FRAGMENTING VALUES: EXPLORING POLICY IMPLEMENTATION
PROBLEMS AND SOLUTIONS

A Thesis
submitted to the Faculty of
The School of Continuing Studies
and of
The Graduate School of Arts and Sciences
in partial fulfillment of the requirements for the
degree of
Master of Arts in Liberal Studies

By

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Washington, DC
April 1, 2013
ABSTRACT

There is an unwavering consensus that the United States is a nation of laws extolled by its founders. These laws are the guiding principles that inspire and empower its legislative policymakers. These policymakers are elected to represent all of their constituents and make policies that are beneficial to them. In social science, the law of unintended consequences is an outcome not purposely planned and consequently in public policy, it is often cited as a rationale for an unfavorable outcome. People often welcome and celebrate the passage of new laws dedicated to solving particular social and economic issues, however many know too well that upon implementation these laws begin to unravel. This implies that policy implementation analysis is missing a meaningful structural foundation for gauging policy failures and possible solutions for improving performance. This thesis will look at the field of policy implementation in order to understand the concerns of many about their governments unbelievably inability to deliver tangible results, specifically in cases where program and initiatives are widely supported by their constituents. What are the socio-economical structures of these policy processes and what are the social impact and ramifications of public policy? What are the effects of interest group lobbyists on the creation of public policy and legislation? How can citizens become more actively engaged in this process? We will explore in more detail specific questions of implementation; moreover, the notion that the federal macro-
implementation problems can be distinguished from the local micro-implementation problems due to its institutional setting. These assertions, assumptions and opinions on why the policy implementation problems exist and persist will fervently be challenged and analyzed. It will also evaluate why consideration should be given to the various challenges and constraints of policy implementation during the formulation and implementation stage and explore the social ramifications of public policy by analyzing the structural components of formulation and implementation analysis through the lens of education policy.

This includes the history of school consolidation, testing, and charter schools and the patterns and rationale for implementing socially inept policies. In relation to the educational perimeters of this thesis, educational mechanisms will be explored, for example the quantitative and qualitative effects of the Servicemen’s Readjustment Act of 1944 (G.I. Bill) in order to look at how race, class, and culture positions become institutionalized in the new ecology of inequality through the school system. Following a detailed overview of the topics and phases of implementation analysis, this paper will develop a case study outlining my proposal of a Strategic Policy Assessment Initiative process created in order to purposely analyze, investigate, and report on implementing agencies’ level of policy compliance and explore the applicability of incorporating Lean Six Sigma principles among other disciples in order to illustrate that policies cannot solve disparaging structural social inequalities and implementation issues without measuring some of the systematic implementation deficiencies.
ACKNOWLEDGMENT

First and foremost, I would like to express my gratitude and appreciation to my wife Jill Gustama for all the support and enthusiasm during the creation of this research project.

Many thanks,
Dielson Gustama
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INTRODUCTION

In social science, public policy is a particular field commanding careful consideration in multi-disciplines including but not limited to: political science, economics, sociology, law, and anthropology, etc. Practically every integral part and dimension of peoples’ lives is affected in one way or another by policy decisions at all levels of government. While there is an exorbitant amount of scholarship on the study of public policy, its definition is often contested and difficult to summarize. Channeling Aristotle and Plato, two of the first formal logicians and philosophers, by codifying the rules of corrective reasoning and logical (fallacy) mistake in reasoning, simply explains why it’s so important to define these terms and concepts. First and foremost, establishing a defining framework for understanding the context of any analytical argument is paramount in order to avoid the pitfalls of typical fallacies. For example, one would want to avoid fallacies of ambiguity, which arguments are based on shifting or distorting the meaning of terms. In Informal Logical Fallacies: A Brief Guide, Van Jacob E. Vleet contests that, “Fallacies are commonly found in the media today and often used to propagate fear, blind faith, and submission.” So to avoid such a structural deficiency of logic in this thesis, a detailed definition of terms will be outlined throughout.

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CHAPTER 1

POLICY FORMULATION AND IMPLEMENTATION

Political conflict is not like an inter-collegiate debate in which the opponents agree in advance on the definition of the issues. As a matter of fact, the definition of the alternatives is the supreme instrument of power… He who determines what politics is about runs the country, because the definition of the alternatives is the choice of conflicts, and the choice of conflicts allocates power.²

E.E. Schattschneider, The Semisovereign People

1. POLICY DEFINITION

In general, public policy is usually defined as some attempt by one’s government to handle important issues by enacting regulations, laws, and court decisions for a particular problem. In most cases, public policy is usually described as the actions governments choose to take or not. In the same breath, the term policy can be attributed to people, groups, governments, and private sector entities in describing rules and guidance for achieving a reasonable outcome. Here are a few other definitions to ponder:

- “A proposed course of action of a person, group or government within a give environment providing obstacles and opportunities which the policy was proposed to utilize and overcome in an effort to reach a goal or realize an objective or purpose.”³
- “Public policy may be viewed as a political system’s response to demands arising from its environment.”⁴
- “A broad guide to present and future decisions, selected in light of given conditions from a number of alternatives; the actual decision or set of decisions designed to carry out the chosen course of actions; a projected program consisting of desired objectives (goals) and the means of achieving them.”⁵

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⁵ Allan Walter Steiss, Public Budgeting and Management (Lexington: Lexington Books, 1972), 36.
• “Public policies are the policies adopted and implemented by government bodies and officials.”
• “A policy is an attempt to define and structure a rational basis for action or inaction.”
• “A purposive course of action taken or adopted by those in power in pursuit of certain goals or objectives.”

As the list of definitions illustrates, it is difficult to settle on one specific meaning. Depending on the topic, geographic location and interest, the interpretation may vary. For example, one of the most debated topics in American society today is the question of abortion. Briefly, the term “pro-life and pro-choice” generates a certain understanding and belief within this arduous debate. Peoples within both side of the debate would elegantly articulate the standards or basis for identifying personhood. While this topic, interesting as it maybe, falls outside the purview of this thesis but nonetheless helps outline the importance of establishing proper definitions and logic. In *Public Policymaking: An Introduction*, James E. Anderson states that, “A policy is defined as a relatively stable, purposive course of action followed by an actor or set of actors dealing with a problem or matter of concern.” In other words, what is “actually done” versus what is “actually proposed” clearly stands out within the field of policy analysis. Sapru and Anderson’s definitions are very similar in terms of viewing public policy as actions governments, groups, and/or organizations choose to accomplish. The two definitions are more closely aligned with how I perceive the meaning; as well as the premise into the debate of

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8 Sapru, *Public Policy*, 5.

policies that never see the light of day with the problem and agenda setting process. While reaching some level of consensus on the definition of public policy remains a daunting and seemingly difficult task, the purpose for striving for an agreement is vital. Anderson acknowledges that, “The goals of a policy may be somewhat loosely stated and cloudy in content, thus providing general direction rather than precise targets for its implementation.”

