs of the one "cared-for"--needs that cannot be responded to

appropriately given the constraints of some institutional rule or procedure.

According to Noddings, ethical and moral behavior revolves around our ability to care. Caring requires us to be sensitive to the limits of rationality and objectivity and to act accordingly as moral agents. Rational, objective thinking has its usefulness, but it falls woefully short of caring when it becomes overly abstract and separated from the context of our lived experience. Noddings elaborates this idea:

If rational-objective thinking is to be put in the service of caring, we must at the right moments turn it away from the abstract toward which it tends and back to the concrete. At times we must suspend it in favor of subjective thinking and reflection, allowing time and space for *seeing* and *feeling*. The rational-objective mode must continually be re-established and redirected from a fresh base of commitment. Otherwise, we find ourselves deeply, perhaps inextricably, enmeshed in procedures that somehow serve only themselves; our thoughts are separated, completely detached, from the original objects of caring (p. 26).

Caring, our unique human capacity to respond affectively and emotionally to the needs and desires of others, requires us to be self-reflective and committed to growth and renewal. For Noddings, a set of fixed, objective rules and procedures are inadequate moral guides for those who care.

In a subsequent book, The Challenge to Care in Schools (1992), Noddings extends her ethical ideal to the process of education. Noddings begins her book by criticizing the traditional liberal education children receive in U.S. schools, arguing that it narrowly serves the needs of those students who are college bound. She notes that liberal education places too much emphasis on rationality and abstract reasoning and virtually "neglects feeling, concrete thinking, practical activity, and even moral action". Such an emphasis favors the qualities traditionally associated with men (p. 43). Noddings also expresses concern with the over-emphasis of competition and testing in schools. She further notes that school programs are largely evaluated in terms of their usefulness in helping the students master the prescribed curriculum. Noddings recommends we radically reorganize schools by making a number of significant changes.

First, Noddings suggests we place an emphasis on curriculum which fosters human relationships. She believes that curriculum may be best organized around what she

describes as "centers of care". These centers include care of self, care for family members and acquaintances, care for strangers and distant others, care for animals, plants, and nature, and care for things and ideas (p. xiii). While she points out that cognitive activity should be the focal point of education, she believes cognition begins with emotional attachment and response. Thus, Noddings believes her "centers of care" may serve as the primary themes for developing a meaningful curriculum.

Second, Noddings believes instruction should be reoriented to focus on four essential components of teaching: modeling, dialogue, practice, and confirmation. Among these four components, most notable are dialogue and confirmation, as these are not typically emphasized in a vast majority of classrooms as described by Noddings. Noddings believes classroom dialogue must remain open-ended and be responsive to the student's interests and experiences. This kind of responsiveness leads to confirmation--the valuing of an individual students' needs, abilities, and unique characteristics.

Finally, Noddings suggests school organization change so that continuity of purpose, curriculum, place, and people is fostered. Noddings believes as educators develop curriculum, they must consider how abilities, attitudes, and knowledge are connected to one another and refined/extended

over time. Such an understanding would require educators to examine the current foundations and purposes of education and to place a greater significance on care and centers of care. She also contends students and teachers need to stay together for several years to create a strong sense of belonging, trust, and relationship. Given all of these changes, Noddings believes we can create schools where (a) children first receive care and then later learn to give it and (b) children are provided with instruction that is tailored to their individual needs, talents, and interests.

Criticisms of Noddings' Work. Noddings' work in Caring seems to suggest the ethics of justice can be easily dismissed because it lacks the responsiveness necessary for maintaining caring relationships. (Recall that she "rejects the ethics of principle", Caring, p. 5). While the ethic of justice may indeed conflict with the ethic of care, it does not follow that the former should be rejected (Howe, 1996).

Nagel (1986), while not directly confronting Noddings' work, discusses an objective, impartial view in his book The View from Nowhere. In this view, personal interests and partiality are set aside in moral deliberation. This is the view associated with the ethics of justice. He also describes "the view from here". This view takes into account one's community (i.e., family, neighborhood,

friendships, etc.) and is associated with the ethics of care. Nagel maintains both views are necessary for a proper understanding of the world. We cannot exclusively rely on impartial objectivity, nor can we readily dismiss it. Nagel believes objectivity is both overvalued and undervalued. Along these lines, he writes:

[Objectivity] is underrated by those who don't regard it as a method of understanding the world as it is in itself. It is overrated by those who believe it can provide a complete view of the world on its own, replacing the subjective views from which it has developed. These errors are connected: they both stem from an insufficiently robust sense of reality and of its independence of any particular form of human understanding (p. 5).

For Nagel, both a justice and a care perspective are required for an accurate sense of reality. When we leave the subjective view behind, we begin to expand our awareness and take in the world more completely. But in order to do this, we must recognize "there are things about the world and life and ourselves that cannot be adequately understood from a maximally objective standpoint, however much it may extend our understanding beyond the point from which we started". Any attempt to understand the world solely from

"the view from nowhere" will inevitably lead to "false reductions" or the "denial" that certain things about the world exist at all (p. 7). Likewise, any attempt to perceive the world exclusively from "the view from here" will lack the robustness necessary for proper understanding.

More recently, Nagel (1991) acknowledges the difficulty in separating an individual's personal viewpoint from the viewpoint of others. He writes: "It is because a human being does not occupy only his own point of view that each of us is susceptible to the claims of others through private and public morality" (p. 4). It is the view each of us has of ourselves--our understanding of the relationship between personal and impersonal standpoints--which serves as the basis for all social arrangements. If a social arrangement is supported by "those living under it--if it is to claim legitimacy, in other words--then it must rely on or call into existence some form of reasonable integration of the elements of their naturally divided selves" (p. 4).