For the purpose of this thesis, I will use Anderson’s framework for defining public policy. These concerns over policy intentions, language, actor interventions, etc. will be addressed, but in validating the field of policy analysis and evaluation, strongly emphasize the importance of reviewing and questioning policies “not taken” or adopted by government bodies. Moreover, trying to understand and find the appropriate relations between policies that “are adopted” and implemented but coincidentally fail systematically.

1.1 POLICY PROCESSES AND FRAMEWORK

Scholars may differ on the definition, but are of the same opinion and strongly agree wholeheartedly that policymaking is a process. In order to understand the concerns of many about their government’s unbelievable inability to deliver meaningful outcomes, specifically in cases in which the government’s program and initiatives are widely supported by their constituents, we must first understand how public policy is created. The law of unintended consequences is an outcome not purposely planned and consequently in public policy, it is often cited by policymakers as a rationale for an unfavorable outcome. In Unintended Consequences, Rob Norton, former economics editor at Fortune magazine, insists that, “The law of unintended consequences, often cited but rarely defined, is that actions of people-and especially of

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10 Ibid., 7.
government—always have effects that are unanticipated or unintended.” Clearly using the method of judging results as one of the primary foundation of your economics illustrated by Adam Smith proved the instability of unforeseen actions or consequences. This notion that regardless of how well and diligently one plans, there will always be events and activities that are out of your control and simply, “just happens.” This supposed phenomenon of unintended hazards and mishaps that randomly occur without notice is rarely challenged because citizens accept the fact that change is inevitable and usually leave the implementation of policy to others.

Nonetheless, this 20th century realization and understanding of the law of unintended consequences remains a thriving theory thanks to the work of sociologist Robert K. Merton. In his most famous article, *The Unanticipated Consequences of Purposive Social Action*, he identified five sources of unintended consequences: ignorance, error, immediate interest, basic values, and self defeating prophecy. These five elements when framed within the rubric of government policy-making are primed for interpretation and analysis. This thesis will argue and contest vehemently that without proper planning in place to implement program goals correctly; these programs are doomed to fail. As the study of systematic analysis has taken root in other fields, it has created warnings of unanticipated consequences such as: nature of change, constitutional amendments, education policy, managerial ethics, the church and state legislative term limits, etc. The understanding that the future is unpredictable is clear to most; formulating

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plans and initiatives to better serve constituents most in need by elected and unelected representatives throughout the policymaking process is uncertain. Past experience and further analysis by various social scientists has raised the question of proper foresight and understanding of the issues affecting citizens throughout the policymaking process of formulation and implementation. A good case history of unintended consequences within policy implementation is the Voluntary Export Restraint (VER) established by the Japanese government during the 1980s on its automakers. Through cooperation and intense lobbying by the auto industry (because of efficiency and competition), the United States government imposed, restricted, and limited (depending on interpretation and vantage point) the amount of exported vehicles to the United States. In aftermath, the vehicles that were imported to the U.S. from Japan became bigger and more expensive. This initiative was supposed to benefit the American auto industry but instead, established Japanese automakers as a long term alternative and competitor around the world. The VER policy demonstrates the unintended consequences of policies. The upcoming chapters will analyze more the historical policy-specific concerns of citizens in relation to the process of making laws that are purposefully created exclusively for a precise outcome. What are the socio-economical structures of these policy processes and what are the social impact and ramifications of public policy? What are the effects of interest group lobbyists on the creation of public policy and legislation? The outcomes, intended or unintended, are keys to understanding the objectives of the actors, policymakers, and social groups responsible for articulating the peoples’ will to government.
1.1.1 STAGES OF PUBLIC POLICY PROCESSES

One of the most vexing developments affecting modern governments is the total disassociation of citizens in the public policy process. A recent Pew Research Center survey, *Distrust, Discontent, Anger and Partisan Rancor: The People and Their Government*, examines some of the feelings of peoples about their level of trust, favorability and dissatisfaction with the various government entities. “Favorable ratings for both major parties, as well as for Congress, have reached record lows while opposition to congressional incumbents, already approaching an all-time high, continues to climb.”13 This indicates that people believe that incumbents to some degree have built enough political capital on the Hill to have an impact on the policy process and accomplish specific policy goals. While many critics have argued that the field of policy study and analysis has not impelled the process to be clearer; nonetheless I believe it to be an important vehicle in comprehending the policy making process. Traditionally, it has been viewed as a linear process with a number of specific stages that leads to a proposed decision. In *The Public Policy Primer: Managing the Policy Process*, Xun, Ramesh, Lowlett and Fritzen suggest that, “The policy activities do not occur in “stages” with a linear progression from one to the next. Rather they are discrete, albeit interrelated, sets of activities.”14 The policy process encompasses several steps as presented below:

- Problem Identification
- Policy Formulation
- Policy Adoption

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Policy Implementation
Policy Evaluation

Other scholars list the public policy process in four elements, (1) formulation, (2) adoption, (3) implementation, and (4) evaluations, thus merging policy adoption and policy formulation into one category. As outlined before, terminology and definitions have a high degree of importance based on the policy problem and particular governmental agencies.

1.2 PROBLEM IDENTIFICATION

In order to create a policy a specific or perceived problem must exist. One of the first steps in the public policy process is delineating a particular problem or issue. “A policy problem can be defined as a condition or situation that produces needs or dissatisfaction among people and for which relief or redress by governmental action is sought.” The public plays a key role in identifying a policy problem that sometimes garners the question, how do we know we have a problem? For example, the purpose of libraries in general is to provide a service in the community, specifically the apportioning and distribution of society’s accumulated knowledge. People who visit the library are agents and champions of laws that may positively and negatively affect the library. In 2000, Congress passed the Children’s Internet Protection Act (CIPA) which basically required libraries receiving federal funding to install internet filtering software to prevent adults and minors from accessing mature content. The case went to the Supreme Court and the highest court ruled that CIPA does not violate patron’s first amendment rights and congress does have a right to exercise its spending power in the matter. Many libraries had no idea this was even an issue and had to comply to the mandate nonetheless. More importantly, this

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15 Anderson, *Public Policymaking*, 82.
demonstrates that even in scenarios where public library institutions were not aware of their noncompliance were subject to violations, or more drastically, the cessation of federal funding. This case is worth remembering as we look into education policy in the following chapters. It’s vital that we understand why some problems are acted upon and others are not.

1.3 DEFINE POLICY AGENDA SETTING

The next step in the policymaking process is to begin setting the policy agenda, which involves selecting the issues and problems. The concept of Agenda-setting is attributed to one of the pioneering political commentator and writer of the 20th century, Walter Lippmann. As in the case of Lippmann during his era, “The agenda-setting process is one of social construction through which key individuals interpret clues from the media and from their environment to determine the salience of an issue.” The federal system is overwhelmed with demands but only a few will receive serious attention by elected officials. As a democratic system forged on the foundations of morality, ethics, and values, setting an agenda based on these keen principles would appear vital to the policymakers in the governing bodies. Inevitably, not all issues will become agenda items for policymakers, but the reasoning behind why some of the most important and most supported initiatives are never addressed or given an opportunity is because of the lack of cultural capital in the system of agenda setting and public policy making. Most systems are burden with constraints relating to the allocation of resources; nonetheless, legislators are elected to balance out the needs of the people. “Agenda setting can be viewed as comprising three mostly independent streams of activity (problems, proposals, and politics),

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which occasionally converge, opening a “policy window” and permitting some matters to reach a governmental agenda.”\(^7\) There are those who argue that interest groups including non-governmental entities can and will suggest issues and problems to policymakers, but legislative policymakers are solely responsible for being involved in the process to officially create the policy. This process involves a plethora of interest groups, including non-profit organizations, such as the Cato Institute, Brookings Institute, Energy Action Coalition, unions, such as the American Federation of Teachers (AFT), United Autos Workers (UAW) and corporations, such as Microsoft, Google, Monsanto, DuPont, Lockheed Martin, and Apple all advocating for particular policies that mostly benefit their organizations and constituents.

In order for any issue to reach public attention, a fierce battle and competition between the various actors is initiated to garner favor and empathy by policymakers. Some argue that this competition is positive and exists for the purpose of balancing out the numerous problems facing the society. As with all systematic elements, certain groups are given more access than others, thus outlining the role wealth, influence, and power have in the democratic process. How can citizens become more actively engaged in this process? This would be an ideal position but, “In the United States, as in other countries throughout the world, markets did not arise out of neutral institutional matrices that guaranteed equal opportunity to all; instead, they were embedded in a social structure that was itself riddled with categorical inequalities based on race, class, and gender.”\(^8\) There is great debate regarding the mechanisms in which actors utilize to navigate within the policy making process, specifically, the form of power used to get initiatives on or off

\(^{17}\) Anderson, *Public Policymaking*, 89.

the agenda platform. For example, in 2001 Fortune magazine published a survey which was sent to members of Congress, staffers, and White House aides to gauge the political capital and power of the various interest groups. At that time, political commentators were astonished with the overall response by staffers and members of congress regarding the amount of political power by the National Rifle Association. Today this astonishment is no longer the case; in 2012, the Center for Responsive Politics published a list of the top interest groups contributing (giving money) to members of congress.

The numbers were staggering and include the professed liberal, conservative, progressive members that the voting electorate so passionately differentiates from one other. To what extent does this presents a problem? How do citizens become involved in a system dominated by the elites and embedded in the American social structure? An example that showcases the concerns and questions of what the social impact and ramifications of public policy, the effects of interest group lobbyists on the creation of public policy and legislation, and how can citizens become more actively engaged in this process is present in the issue of public health and food safety of the American food system. There is a magnitude of varying opinions and research within the scientific field and the public over the debate over the labeling requirements of Genetically Modified Organisms (GMO) foods. For example, a policy in California, Proposition 37, would require the labeling of food that’s been genetically modified. GMO’s are basically the altering of the genetic makeup of a plant in order to make the specific product resistant to insects or herbicide. According to the U.S. Department of Agriculture, the majority of corn (88 percent) and soybeans (94 percent) are already produced from genetically modified seeds. The documentary film, *The Future of Food*, presents the history of the changes that have occurred
within the food supply around the world, more specifically, the techniques and mechanisms which a small group of large corporations has taken to circumvent the people’s food choices permanently. In Campaign to defeat California GMO label law raises 12M, “Major biotech companies and manufacturers of household food products, including Campbell Soup, General Mills and Coca-Cola, have pumped almost $12 million into the campaign to defeat Proposition 37, the California ballot initiative to require labels for genetically engineered crops and processed food products.” More than fifty three million dollars was spent on this one proposition, not mentioning the other hundreds of other highly controversial initiatives or problems plaguing the nation.

The most troubling aspect of this analysis is the fact the independent post election polling in California seems to indicate that people are still supportive of the labeling of GMO’s, even those who voted against the proposition. The political verbiage of “voting against one’s interest” is present in this situation and the effects of interest groups and lobbyist are highlighted by advocates for and against this proposition; and also illustrate a historical commonality of such policy issues within the American policy process. The assumption is that the public understands that there will be many losers in the fight to gain structural acceptance and awareness of specific initiatives by advocates. However, the underlying issue remains—as the list of the top interest groups contributing to members of congress in the hundreds of millions clearly showcase, the disparity between actors with political and cultural capital continues to grow, while the voices and message of the majority cries out and ushers forward loudly in the dark and unheard.

1.4 DEFINE POLICY FORMULATION

The next step in the process is policy formulation, which involves outlining the various choices to effectively resolve specific agenda items. After the problem has been outlined, a new policy must be formulated. In this stage fewer participants are involved. Policy formulation is defined as, “The total process of creating, adopting, implementing a policy. Policy formulation, in contrast, refers only to the crafting of alternatives or options for dealing with a problem.” These writers are not creating alternates from scratch; most policy proposal ideas have been developed already for policy formulators. This outlines some of our concerns and question about the effects of policy-formulating lobbyists on the creation of public policy-related legislation. In order to garner substantial action on any problem, a clear understanding of the issue is required. Vital questions to be considered by policymakers; how does this issue align with my values, goals, priorities? How was this problem handled previously? Who does this issue affect the most? The importance of policy formulation is apparent because it, “examines the factors that influence how actors craft alternatives, it prescribes means for such crafting, it examines how and why particular policy alternatives remain on or fall off of the decision agenda.”

Miller reaffirms Dye’s argument that, “Policy formulation takes place in government bureaucracies, in interest groups offices, in legislative committee rooms, in meetings of special commissions, in think tanks- with details often formulated by staff.” This realization that public policies are being written and created in some cases, in the office of interest groups puts into

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22 Ibid., 79.
question the intrinsic trust, importance and relevance of our policymakers. The majority of final public policy decisions are now being done behind closed doors; even on the local level, legislators are negotiating without accountability. Most states have sunshine or open meeting laws which support the democratic process and require that that public has knowledge of the governments’ actions. The private sector operates differently than the government for obvious reasons but specifically the government has an obligation to provide and protect its citizens. In a centralized system of checks and balances, the manner in which actors influence and in most cases write policy, is a travesty and should not occur. The policy formulation process should illuminate instead of darken this small window into public policies that directly affect citizens.