Nagel points out that social institutions often "try to externalize the demands of the impersonal standpoint". However, these demands often neglect the fact that such institutions "have to be staffed and supported and brought to life by individuals for whom the impersonal standpoint coexists with the personal" standpoint (p. 5). Problems arise when the institutional demands conflict with the

personal convictions, beliefs and/or values of individuals. Nagel believes the problem of doing "justice to the equal importance of all persons" in social arrangements has not been properly resolved (p. 5). He concludes: "Any political theory that aspires to moral decency must try to devise and justify a form of institutional life which answers to the real strength of impersonal values while recognizing that that is not all we have to reckon with" (p. 20). By this account, a responsive moral theory must give credence to the personal, subjective forces which motivate us to think and act. At the same time, principles of justice must be considered.

Kymlicka (1990), in defending the ethics of justice, notes:

The reason why justice emphasizes learning and applying rules is that this is required for fairness and autonomy. If we are to have genuine autonomy, we must know in advance what our responsibilities are, and those assignments of responsibility must be insulated to some extent from context-sensitive assessments of particular desires (p. 283).

Kymlicka believes personal autonomy can only thrive in situations which have "predictable limits". In order to

have such limits, individuals must "know *in advance* what" they "can rely on, and what" they "are responsible for" in a particular situation. If we are to make real commitments to complete our own projects, "then our claims must be insulated, to some extent, from the contingent desires of those around us. Abstract rules provide some security in the face of the shifting desires of others" (p. 281). For Kymlicka, proper moral and ethical decision-making rests on our ability to balance individual autonomy with personal responsibility. This balance cannot be achieved "when our claims are dependent on context-sensitive calculations of everyone's particular desires". When such calculations are made, "the more vulnerable our personal projects are to the shifting desires of others" and the less autonomy we have in a given situation. Kymlicka concludes: "Meaningful autonomy requires predictability, and predictability requires some insulation from context-sensitivity" (p. 281).

Callan (1992) believes the distinction between justice and care is unwarranted. Callan contends that themes of justice and care are intertwined in our moral reasoning; neither justice nor care can adequately flourish without the other. Callan notes: "To dismiss caring, as some have done, by portraying it as its sentimental and self-indulgent worst is regrettable; but so too is the rejection of justice when

rejection is based upon nothing more than the excess baggage of the Kantian tradition" (p. 435). Callan concludes:

The bifurcation of morality into independent ideals of caring and justice is a mistake . . . because the kind of caring we should want always requires a supporting sense of justice, and the particular sense of justice we should prize is itself deeply entangled with a certain kind of caring for others. This is not to deny that our current moral discourse may contain different voices, one of which expresses a sense of justice divorced from caring for others and another a caring which discounts the rights of others (p. 429-430)

In other words, Callan suggests that we give due consideration to justice and care in terms of how we think about morality. Callan recognizes the fact that moral discourse often describes justice and care as separate moral claims. In Callan's opinion, separating one from the other and/or placing one above the other is a unfortunate mistake. Both share an equal and inseparable place in our conceptualization of moral reasoning and moral education.

Davion (1993) points out the obvious moral risks associated with Noddings' ethical ideal. Noddings suggests that for one person to respond to another ethically, he/she

must allow for motivational engrossment and displacement. But in doing so, a person assumes potential risks. Davion writes: "If someone is evil, and one allows oneself to be transformed by that person [i.e., emotional engrossment], one risks becoming evil oneself. If the other's goals are immoral, and one makes those goals one's own [i.e., motivational displacement], one becomes responsible for supporting immoral goals" (p. 162). She also takes issue with Noddings' account of reciprocity. Noddings uses the mother-child paradigm as the model for her notion of caring. Davion notes that this model works well in the relationship between a parent and a child. A child cannot know his/her mother's projects and is probably not in the position to help accomplish them. "However, in adult relationships, or relationships between equals, something is wrong when one person does all the caretaking and the other receives all the care". Davion further points out that reciprocity does not mean we assume the same roles in every situation. Reciprocity means that "we are equally prepared to be the ones-caring when it is necessary--that neither of us expects to be cared for all of the time" (p. 167).

Vandenberg (1996) takes issue with numerous aspects of Noddings' ethical ideal. He points out Noddings' overemphasis on the good and uses Noddings' example of allowing her son to skip school to do something she deems is

"worthwhile" (pp. 56-57 in Caring). Because her son is doing something good instead of attending school, it is proper for Noddings to lie about him being ill so that he will not be punished. For Noddings, whatever promotes the good is right. Vandenberg insists that a "criterion of rightness is needed to govern" our understanding of the good and questions whether Noddings' behavior in responding to her son's situation can be interpreted as right.

Vandenberg also claims that Noddings misrepresents the work undertaken by Gilligan and Chodorow. Related to his concerns about an overemphasis on the good, Vandenberg believes that Noddings has overlooked an important feature of Gilligan's work--the reconciliation of the good and right (see Chapter Five of In a Different Voice). As a result, Noddings' "caring ethic would promote the good, irrespective of right". As Vandenberg states, proper theories [of moral reasoning] should "reconcile the good and right" (p. 256). Vandenberg also points out Noddings' misuse of Chodorow's developmental theory of gender identity. This theory, developed by Chodorow in her early work, hypothesized that girls acquire their "gender identity by relating to the mother while boys do so by separating themselves from her". Vandenberg reminds us that Chodorow later "recanted fully, admitting that her work" was a product of "feminist grand theory days" (p. 257). Thus, Noddings' use of Chodorow's

early theory of gender identity represents a weakness of her "ethical ideal".

Finally, Vandenberg finds Noddings' use of first-person examples in both books (Caring and The Challenge to Care in Schools) subject to criticism. Noddings' use of personal anecdotes lacks the necessary self-understanding to hold up to formal critique. Part of our self-understanding from both an objective and subjective point of view is that we cannot know ourselves completely and that we cannot assume others think exactly like ourselves.