1.5 DEFINE POLICY ADOPTION

In this stage of the policy process actual decisions are made. “What is typically involved at the policy-adoption stage is not selection from among a number of full-blown policy alternatives but rather action on a preferred policy alternative for which the proponents of action think they can win approval, even though it does not provide all they might have.”23 The Patient Protection and Affordable Care Act (PPACA) statute exemplifies this type of policy alternative for policymakers. As health reform advocates and the Obama administration herald the statute as a success and a fundamental shift and expansion of the American health care system, opponents of the statute argue that the mandatory requirements to purchase insurance from the exchange is not constitutional. However, the Supreme Court disagrees and reaffirmed the statute. The Centers for Disease Control and Prevention calculates that the heath spending as a share of the U.S. gross domestic product (GDP) is about 18 percent, close to $2.7 trillion. The preferred policy option is

23 James E. Anderson, Public Policymaking, 121.
universal heath coverage; this is an example of the federal government’s unbelievable inability to deliver tangible results, specifically in cases in which their program and initiatives are widely supported by their constituents. We will explore in the following chapter the principles and theories behind decision making and how it supports and interferes with the publics’ interest.

1.6 POLICY IMPLEMENTATION

How does the law of unintended consequences, fallacies and myths relate to policy implementation? In order to truly capture these problems, we must understand how the policy implementation stage fits into the bigger picture. To do that, we must first define implementation. In *Implementation and Public Policy*, Mazmanian and Sabatier define policy implementation as follows:

The carrying out of a basic policy decision, usually incorporated in a statute but which can also take the form of important executive orders or courts decisions. Ideally, that decision identifies the problem(s) to be addressed, stipulates the objectives(s) to be pursued, and, in a variety of ways, “structures” the implementation process. The process normally runs through a number of stages beginning with passage of the basic structure, followed by the policy outcomes (decisions) of the implementation agencies, the compliance of target groups with those decisions, the actual impacts—both intended and unintended—of those outputs, the perceived impacts of agency decisions, and finally, important revisions (or attempted revisions) in the basic statute.  

Mazmanian and Sabatier are basically outlining the conceptual framework of the implementation process in which policy is authorized, enforced and administered. More specifically, in relation to the statutes that are created in its draft or proposal form, will require extensive revisions in order to properly describe the policies’ main goals and objectives. In the case of education, from the federal and local level, policies are constantly being altered and changed but the results are also constantly failing. Most administration agencies are responsible

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for the implementation of polices that affect the public and are given broad discretion in interpreting the approved policy. Their effectiveness is what matters. In So Much Reform: So Little Change, The Persistence of Failure in Urban Schools, Charles M. Payne addresses the human components of policy decisions more specifically in urban environments. The Chicago school and Whole School Reform Movements, No Child Left Behind, and others, have drastically over emphasized their initiatives’ benefits and functionality. Payne suggests that, “The popularity of whole-school (or comprehensive) reform models resulted in part from the perception that reform initiatives which addressed only a particular grade or a particular subject matter or particular students seldom led to sustained change.”

This addresses a growing concern, as citizens become more familiar with the policy process, that new reform ideas are consistently being introduced and implemented intending to correct all the education policy issues without any apparatus or ability to alter course.

In The study of Macro and Micro implementation of social policy, Paul Berman contests that policy implementation analysis is also missing a meaningful structural foundation for gauging policy failures and possible solutions for improving performance. Moreover, he argues that the federal “macro-implementation problem” can be distinguished from the local “micro-implementation problem” due to its institutional setting. Berman argues that this process, “Creates a bi-level implementation situation: macro-implementation and micro-implementation.” For example, greenhouse gas reduction interest groups are enthusiastically campaigning for a unified law that would address climate change on the federal level. Some


26 Anderson, Public Policymaking, 203.
argue that the micro-level approach is beneficial because it allows states to act as policy laboratories for innovative initiatives that the federal government could later implement. Nonetheless, environmental and energy policies continue to have a symbiotic relationship to a varying degree in each state’s institutional setting. This is the case in point,

Oregon and New Jersey were able to cap greenhouse gas emissions from utilities because of their unusual circumstances: Oregon has large hydroelectric resources, and New Jersey was able to increase its reliance on nuclear power. Neither solution seems sustainable. States without significant hydroelectric or nuclear power resources probably would regret following the lead of these two states.²⁷

In evaluating why consideration should be given to the various challenges and constraints of policy implementation during the formulation and implementation stage, Milbrey W. McLaughlin describes this problem into more detail in *Education Policy Implementation*. She clarifies that, “Macro analyses operate at the level of the system. They stress regularizes of process and organizational structures as a stable outlines of the policy process and frame individual action in terms of position in a relational network. Micro analyses, conversely, operate at the individual level. They interpret organizational action as a problematic and often unpredictable outcome of autonomous actors motivated by self interest.”²⁸ These issues are interconnected. To further articulate this point, we look at the 1978 Rand study findings. The macro-implementation and micro-implementation concerns are expressed in the Rand study that took into consideration the thoughts of teachers, analyzed their programs and concluded with


policy recommendations. The RAND Corporation is a research institution whose stated mission
goal is to help policymakers improve their decision-making by providing them with research and
analysis of various research topics. In *The Rand Change Agent Study Revisited: Macro
Perspectives and Micro Realities*, Milbrey W. McLaughlin summarized the study: The Rand
Change Agent study, undertaken from 1973-1978, indicated a significant shift in the ways people
thought about affecting planned change in education. Rand found:

> Effective projects were characterized by a process of mutual adaptation rather than uniform
implementation, and that local factors (rather than federal program guidelines or project
methods) dominated project outcomes. Revisiting these findings in light of today's changed
practices and understandings reinforces some of Rand’s findings and suggests
modifications in others. This reconsideration also underscores the essential contribution of
teacher’s perspectives as informants and as a guide to policy and suggests that the
challenge lies in understanding how policy can enable and facilitate effective practice.29

The Rand study outlines another concern with policy implementation— the common theme
that the interval or gaps between what was planned versus the actual results are striking. This
demonstrates yet again new reforms are consistently being introduced and implemented
intending to correct policies issues without any apparatus or ability to alter course. Many of the
issues outlined in agenda setting, formulation, and evaluation play a key role in understanding
the policy problem. “To avoid the gap between policy expectation and reality, policy makers
should develop a strategy for implementation that explicitly takes account of financial,
managerial, and technical aspects of the policy (capacity) as well as the anticipated resistance

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29 Milbrey W. McLaughlin, “The Rand Change Agent Study Revisited: Macro Perspectives and Micro
Realities”, December 1990, http://www.stanford.edu/group/suse-crc/cgi-bin/drupal/sites/default/files/rand-
and support from all the actors in the sub-system within and outside government.” There is a growing concern about policymaker’s ability to introduce strategies that take into account the opposition, this concept of properly analyzing what was planned versus what actually happened is synonymous with the scientific management theories (Taylorism) championed today by the project management disciple. The public and private sector has recognized the benefits of following their methodology as a guiding principle. For example, the primary mission is to achieve your planned goals and objectives by understanding the constraints of time, scope, quality and budget; this ability to effectively measure planned versus actual is paramount and the foundational to project management. These principles are not new to the federal government, as the concept and history of the work breakdown structure with the Program Evaluation and Review Techniques (PERT) and the United States Department of Defense clearly showcase. As we will explore in more detail in the next chapter, we will outline the rationale behind Planning-Programming-Budgeting-System (PPBS) and Government Performance and Results Act (GPRA), governmental initiatives that have been championed by many as the answer to the ever increasing size and complexity of government and its programs in the past and today, as the American governmental system is in desperate need of an innovative approach to measuring and improving programmatic services.

1.7 DEFINE POLICY EVALUATION

The purpose of policy evaluation is to clearly determine whether a program was implemented as mandated or proposed by policymakers and key interest groups. In evaluating the impact of a program through the evaluation process, the main objective is to gauge the positive and negative

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effects of the policy and review its consequences. The underlying issues are the groups involved in this assessment and the role the government has in this process. “Much policy evaluation is performed by nongovernmental actors. The communications media; university scholars and research centers; private research organizations such as the Brookings Institution, the Urban Institute, and the American Enterprise Institute, pressure groups, and public interest organizations, Common Cause, the Audubon Society, and Ralph Nader and his “raiders” (a collection of public-interest activists) are examples; all make evaluations of public policies and programs that have greater or lesser effects on public officials.”

That is not to say that evaluation does not go on within the federal system. The Congressional Research Service (CRS), Congressional Budget Office (CBO), and U.S. Governance Accountability Office (GAO) are all independent nonpartisan agencies within the legislative branch of the government, each office with its own specific mission. CBO provides relevant policy and legal analysis; CBO creates accurate assessments of economic and congressional budgetary solutions; and GAO produces reports on the use of the public funds by federal agencies.

While these agencies are conducting policy research, the majority of policy evaluation is performed by nongovernmental actors. These agencies’ importance should not be overlooked but in retrospect, “Administrative agencies often are provided with broad and ambiguous statutory mandates that leave them with much room for choice in deciding what should or should not be done on some matter.”

Several lessons can be learned here, first and foremost, a government system structured in a manner in which broad authority and leeway is given without direction

31 Anderson, Public Policymaking, 264.

32 Ibid., 206.
and oversight; secondly, that same system is audited by itself through investigations aimed at making itself (the system) more efficient and effective whenever politically convenient. We will address this issue in more detail in the later chapters, but if the government does not have a leading role in evaluating the success and failure of its implementing policies, a serious discussion needs to occur to bridge the gap.

1.1.2 PUBLIC POLICY ANALYSIS – RULE OF LAW AND COMPLIANCE

A common theme within the American political Rolodex is the notion that the rule of law is indistinguishable with the ideals of the republic and that each citizen has the right to pursue life, liberty and the pursuit of happiness. In a recent Wall Street Journal op-ed, *Time to Restore America’s Rule of Law*, Professor David A. Skeel of the Pennsylvania Law School adamantly suggests that an issue nearly as important as choosing the president of a nation is the commitment to the rule of law. He argues that, “The notion that we are governed by rules that are transparent and enacted through the legislative process—not by the whims of our leaders—is at the heart of that commitment. If legislators exceed their authority under the Constitution, or if otherwise legitimate laws are misused, courts must step in to prevent or remedy the potential harm.”33 The main point of the article centered on the lack of punishment for the apparent violation of the rule of law even after the 2008 economic crisis. Why is this issue important? At first glance, the rule of law may not seem related to the issues of policy implementation analysis. Policy practitioners, researchers, policymakers, unelected officials, and think tanks all claim allegiance to the rule of law; as we’ll explore in the following chapters, the same groups,

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adherence to the rule of law, sit idly on issues relating to education, voucher programs, legislative loop holes, busing, integration, etc. There exist a plethora of organizations dedicating time and effort into researching and assessing different issues affecting the dimensions of governance. Some of the guiding principles for the rule of law are due process, enforceability, accountability, stability, predictability, and transparency. These governance index reports and measurements are vital to the numerous activist and advocacy groups, non-governmental organizations, and international associations in need of additional tools and techniques to advocate their case more empirically. The field of the rule of law is rapidly becoming its own discipline of study with a focus on economic growth, poverty reduction, human rights, stability and democracy. Some of the groups that measure the rule of law include: The Millennium Challenge Corporation, Mo Ibrahim Foundation, ABA Rule of Law Initiative, Constitution Project, United Nations Rule of Law Indicators Project and the Center for Financial Stability rule of law Index. In defining the rule of law, The World Justice Project (WJP) understands that the rule of law is an approach that is systematic in a way that no one is above it, not even the government. The methodology in which the project is built upon is a quantitative assessment tool purposely developed to provide a vivid account of how nations globally are adhering to the rule of law. In describing that system, WJP outlines the four universal principles:

The government and its officials and agents are accountable under the law. The laws are clear, publicized, stable, and fair, and protect fundamental rights, including the security of persons and property. The process by which the laws are enacted, administered, and enforced is accessible, fair, and efficient. Justice is delivered by competent, ethical, and independent representatives and neutrals who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve. \(^{34}\)

Another well known research program run by the World Bank is the Worldwide Governance Indicators (WGI), which outlines six specific governance categories (Political Stability, Voice & Accountability, Lack of Violence, Control of Corruption, Regulatory Quality, Governance Effectiveness, and Rule of Law) from more than 200 countries. In terms of how the process by which individual governments are monitored, selected and replaced, WGI defines the rule of law simply as, “capturing perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence.”

The Heritage Foundation also has a tracking index, specifically categorizing nations by their economic freedoms ranging from regulatory efficiency, limited government, to the rule of law. Throughout history, governments and non-governmental entities have continued to wholeheartedly suggest that they strongly support the rule of law. In the United States, presidents, judges, and members of Congress all pledge their allegiance to the Constitution and the rule of law. Even the United Nations, in describing its definition of the term, requires that rules are adhered to by the principles of the supremacy of the law.