Martin's Work. Like Noddings, Martin believes that "nurturance and connection can become overarching educational goals as well as the goals of particular subjects" in schools (Reclaiming a Conversation, 1985, p. 197). Martin recognizes "that education can [not] be created anew: as a social institution it has a history and traditions, and it is bound by economic and cultural constraints" (p. 198). However, established methods and practices can change in the wake of new ways of thinking about schooling and new approaches to instruction.

Recently, Martin (1992) has suggested that schools be reorganized to emphasize what she calls the 3Cs--care, concern, and connection. This reorganization is necessary in light of significant changes within the structure of

families (e.g., single-parent families, both parents working, etc.). Due to these family changes, Martin believes the "curriculum" of "the private home" has been ignored. As a result, students are not acquiring "the skills, knowledge, attitudes, and values essential" for life in the private and public spheres of society (Martin, 1992, p. 30-31). Martin suggests changing the structure of schools in order for students to learn the things associated with the private life of home. Changes are needed because the traditional "function our culture assigns to school is that of preparing the nation's young to carry out the economic and political tasks and activities located in the public world" (p. 75). Martin contends this function is the result of "domesticity repressed"; that is, a cultural devaluation of those activities and qualities which have been traditionally associated with women and the private sphere. Martin believes an emphasis on domesticity and the 3Cs will better prepare our students for a changing society.

According to Martin, the roles women play in society have been under-valued and ignored throughout the history of educational thought. In Reclaiming a Conversation, Martin traces the "ideal of the educated person" through the works of Plato, Rousseau, Wollstonecraft, Beecher, and Gilman. Martin associates this "ideal" with the liberal views of education suggested by Peters (1967) and Hirst (1974). In

Martin's view, Peters' educated person has three characteristics: (a) he/she possesses "a body of knowledge" and a "conceptual scheme to raise this knowledge above the level of a collection of disjointed facts which in turn implies some understanding of principles for organizing facts and of the 'reason why' of things"; (b) he/she "cares about the standards of evidence implicit in science or the canons of proof inherent in mathematics"; and (c) he/she possesses a "cognitive perspective" (i.e., a way of thinking about what he/she perceives) (Martin, 1994, p. 71). Martin believes Peter's ideal is the "identical twin" to Hirst's notion of the liberally educated person. By Martin's account, Hirst's liberally educated person "will acquire the conceptual schemes and cognitive perspectives they are supposed to have through a study of mathematics, physical science, history, the human sciences, fine arts, [and] philosophy" (p. 72).

Martin notes the Peters-Hirst ideal has been largely characterized by the traits generally associated with men; rationality, self-control, and autonomy. She contends the process of education has been attentive to the qualities that constitute the "male cognitive perspective" while overlooking the qualities typically ascribed to women's thinking, such as care, empathy, and nurturance. As a result, systems of education have historically placed

emphasis on the "productive processes" of society and de-emphasized the "reproductive processes". As women aspire to the masculine traits associated with the ideal, they are judged unfavorably by society as unfeminine. This creates a double bind for women. "To be educated they must give up their own way of experiencing and looking at the world, thus alienating themselves from themselves". To remain feminine and be appraised positively by society, "they must remain uneducated" according to the ideal (Martin, 1994, p. 77). Thus, the field of education "does not meet the standard of epistemological equality" because it does not give due consideration to women's perspectives (Martin, 1985, p. 3). Martin believes women are placed "in a no-win situation" by the Peters-Hirst ideal (p. 78).

Martin (1994) believes the field of education is victim to the Kantian notion of objectivity, rationality, and self-dependence. In an attempt to separate thought from emotion, we have distorted our connection with other people in developing traditional theories and practices in education. The traditional views of liberal education place ultimate value on rationality and autonomy, thus neglecting care and concern for others. This view makes it very difficult for individuals to exhibit both sets of qualities, particularly when care and concern (generally associated with women) are neglected in the current conceptualization of liberal

education. Martin concludes that the equal consideration of women's roles and voices in the theory and practice of education requires educational philosophers to redefine their field. This task would not be easy:

It is important to understand that the exclusion of both women and the reproductive processes of society from the educational realm by philosophy of education is a consequence of the structure of the discipline and not simply due to an oversight which is easily corrected. Thus, philosophical inquiry into the nature of those processes or into the education of women cannot simply be grafted onto the philosophy of education as presently constituted. On the contrary, the very subject matter of the field must be redefined (Martin, 1994, p. 48).

While the challenge is enormous, Martin believes the field of education would greatly benefit from this redefinition. This new definition would take into account the roles women have traditionally played in society--as mothers, teachers, care-givers, and nurturers--and strengthen the education of both boys and girls.

Criticism of Martin's Work. McClellan (1981) criticizes Martin's use of the expression "male cognitive

perspective" on the grounds that she does not provide a particularly good definition for it. He provides two possible meanings for the expression: (a) it is a "'head' that a person gets into as a result of being taught" the liberal curriculum suggested by Peters and Hirst (i.e., it is a material thing which can be referred to by name); or (b) it is "an abstract feature" or a "property" of the liberal curriculum. McClellan dismisses both meanings because neither support the claim that Martin wishes to make concerning the liberal curriculum. A "male cognitive perspective" does not account for the under-representation of women in the curriculum and society. It is the "material relations of power, wealth, and ownership" in society that account for this under-representation (p. 113).

Siegel (1983) also finds the use of the expression "male cognitive perspective" problematic. Siegel points out that Martin fully acknowledges the perspective she labels as male--objectivity, rationality, autonomy--"can be achieved equally well by both sexes" (Siegel, 1983, p. 104). Thus, Siegel maintains there are simply no "unique and mutually exclusive perspectives, through one of which all males view things, and through another of which all females do. There is no genetic determination of sex-bound cognitive perspective" (p. 104). Siegel agrees with Martin that society genderizes and idealizes certain perspectives, but

points out that Martin's argument relies on "the acceptance of society's genderized evaluations". Siegel contends that we should reject any such genderized notions (p. 105).