In 2012, the Council on Foreign Relations Foreign Affairs magazine named Rachel Kleinfeld’s book, *Advancing the Rule of Law Abroad*, one of the best books for that year. The book outlines the same rhetoric of the importance of the rule of law, economic stability, national and international security and democracy. The author outlines mechanisms the United States can

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and should take to get proper return on its investments of billions of dollars to aid rule of law advocates abroad. “This apparent unanimity in support of the rule of law is a feat unparalleled in history. No single political ideal has ever achieved global endorsement.” This apparent misunderstanding and usage of this term has created an environment in which proper meanings must be defined. The term has been fragmented into three categories in order to make sense of the word (1) functional approach, (2) formal approach, and (3) substantial approach, this debate goes beyond the objectives of this thesis. The over usage of indicators to make a point is no stranger to non-governmental organizations, In Rule of law indicators; uses and abuses, Lin Hammergren argues and I strongly agree:

Indicators operate at too high a level (e.g. judicial independence); projects work on lower level details (e.g. a merit appointment system) which are unlikely to change the grand measurements in even five years time. Second, as a result of that high level, the indicators only “indicate” where work may be needed without identifying specific actionable problems. Presumably the latter is the work of the reformer, but for the less wary, or the less honest, the result may be working on less important things that might create a temporary improvement in the measure (without working real change).

The way in which this process is utilized and measured and presented provides an opportunity that can be expanded upon later in the chapters. However, in reading the remarkable work of legendary historians and political activists, Howard Zinn A People’s History of the United States, Eduardo Galeano, Open Veins of Latin America, Bruce E. Johansen, Debating Democracy: Native American Legacy of Freedom, and Noam Chomsky, American Power and

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*The New Mandarins*, illustrates why and how the rule of law was interpreted, applied, and rationalized to the general public in the past and present.

1.1.3 **THE FREEDOM AND PRICE OF NON-COMPLIANCE**

In the last five years, government agencies have been under extreme pressure to comply with a plethora of legislative requirements and protocols, thus needing very detailed budget justifications. With that type of scrutiny, the price of non-compliance would be costly and can range from a loss of public trust, lowered budget, and more government oversight. With the realization and understanding that, “Congress usually does not attempt to define fully the intended impact of a law nor try to anticipate all of the problems and situations that may be encountered in its implementation.” What are the repercussions for not complying with basic statutes directed by federal policymakers? As we will observe and analyze in the later chapters, what ramifications are there for not complying with education policies? How are advocate groups, legislative enforcers affected for not doing their jobs? Some argue that these high level violations may be the result of sheer ignorance by implementers and that sometimes, good intentions are not enough to supersede the lack of clarity and ambiguity in the law.

The policy implications of the behavioral economics approach to compliance and non-compliance is underlined within six broad sets of factors:

- Incentive and sanction problems where positive and/or negative incentives are insufficient to ensure compliance;
- Monitoring problems where target compliance may be difficult or costly to monitor;
- Resource problems where targets lack the resources to comply even if they want to;
- Autonomy problems where targets do not have the power to make decisions that comply with policy even if they want to;

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• Information problems where targets lack information that would make compliance more likely; and
• Attitude and objectives problems where targets are hostile/mistrustful toward providers or programs.

While it is important to understand the causes of non-compliance and figure out ways to make it easier for implementers, we should also tell the truth and understand that sometime people fail morally and professionally, and mechanisms should exist to circumvent policymakers and advocates complicit in purposely violating laws. Another viewpoint is that when laws or provisions are too incompatible with the values and beliefs of people, they will disobey them. As Anderson observes in *Public Policymaking*, “Many of the violations of national prohibition and wartime price and rational controls can be attributed in considerable measure to this cause, as may much of the noncompliance in the south with the Supreme Court’s school segregation decisions and related policies.”39 This implies and showcases how policy implementation is missing a meaningful structural foundation for gauging policy failures and possible solutions for improving performance.

We will explore later in the chapters and in more detail the social impact and ramifications of this specific policy. In this type of context, a proper definition of morals and values are needed and secondly, the notion that it’s not useful to ascribe noncompliance to a conflict between law and morality is inaccurate. There are those that believe that laws, specifically laws within the United States are made consistently with a moral and values based approach. For example, the freedom of speech, religion, the press, right to privacy, rights to bear arms, and due process are all examples of the unique American laws built on the morals and values during its founding. As

39 Ibid., 243
the history of American colonization and the systematic injustices and inequalities clearly demonstrates, there is a contradiction in this interpretation. This is not a formula for gauging compliance and streaming program success, rather, “The burden of securing compliance with public policies rests primarily with administrative agencies; the courts play a lesser role. The broad purpose of many administrative enforcement activities, such as conferences, persuasion, inspection, and prosecution, is to secure compliance with policies rather than merely to punish violators.”

As the history of tailoring regulation to the regulated clearly showcases, policy implementers can be persuaded and empowered to comply but “all options must be on the table,” including administration sanction and budgetary repercussions. For instance, “The Office of Education was thus handicapped in its early administration of Title I of the Elementary and Secondary Education Act because the only sanction it had for state and local violations was to cut off funds totally.” For example, the Massive Resistance policy campaign by Senator Harry F. Byrd, Sr. and other Virginia officials in the 1950s to prevent public school desegregation through the Virginia General Assembly.

I would argue that other options existed to counterbalance similar state level initiatives, for instances, a governmental marketing campaign to address the issues that may arise based on the political and social landscape of the nation. We understand that, “Agencies may also seek to induce compliance by conferring positive benefits on compliers and thereby bringing self interest into support for compliance.” Similar campaigns have existed before. For example, the

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40 Anderson, Public Policymaking, 246.

41 Ibid., 248

42 Ibid.
governmental campaign to combat littering, smoking, and drug usage, etc. The budgetary solutions should have also been enacted instantly, as well as providing financial incentives for complying with a federal mandate. As we are well aware that incentive structures and administrative sanctions may not always succeed at securing total policy compliance, but their existence and usage is vital to solving the policy implementation problem. In the issues in governance studies number 32 titled, But Will it Work? Implementation Analysis to Improve Government Performance, R. Kent Weaver, senior fellow in Governance Studies at the Brookings Institution and Georgetown Professor of public policy and governance, suggests that, “Failure to anticipate implementation problems when a policy reform is being enacted may lead to failure to achieve programmatic objectives, excessive costs, and perhaps even a political backlash against the implementing organizations and policies.”43 Beyond anticipating implementation issues, having the knowledge and mechanisms in place to analyze and respond to policy violators in time to reverse any permanent damages to the original intent and objective of a policy is lacking a theoretical framework and real time solutions.