Siegel also criticizes Martin for placing the responsibility for women's suffering on Peters' ideal. While Peters' ideal does recommend certain traits and dispositions, it is a function of society that holds these qualities as positive and desirable for males and not for females; it is not a function of the ideal itself. The "ideal looks bad . . . only because it encourages women to have traits--good traits--that society mistakenly regards as traits that are bad for women to have" (p. 105). Siegel offers a defense for Peters' ideal by suggesting that it

be seen as striking 'a blow for sex equality'--both by extending the domain of rationality to women and explicitly holding that women can be rational, and by challenging a societal evaluation that has been the cause of much injustice and suffering and is in great need of challenge (p. 105).

Thus, for Siegel the problem is not inherent in the ideal itself, but in the meaning and significance society places on particular traits, qualities, and characteristics.

The ethic of care suggests the need for each of us to be attentive to the relationships and common humanity we

share with others. It also calls attention to our personal responsibility for considering the needs, interests, and well-being of others as we strive to complete our individual projects. In the view of Gilligan, Noddings, and Martin, the ethic of care is largely articulated by women. Women's voices, they further claim, have been neglected in the traditional theories of psychology, philosophy, and education.

While their work has been criticized along many fronts, it does suggest a need for individual and collective reflection by practitioners working in the field of educational administration. At the individual level, an ethic of care suggests a mode of self-reflection which examines the fundamental attitudes, values, and beliefs each administrator brings to his/her practice. The individual's ability to self-reflect is enhanced by his/her understanding of himself/herself as a moral agent. At the collective level, this critical reflection must take into consideration multiple perspectives in examining and analyzing current theory and practice in educational administration.

In the following section, I will discuss the related concepts of moral agency and moral perception. This discussion is necessary to enhance our understanding of the requirements of critical reflection. I will return to the

particular aspects of the ethics of justice and care in the subsequent sections.

Moral Agency and Moral Perception

Much of the literature in ethics embodies the notion of moral agency. Moral agency has to do with a person's ability to evaluate and choose notions of good and right when dealing with others in given situations. Contemporary political philosophy suggests a moral theory which is contextually sensitive and fluid in nature (i.e., ethics of care). Traditional, liberal political philosophy suggests a theory in which dispassionate moral agents assess and choose the good and right from a universal, impartial standpoint (i.e., ethics of justice). I will examine and contrast the role of the moral agent in relation to these two views.

Advocates of an ethic of care would argue that notions of good and right are largely defined within a particular community, during a particular period of time, and by particular sets of people. Moral agency is thus characterized by the kind of contextualism suggested by Noddings. Conceptions of good and right are defined by real people in unique, one-time-only situations. By this definition, moral agents do not rely on impartial, universal, and objective views to guide their moral and ethical decision-making. Rather, moral agents are called to

respond to people and situations in caring, sympathetic fashion and are attentive to their relationship with others. By placing a priority on relationships rather than rules, moral agents protect the rights of individuals and make good moral decisions.

This kind of moral agency is essential to what has been described as "communitarian morality" (Badhwar, 1996). "Communitarian morality" refers to a view of moral agency which is "constitutive", "situated", and "particularistic" (Badhwar, p. 1). A person's moral agency is defined in tandem with others in his/her community; his/her code of moral conduct is not only shaped by others, but it reinforces and shapes the standard of conduct throughout the community. In this view, a universal and impartial moral standpoint is not only untenable, but impossible to achieve. The code of moral conduct adopted by one community may not be completely responsive to the needs of individuals living in a different community.

In contrast, liberal political theorists would define moral agency along the lines of an ethic of justice. The capacity to evaluate and choose the good and right is associated with a universal, objective moral standpoint. Rather than placing a priority on relationships, this view places emphasis on rules and principles. A moral agent can recognize his/her interests and needs and take into account

the interests and needs of others without consideration to affect or emotion. The good and right can be discerned at any time and in any situation, and the code of moral conduct associated with the good and right can be applied to any community. An objective, impartial view is necessary for the protection of each individual's rights and to make good moral decisions.

We have, then, two competing views of moral agency. One view maintains that a moral agent cannot take an objective, impartial view of the world because he/she is intertwined in a web of relationships within a particular community. The other view maintains that an objective, impartial standpoint can be achieved and is necessary for equal liberty.

Whether moral agency is defined from a care perspective or a justice perspective, both views share a number of important elements. From either view, a moral agent is a person who (a) has a particular set of personal and social commitments, many of which define their identity, (b) has on-going personal relationships with other people, some of which are very close and some of which are distant, (c) views themselves and others as individuals with unique interests and needs, (d) has a capacity for responding to situations and people on both a rational and emotional level, and (e) has social roles and expectations that define

how they respond to other people and situations (Manning, 1994). In essence, all of us, whether consciously or not, conduct ourselves as moral agents. Whatever we believe about good and right, from whatever perspective, dictates our moral behavior.

Recently, interest has focused on moral agency in the field of education. Many suggest that because the process of education involves human interaction, it is essentially a moral enterprise which deals with a multitude of moral issues and questions (Sockett, 1993; Goodlad, Soder, & Sirotnik, 1990). Others have questioned whether or not teaching has an explicit moral mission. If it has no moral mission, then teaching cannot be considered a moral enterprise.

Barrow (1992) acknowledges a "moral component to teaching", but insists that "it is essentially about contributing to the education of individuals" and is thus confined to intellectual pursuits. Following this strict view of education as an intellectual enterprise, Barrow further points out that "neither good teachers nor educated people are necessarily particularly moral" (p. 103). Still others contend that whether or not a moral mission can be discerned in education, teachers and administrators are faced with moral issues and moral dilemmas in their daily practice. Thus, their decisions and acts are moral ones

because they deal with value-laden issues, including equal educational opportunity, student rights, and the role education plays as a catalyst for social, political and economic change (Shen, 1993).

Assuming the process of education is a moral enterprise, consideration must be given to the role perception plays in guiding our moral behavior. I will describe the perception required in moral decision-making as "moral perception".

Simpson and Garrison (1995) define moral perception as "the capacity to comprehend particular contexts and persons". This kind of perception is essential when we are faced with ambiguous, uncertain situations where rules and procedures cannot be easily or meaningfully applied. "Moral perception recognizes the unique, irreplaceable, and one-time only characteristics of persons and contexts" and "allows us to see the unique needs, desires, and interests" of our students and co-workers. Moral perception "also allows us to see not just who our students [and co-workers] are here and now, but to see into the future of their best possibilities" (p. 252). To envision our student's best possibilities, we must momentarily suspend our professional judgment--often based on test scores and demographic data--in order for them to reveal themselves completely. As we step away from professional judgment, our imagination and

sympathetic insight can truly breathe and flourish. We can imagine our students as having unique talents and interests; we can see them as our neighbors, as parents, or as our friends and co-workers; we can see them as capable of achievement and deserving of a chance to succeed.

Moral perception requires strong commitment and connection with others. It involves the kind of "sympathetic connection" that comes "through intimate involvement" with others (Simpson & Garrison, 1995, p. 252). It requires us to set aside the categories, rules, procedures, and concepts handed down to us from administrators, researchers, and theorists. Simpson and Garrison point out: "For better or worse, we often imagine who our students will become based on their personal habits, social class, and test scores" (p. 253). Moral perception requires us to draw from our imagination and emotion to help guide our decisions and interactions with our students. Imagination and emotion are necessary for us to provide our students with *complete, caring, and contextualized* assessments.

Moral perception relies on the kind of moral reasoning discussed by Noddings in Caring (1984). As her ethical ideal suggests, proper ethical decision-making requires us to suspend abstract rules and principles in favor of

subjective thinking and feeling. Subjective thinking and feeling involves the kind of sympathetic connection and understanding that exists in loving, caring relationships (e.g., parent-child, teacher-student, brother-sister).

In Love's Knowledge, Nussbaum (1990) discusses "the rationality of emotions and imagination" as a needed dimension of our thinking (pp. 75-85). She argues that our emotions are inexorably tied to how we think and respond to the realities of everyday life. Emotions are necessary for cognition to be fully complete; "belief is sufficient for emotion, emotion necessary for full belief" (Nussbaum, p. 41).

One of the findings presented in Chapter Four had to do with the feelings parents often had concerning the school's test reports and examinations. Parents were not always completely satisfied by the reports; things seemed missing even though the parent could not name them. This is the kind of perception and feeling Nussbaum describes--it is love's knowledge. "Love's knowledge is about the vague, changeable, and indeterminate details of things like everyday classroom life, and the ambiguities of a caring profession" such as teaching (Simpson & Garrison, 1995, p. 255). Love's knowledge comes with emotion and imagination.

Moral agency and moral perception are at the center of an ethic of care. As educators and administrators, we are moral agents. As moral agents, we must strive to develop the ability to meet the needs of people and conduct ourselves in situations through sympathetic and affective response. We can do this without completely abandoning the rules and procedures we are given to follow. Moral perception allows our imagination and insights to bring rules and procedures into proper perspective. In pointing to the strengths of the ethics of care movement, Kymlicka (1990) notes well: "Even if justice involves applying abstract principles, people will only develop an effective 'sense of justice' if they learn a broad range of moral capacities, including the capacity for sympathetic and imaginative perception of the requirements of the particular situation" (p. 266). When we rely solely on detached cookie-cutter logic (which stems from the ethics of justice), we abandon our unique human capacity to care about real people in real situations. Moral agency and moral perception require us to recognize and respond to the unique capacities, interests, and desires of others in our one-time-only lived experience. Both are necessary for any kind of practical reasoning. Those who care accept their responsibilities as moral agents and endeavor to develop their moral perception.

Justice and Care: Finding Harmony and Balance

At first glance, the ethic of care articulated by Gilligan, Noddings, and Martin--characterized by an emphasis on care, connection, and concern for others--lies in sharp contrast to the ethic of justice associated with traditional theories of moral development, philosophy, and education. The ethic of justice places an emphasis on individual autonomy, rationality, and universal principles of equity and fairness. When placed at opposite ends of the moral continuum, these two perspectives may be viewed as holding competing and conflicting claims on individuals and the communities in which they live. However, at second glance, these perspectives may also be viewed as complimentary (though at times contrary) to one another.

Gilligan acknowledges this "complimentarity" in Chapter Six of her book In a Different Voice. The discovery of both voices, justice and care, marks the "discovery of maturity" (p. 165). Gilligan claims that as we mature, we discover the "contextual relativity" in making moral choices. For women, "the absolute of care . . . becomes complicated through a recognition of the need for personal integrity. This recognition gives rise to the claim for equality . . . which changes the understanding of relationships and transforms the definition of care". "For men", the principles of justice "are called into question by

experiences that demonstrate the existence of differences between other and self". These experiences transform the definition of equality and call forth the "ethic of generosity and care". For both men and women, the ability to attend to both voices "leads to a new understanding of responsibility and choice" and to moral maturity (p. 166).

Noddings rejects the ethic of justice as the "major guide to ethical behavior" in her book Caring (p. 5). Later, she returns to principles of justice by claiming that an individual "may safely accept them in ordinary, untroubled times" (p. 103). Why doesn't Noddings reject principles of justice entirely? I believe she retains notions of justice for the same reasons articulated by Kymlicka (1990). In order to care for others, we must be granted some autonomy to care for ourselves and our own interests. We must also know what we can expect from others and what they can expect from us in advance of our interactions with one another. Rules provide us with some security in a world populated by individuals with conflicting interests and desires.

Our challenge in special education is to amplify the voice of care which underscores the profession. As I have argued throughout this study, the voice of justice rises above the voice of care in the theory and practice of special education. By augmenting the voice of care, we may

bring harmony and balance to the two voices, thereby sustaining and nurturing the field of special education.