With every State of the Union, we hear inspiring speeches by whatever president is in office offering rhetoric on improving the American system. The business of structurally improving the nation as a whole requires enormous dedication, overhaul in all categories from social and physical infrastructure, real social integration, wealth distribution, the abandonment of political nepotism, reform of corporation authority, and real democratic innovation.

Chapter 2: PERFORMANCE MEASUREMENT – DECISION MAKING PROCESS

Under normal conditions, the power position of a fully developed bureaucracy is always over-towering. The “political master” finds himself in the position of the dilettante who stands opposite the expert.¹

Max Weber, Essays in Society

The ability to make well considered decisions in the face of adversity and uncertainty is one of the most essential leadership skills needed to be effective and successful in any environment and remains a central theme of contention and confusion within our political system. One of the central roles of government is to make decisions. In psychology the consensus is that we choose actions and form opinions based on our mental processes, which is influenced by our memories and biases. We will address the ethical implications of policy makers making policies that are supposed to help people in desperate need by the same officials who have previously crafted legislation that systematically and aversively affected them. This leads to the question of why are our policymakers are so bad at enacting long lasting public policy. Why does it matter? What are the ethical, budgetary, and social ramifications of such a decision problem? How does this relate to public policy; specifically, how does this relate to education? We will explore the social ramifications of public policy by analyzing the structural components of formulation and implementation analysis through the lens of the education policy; specifically the history of school consolidation, testing, and charter schools. The manner in which policymakers make decisions is important not just to a policy researcher and practitioner, but most importantly, to the public.

2. POLICY INDECISION – VALUE BASED APPROACH

Advocates of all types champion the cause to “vote your values” on issues ranging from education policy, health care, national security, and economics. This logic would indicate that values are essential to the political process directly and indirectly. As outlined in chapter one, the federal government has a number of options in regards to rewarding agency success, and sanctions for failing to adopt and comply with federal policies. To the extent that these options are enacted, the metrics used to determine such success or failure falls into several categories. The values approach can be looked at from either a policy, principle, personal, ideological and/or organizational values perspective, each having its own field of interpretation study or understanding of what is important. In *Laws Shape Values—Witness Civil Rights Achievement*, Peter Wehner argues that, “The laws of a nation embody its values and shape them, in ways that are large and small, obvious and subtle, direct and indirect, sometimes immediately and often lasting. Laws express moral beliefs and judgments.” Many people ascribe morality to be the primary reason for the majority of America’s founding documents. This belief is not coincidental. In *Public Policy: Art and Craft of Policy Analysis*, R.K. Sapru suggests that, “Decision-makers often act on the basis of their beliefs or perceptions of the public interest concerning what is a proper or morally correct public policy.” I agree that laws have the ability to empower citizens, but in the same vein when certain laws are not obeyed and that illegal act is

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supported by policymakers for example in the cases of school integration; this will undoubtedly have a negative effect on the society and it’s up to the government to bridge the gap. When the state allows and empowers certain groups of people to disobey specific laws and ascribe politics as the rationale instead of values and morality to the issue, a sense of culpability by the government is showcased. For example, in analyzing the existence of segregation academies during the 1950-70s, with the support or lack there of from the Supreme Court did not apply the policy objective and requirement of the Brown v. Board of Education ruling to eliminate segregation.

To better understand these various values concerns, we must first answer the obvious question, how are values created? In regards to values within a society, Merriam Webster defines values system as a system of established values, norms, or goals existing in a society. This still does not help answer the question fully. A values system must be able to be adapted or evolve over time by the society, government, organizations, and associations and most importantly, the people must be able to change their behavior and standards. A policy advocate is one who lobbies and contests policymakers on actions they believe to be fair or unjust for their respective constituents. One of the most visible advocates championing the need to “vote your values” is the religious affiliated groups. In answering the question as to how values are created within a society, religion is usually the response.

As much as it has been debated, Judeo-Christians dominate the political and social landscape of the United States and in that domination a furious debate exists regarding the role of religion and politics. As the history of religion in America clearly indicates, the coupling of both religion
and politics has existed since its inception. One side of the debate argues that it is impossible to separate one’s Christian values from its politics and in using that approach must validate that expression through biblical scriptures. One of the most famous lines is found within the Bible in the New Testament of Matthew (5:13-16 &22:21) that speaks of people being the salt and light of the world. This line suggests that one needs to deeply involve oneself in societies’ functions and politics. The other side of the debate suggests that Christians must not involve themselves too much in the agendas of the world. The scripture verse usually used to validate this interpretation is also found in the New Testament, (John 15:19) which encourage believers to live in the world but not be of it. One can argue that the way in which religious values have been articulated can be found within the disciple of policy, principle, personal, ideological and organizational values. One of the most prominent sociologists on the matter of how values are formed is Morris Massey. He argues in *What You Are is Where You Were When*, that we learn values from three development periods in which the majority of our values and beliefs are shaped. Massey described these major periods: The Imprint (occurs from birth until the age of seven), Modeling (occurs from age eight until thirteen), and Socialization period (occurs from age fourteen until twenty one). Comprehending the way in which people’s values are formed and developed is vital to understanding the reasons decisions and non-decisions are made. Massey’s concept implies that our beliefs and values are shaped by our environment and society in ways that are hard to explain but nonetheless happens.

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2.1 STRUCTURAL ADMINISTRATION – PUBLIC ANALYSIS

In public administration, decision making is acknowledged as the foundational component of its field of study. There are many theories relating to the field of implementation and decision making; their processes and purpose have been studied in its plenitude. Three of the well known models are the rational, incremental, and mixed scanning approach. Possibly the premium debate in the analysis of decision making is that of incremental versus rational models of policy making. What is the difference between a rational and incremental model of decision making and why does it matter? The debate has usually centered on the belief that incrementalism tends to gravitate towards a more representative approach while the rational perspective leaves more questions than answers and assumes policymakers can distinguish between the consequences of their actions rationally.

2.1.1 RATIONAL LEGACY

Theories have changed periodically since their inception in the early 20th century of the rational model, championed by Nobel Prize economist Herbert Simon and incrementalism, pioneered by Yale economist Charles Lindblom. The rational approach to decision making is commonly thought to be a system that empowers individuals and organizations to be more productive by creating and implementing public policy in a more rich and effective occurrence. Herbert Simon is known as one of the premier social and political scientists whose significance to the field of cognitive science, sociology, computer science, economics, and management and several other fields of study are still felt today. Rational is defined as being in accordance with reason, logic and sound judgment. These terms seem very general and unspecific, thus can be assigned to any field of study. The centerpiece for Herbert Simon’s work on the rational
approach to decision making was based on his dissertation and book, *Administrator Behavior*, outlining criteria for evaluation, training goals, objectives, and procedures, and management techniques, etc. In analyzing decision making, Simon outlined three specific stages in the process:

1. “finding occasions calling for a decision- the intelligence activity (using the word in its military sense);
2. inventing, developing and analyzing possible course of action – the design activity;
3. selecting a particular course of action from those available – the choice activity.”