Toward an Ethic of Care in Special Education

The work of Gilligan, Noddings, and Martin is significant in a discussion of educational administration, particularly special education. Their work provides a different way of viewing the process of special education as it is presently formulated. It turns the focus away from a perspective which honors predetermined rules, principles, and modes of thought/action toward a perspective which places priority on care for people engaged in real life situations. It moves educators away from acting as mere players caught in a hierarchical web of bureaucracy and leads them toward an understanding of themselves as complex moral agents, striving to meet the needs and interests of others, as well as their own. From their work, six important observations emerge which are essential toward an ethic of care in the administration of special education. Each of these observations will be considered and discussed.

1. An ethic of care requires a reconsideration of educational theory and practice in the development of new educational programs for teachers and administrators. I concur with others that educational administration must be viewed from feminine perspectives (Pazey, 1993; Astin &

Leland, 1991; Glazer, 1991; Desjardins, 1989; Blackmore, 1989; Shakeshaft, 1987). I further suggest that education for teachers and administrators include readings and seminars which engage the work of prominent feminist scholars, plus (a) studies which explore a broad range of social, ethical, and philosophical perspectives, including the ethics of care and postmodernism; and (b) studies which critically examine current delivery models in education.

Care means relying on multiple perspectives to get the job done. It does not mean relying solely on the justice perspective to guide thoughts and actions. On this point, Hampshire's (1990) view is consistent with that of Noddings:

In a particular case, involving individuals and their particular circumstances, the general considerations about justice might reasonably be thought less weighty and action-inducing than complex features of the situation which could not easily and naturally expressed in general terms, even less reduced to general principles. At any time, and particularly, but not solely, in private life, the practical need is often for sensitive observation of the easily missed features of the situation, not clear application of principles (p. 168).

Educators would benefit from a diverse course of studies because they would develop the skills, knowledge, attitudes, values, and beliefs required for the proper assessment, sensitivity, and understanding of complex situations. Through a varied and diverse course of studies, teachers and administrators would be better prepared to meet the uncertain, ever-changing demands of the field. As teachers and administrators broaden their scope of studies, their capacities for human understanding will deepen and intensify.

Care also means taking a critical look at beliefs and practices that have grown far too familiar and commonplace. Starratt (1991) believes educators, particularly school administrators, have a "social responsibility" to question the day to day operation of schools (p. 191). He calls for "an ethic of critique"--established by the work of Apple, Giroux, Foster, and Cherryholmes, among others--to help educators

move from a kind of naivete about the 'way things are' to awareness that the social and political arena reflect arrangements of power and privilege, interest and influence, [which are] often legitimized by an assumed rationality and by law and custom" (p. 190).

An ethic of critique is inexorably linked to an ethic of care. An ethic of care requires the school administrator to improve the "way things are" when they are unjust or harmful to individuals and to the common good of the school community. The ability for critical reflection would enable school administrators to attend to the ethical and moral issues which underlie many facets of school management, from the evaluation of teachers and support staff to the placement of students in special education programs. The ability to critically reflect on current issues in education would be enhanced by the diverse coursework suggested.

2. An ethic of care requires that educators see children with special needs as individuals. Caring for children means they do not become objectified in the programs and processes we have instituted to provide care (see Noddings, p. 25-26). All too often, the process of special education reduces children to numbers expressed as intelligence quotients or to lists of narrowly defined characteristics. This thought is consistent with one of the ideas introduced in Chapter Four: the notion that we use a "boiler plate" approach in determining whether or not a child is eligible for special education services. This approach limits our capacity to see beyond a child's weaknesses or deficiencies. More often than not, considerations in the eligibility process come down to

whether or not a child is average in comparison to other children.

As Kaufmann (1994) suggests, special education ought to treat students with "kindness and respect for their individuality". Treating students with kindness and respect requires us to see their best possibilities and to assess them in terms of their unique capacities and interests. When it comes to understanding students, caring assessment involves the kind of emotion and imagination Nussbaum (1990) describes in Love's Knowledge. Caring assessment means we avoid labeling students when they do not meet age or grade level expectations in the classroom or on standardized tests; that is, we avoid using concepts like average to describe children.

The concept of average is not particularly useful because it imposes a false homogeneity on the diverse range of human potential. It creates "obstacles or blocks or impediments [that] . . . are human creations, not natural or objectively existent necessities" (Greene, 1988, p. 9). Indeed, average is not an objective reality, one that is "impervious to transformation" or "hopelessly there" (p. 22). It is this failure of average that gives birth to notions such as special education. A child who fails to meet the criteria for average will surely meet the criteria for some type of deviancy. The failure is not seen as being

attributable to the delivery system based on average: the failure is the child's.

3. An ethic of care requires that assessment procedures focus on the particular needs, traits, interests, and capabilities of each child. Such assessments would place value on who a child is and what he can do rather than how he is unlike other children and what he cannot do in comparison with them (Taylor, 1993; 1991; 1990). Assessments must also be contextualized and authentic; that is, assessments need to be made in settings which have purpose and meaning for students and require them to apply their skills and knowledge to real life problems/situations (Kornhaber, Krechevsky, & Gardner, 1990). Such assessments involve the kind of imagination and sympathetic insight that comes with love's knowledge.

Caring assessment is not about looking for certain test scores on standardized tests or good grades in the classroom. It is about envisioning a child as a potential neighbor, friend or colleague, as a future partner and stakeholder in the communities in which we live, and as a person who is capable and worthy of a chance to do well in school. While formal, standardized assessments are valuable and useful, they cannot be given sole consideration in determining whether or not a student requires special education services (Hughes, 1993). This point is

particularly important in light of evidence that suggests current identification and classification practices are biased (Ysseldyke, Algozzine, & Thurlow, 1992; Fuchs, Fuchs, Benowitz, & Barringer, 1987).

4. An ethic of care requires that parents are given a greater voice in the special education decision-making process. It also means regular classroom teachers are given a greater voice as well. As reported in the findings in Chapter Four, parents were viewed as non-professionals during the eligibility process. Because they were considered non-professionals, parents lacked the same authority professional educators have in articulating a child's "deficiencies". Parents did not always agree with the professional assessments made of their child; often, parents felt something was missing even though they lacked the vocabulary to name it. Further, the reports made by the regular education teacher shared only an equal status with the reports written by the special educators. Why aren't the reports made by the regular classroom teacher given a primary place in the decision-making process? The answer may lie in the structures of power and influence which exist within the special education process. Caring assessment places authority for decision-making in the hands of those who know students best. Care means giving up some power as educators and relinquishing it to those who are at the

center of student's lives. Care also requires educators to be mindful of the motivations of those involved in making serious decisions about students. An understanding of the motivations of others helps in weighing decisions carefully.

5. An ethic of care requires a refinement and expansion of programs aimed at helping students overcome difficulties in learning at all levels. It draws our attention to the need for early intervention programs for preschool-aged children and pre-referral intervention strategies for school-aged children. Studies have shown early intervention programs can dramatically reduce the need for special education at the elementary school level (Plecki, 1995; Slavin, Karweit, & Wasik, 1992). Pre-referral strategies increase the role of regular education teachers in the special education decision-making process and provide needed assistance to students experiencing difficulty in the regular program. Such assistance may: (a) obviate the need for student referral to special education through the collaboration and consultation between special and regular education teachers; (b) foster positive attitudes among regular education teachers who work with difficult-to-teach students; and (c) increase the skills, knowledge, and tolerance of regular education teachers in working with students who experience difficulty in school (Schrag & Henderson, 1996; Sindelar, Griffin, Smith, &

Watanabe, 1992; Fuchs, Fuchs, Bahr, Fernstrom, & Stecker, 1990; Garcia & Ortiz, 1988).

Additionally, an ethic of care requires that notions of a uniform curriculum and manner of instruction are resisted and challenged. It requires that we acknowledge the limits of our current delivery system and to see these limitations as the very reasons some children have difficulty in school (Gelzheiser, 1987; Astman, 1984). Care means finding ways to help students succeed without a referral to special education. It also means we assume responsibility when a child does not meet institutionalized expectations. When care enters our perspective, we see the need to change the educational environment in order to help a child who is experiencing difficulty rather than assuming the child is at fault or somehow disabled.

6. An ethic of care requires we look beyond the traditional views of educational administration and at times set aside the hierarchical rules and principles associated with them. As an alternative, an ethic of care leads us to reflect and examine the here and now; to appreciate and respect one another in our mutual experience; to pose questions and remain skeptical of answers which are to be uniformly applied; and to understand how our roles, intentions, and actions are embedded in caring relationships with others.

Starratt (1991) discusses the paradox administrators face as they broaden their social, ethical, and philosophical perspectives:

On the one hand, they must acknowledge the tendency built into management processes to inhibit freedom, creativity, and autonomy, and to structure unequal power relationships to insure institutional uniformity, predictability, and order. On the other hand, they must acknowledge their responsibility to continually overcome that tendency to promote the kind of freedom, creativity, and autonomy *without which* the school simply cannot fulfill its mission (p. 191).

Recall that Noddings believes we should "promote skepticism and noninstitutional affiliation" in order to maintain our commitment to caring (p. 103). Along these lines, Starratt's view is consistent with Noddings' account. Starratt acknowledges the need to question and challenge beliefs and practices which inhibit personal freedom and autonomy in schools: he contends school administrators have a social responsibility to do so.

By incorporating an ethic of care into their beliefs and practices, school administrators can establish a working atmosphere in which creativity and innovation are allowed to

flourish. The key to establishing such an atmosphere is to celebrate the uniqueness of every individual in the school, while at the same time attending to the school's collective needs and its common good. A caring atmosphere is unlikely to thrive under conditions prescribed by policies, rules, and regulations. Such conditions can only be, at best, partly responsive to the needs of the individuals and to the school community as a whole.

These observations are certainly not the only ones to be drawn from the ethics of care perspective. Nor are they particularly new. My search for a positive program of change in special education represents a significant challenge for educators in terms of the questions it poses and the answers it suggests. It also reiterates the importance of bringing fresh perspectives into the field of educational administration. Whether or not we are attentive and responsive to these varied perspectives must ultimately depend on our capacity to care.

Recommendations for Further Study

1. Research is recommended which examines the antecedents and consequences of the eligibility process. Such research will further enhance an understanding of the meaning, intention, and purpose of the special education process.

2. Research is recommended which examines the attitudes and perceptions of school professionals (e.g., teachers, administrators, school psychologists, etc.) toward the rules, policies, and procedures that govern the practice of special education. In particular, research is needed to examine the extent to which school professionals feel that rules, regulations, and procedures hamper their ability to serve the needs of children. This research may address the following questions: (a) Do school professionals feel that changes are necessary with regard to the rules, regulations, and procedures which govern their behavior? (b) What changes do school professionals suggest? (c) What opportunities currently exist which allow school professionals to break free of the limitations imposed by bureaucratic rules, regulations, and procedures?

3. Research is recommended which examines the vocational calling that draws teachers and administrators to the field of special education. This research would be facilitated by strengthening the connection between the ethics of care and special education. This research may address the following questions: (a) What are factors which motivate school professionals to work in the field? (b) Do the experiences of teachers and administrators resonate with these motivating factors? (c) What are the factors which motivate teachers and administrators to leave the field?

(d) Are these attrition factors at odds with the motivating factors which called them to the field of special education?

4. Research is recommended which examines the manner in which school professionals construe and resolve moral dilemmas. This research may address the following questions: (a) How do school professionals construe moral dilemmas? How do they resolve them? (b) Is there a preferred orientation in terms of construing and resolving moral dilemmas? Are these preferences characterized by gender, job responsibility, or other factors?

5. In specific terms, research is recommended that provides an in-depth examination of how structures of power motivate the behavior of school professionals and parents in the special education process. In general terms, research is recommended which applies various theories of power to school organizations and other school processes.

6. Research is recommended which applies the theories suggested by Foucault to school organizations and processes. Although a number of important works have been undertaken in this regard (e.g., Ball, 1990), very few have dealt with specific organizational structures and institutional practices.

EPILOGUE

The history of special education is what it is, neither good nor evil, but rather the product of varying motives, intentions, and actions that intersect a time series of unforeseeable contingencies. If during this time we have mismeasured human beings, this is not because of fundamental error in reasoning, motive, or values. If we are vulnerable to error, it is not because we attempt to measure the elusive constructs we have built for the study of disability, but rather because of an intemperate reluctance to critically examine unspoken ideas and beliefs (Gerber, 1994, p. 377).

Burdened heavily by the mantle of the IDEA, the field of special education has become a notable example of well-intentioned social and political policy gone to extremes. Since its passage, the bureaucracy set in motion by the IDEA has become the target of criticism from many social, political, and pedagogical quarters. Much of this criticism has to do with special education practice (e.g., costs in terms of financial and human resources, placement of students, identification issues). Very little of this

criticism has to do with theoretical issues related to special education (e.g., ethics and philosophy).

The relative silence regarding the underlying theories of special education rings loudly in the ears of those of us engaged in thinking about such matters for some time. I believe that educators are obligated to recognize themselves as moral agents acting and responding in the moral enterprise of teaching and learning (Astman, 1984). Given their moral agency, there is no escaping the need (as part of their moral response as teachers and learners) to think about special education in broader ethical and philosophical terms. Educators are at liberty to do so, in spite of current thinking and practice that relies heavily on federal, state, and local requirements. This over-reliance may be at the expense of students, parents, teachers, and other professionals. Along these lines, consider the number of special education teachers who leave the profession or the number of special education students who drop out of school each year (Billingsley, 1993; Platt & Olson, 1990; Rollefson, 1990; Greer & Wethered, 1984; Sinclair, Christenson, Thurlow, & Evelo, 1994; Blackorby, Edgar, & Koterling, 1991; MacMillan, 1991).

Because educators are moral agents, conducting themselves in the moral enterprise of education, they are obligated to meet students, parents, and other professionals

in reciprocal relation in their common lived experience. To do this, they must endeavor to understand (or intuit) the needs, desires, and interests of others. They must be open to possibility. At times, they must be vulnerable. I am not suggesting that school professionals engage in self-eradicating behaviors. Caring first requires educators to be who they are and to meet others genuinely as themselves. Then, as part of their moral response, it challenges them to examine what they value and believe and to be open to what others value and believe. When school professionals rely heavily on abstract, rule-bound principles to govern their behavior, they abdicate their moral responsibility to meet others in sympathetic and compassionate understanding and response. They also regrettably, perhaps unwittingly, withdraw into idiosyncratic patterns of being, thinking, and feeling. Such a mode of consciousness hinders their efforts in envisioning greater possibilities for themselves and the children entrusted to their care.

Educators need to creatively embrace every thought and idea that leads them toward renewal and expansive growth and away from limiting, reductionist practice (Garrison, 1997). Greene (1988) eloquently expresses this thought:

To recognize the role of perspective and vantage point, to recognize at the same time that there are

always multiple perspectives and multiple vantage points, is to recognize that no accounting, disciplinary or otherwise, can ever be finished or complete. There is always more. There is always possibility (p. 130).

To envision these possibilities, educators need time for critical self-reflection and examination in special education. Precious time is needed to sort out all of its pieces and determine what is missing. Above all, they need the creative exercise of imagination in order to see the possibilities.

What I believe is missing (as do others; see Pazey, 1993) is an ethic which suitably attends to the personal, giving, and caring reasons for which educators become "special educators". Such an ethic would encourage practitioners to critically engage both the theory and practice of special education. The routinized, technocratic, and rule-bound system of special education does not resonate favorably with the reasons teachers and other professionals work with students with unique educational needs. I have attempted to illustrate this tension by contrasting the ethics of care with the ethics of justice. I believe both are required for any kind of insightful, practical reasoning. Desjardins (1989) agrees:

There is a kind of death for society in general when the care perspective is not recognized as essential to bringing wholeness to the justice perspective. Everyone loses when the care perspective is not part of the workplace, part of institutions, part of both personal and professional relationships . . . (p. 140).

To be certain, there are difficulties related to the ethics of care. Prior to the passage of the EAHCA in 1975, many school districts across the country were inattentive to the needs of children with disabilities. Communities had the opportunity to demonstrate care by providing appropriate services. As a matter of shameful record, many did not. By the early 1970s, it became necessary for the principle of equal educational opportunity to take form in a series of legislative and judicial actions aimed at bringing balance to a tragic state of affairs in public education. And for a time, a kind of balance was achieved. More than twenty years later, special education has once again grown excessively out of balance. The procedural requirements mandated by the IDEA hampers our ability to think creatively and care compassionately. As a result, special education now immoderately favors the ethics of justice. I believe it is time for the ethics of care to take its rightful place

alongside the ethics of justice in the field of special education.

The move toward a more complete ethic in special education begins with the acknowledgment that current theory and practice, which are largely defined and sustained through a justice orientation, often override the best caring intentions and intuitions. It is a sad irony that the principles of justice instituted to provide care for students are, in fact, not always particularly caring. I believe educators must be more responsive to the voice of care as they identify students with unique educational needs and plan and implement programs for them. In order to be more responsive, they must recognize that the rules and regulations associated with principles of justice do not take the place of caring people. Educators must finally understand that principles of justice often interfere with the intentions and intuitions of caring people engaged in the practice of special education. When the voice of care is raised to match the voice of justice in special education, greater harmony between the two voices will be achieved.

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A handwritten signature in cursive script that reads "Joseph Michael Drummond".