Simon is thinking like an economist; he believes that the process and outcome of policy decisions will consistently be rational in the way problems are assessed and solutions proposed. Some of the issues the rational approach runs into are the questions of whose goals, objectives, facts, and values are being used to make decisions. As outlined earlier in this thesis, these questions and issues relating to values are indicative of the fact that policymakers don’t always understand the plight of constituents. In *The Public Policy Theory Primer*, Kevin B. Smith suggests that, “Rational decision theory implies that people operate with complete information and engage in exhaustive cost benefit analyses when making policy decisions.” When faced with this type of predicament, citizens usually rely on interest and advocacy groups to articulate their concerns to policymakers. As outlined in the previous section, the political battle that occurs between interest and advocacy groups during the policy agenda setting process is contentious and the public are unlikely to know what happens behind these closed door sessions. Some argue that the rational approach may still be useful on a small scale problem but initiatives that involve complexities remain a challenge. One of the main sources of debate between the two models is

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the intent; in making decisions that may or may not affect constituents, policymakers are elected to represent the public by making rational decisions. Therefore, is it the case that the opposite of making rational decisions must be irrational?

2.1.2 INCREMENTAL LEGACY

One of the biggest advocates against the rational model is Charles Lindblom, the economist, professor and former president of the American Political Science Association. In response to the rational decision model approach and living in the pinnacle time of rationalism, coupled with the need of policymakers to solve the nation’s problems through a scientific lens, he wrote *The Science of Muddling Through*. We will examine later the programs championed by Robert McNamara within the Ford Administration and the Pentagon that addresses specifically the role these theories and others have on elected officials during the political policy processes. Incremental can be defined as increasing gradually by regular degrees or additions. This can be the process of increasing in quantity, quality, or any other extent and outlines the bases of incrementalism. The principles and concept are more complex and sophisticated. For instance, the concept of incremental budgeting (which we will review later in this chapter) encompasses a gradual increase by regular degrees. In the program budgeting and zero-base budgeting arena, “In most countries the usual procedure for deciding on government expenditure in a forthcoming year has been to assume that existing expenditure was appropriate and then to decide on incremental expenditure for each program. Such an approach means, however, that the change is likely to increase, rather than decrease, expenditure and that little attention is paid to what the
full existing program.° Lindblom insists that the comprehensive rational approach is unrealistic and unattainable in practice because the theories are not useful in the real world. What is incrementalism and how does it differ from other models? The core principle of this model is the simplicity of its approach. Change occurs in increments, the ends and means are intertwined and not distinguishable and the alternatives and comparisons are limited; thus perfectly defining the American budgeting process.

In *The Promise and Performance of American Democracy*, Jon R. Bond and Kevin B. Smith tackle the historical components of incremental decision-making. In short, this model creates alternatives to issues that may arise by assessing the cost and benefits of the various options. Politically speaking, policymakers will have different objectives for any given policy problem and are not aware of the consequences of all potential action. Bond and Smith insist that, “The big drawback of the incremental approach is that the cheapest or most effective alternative may not be chosen for the simple reason that it was never considered. The big advantage of the incremental approach is its sheer practicality for policymaking bodies trying to cram lots of issues onto their institutional agendas.” 7 For instance, the seat belt law mandating all automobile manufacturers to include seatbelts in their standard design instead of mandating it for all passengers demonstrates the drawback of the incremental approach. Seat belts were already in existence with the new mandate but its purpose was not for safety. Consumer advocate Ralph Nader and his published work, *Unsafe at Any Speed*, persuaded policymakers to consider new

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policy alternatives, which isn’t fully align with the principles of incrementalism. As the history of vehicle safely illustrates; the incremental approach to making seat belts a requirement for passenger gradually occurred; for example the gradual and incremental expansion of the rules to pilots and passengers of airplanes. In *The limits of Policy Change: Incrementalism, Worldview, and The rule of Law*, Michael T. Hayes outlined the incremental view championed by Lindblom and others. In relation to the three major proposals about the policy process:

1. Policymaking necessarily involves bargaining and compromise (“partisan mutual agreement”) among a multiplicity of actors who possess different information, different personal or institutional interests, and different views of the public interest.
2. Participants typically build on past policies, focusing almost exclusively on alternatives that differ only slightly (or “incrementally”) from existing policies.
3. Because the range of options under consideration typically is confined to proposals for incremental changes and because compromise typically will be required to secure agreement even within this restricted range of alternatives, policy outcomes tend to be incremental as well.⁸

Even though Lindblom believed that incrementalism was superior to rationalism because the theories could be evaluated and appraised, and should be the particular prescriptive approach to the policy processes; nonetheless, the propositions above clearly is representative of the challenges confronting the American policy process. Ironically in the 1970s and throughout the 1990’s Lindblom advocated for a more robust and continuous improvement approach to the incremental model because the original principles were not substantial in its application.

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2.1.3 MIXED SCANNING LEGACY – A FUNCTIONAL STUDY

As the incremental model has become the status quo to the majority of government entities within the policy process, more specifically in the budgeting and implementation stages. Two of the key principal objectors to Lindblom’s theories are Yehezkel Drora and Amitai Etzioni. Their fundamental criticism, with which I strongly agree, is that incrementalism is not astute and impractical due to the fact that the only time this theory works is when policies are already in good standing and successful. The same argument can be used in relation to the rational approach, the notion that the model could not handle large problems but may be suitable for small initiatives or programs. Amitai Etzioni, former Columbia university professor, is one of the premier advocates of a combination between incrementalism and rationalism. The criticism is similar to that of Dror’s but Etzioni goes beyond the fray and introduces his own theory called mixed scanning approach model which provides the field of study a more realistic model and avoids the major shortcomings of incrementalism. The principle concept of mixed scanning is its dualist approach to decision making, the notion that all organizations plan in only two dimensions, strategic and tactical planning.

In mixed scanning approach, Etzioni suggests that, “A rationalistic approach to decision making requires greater resources than decision maker’s command. The incremental strategy which takes account the limited capacity of actors fosters decisions which neglect basic societal innovations. Mixed scanning reduces the unrealistic aspects of rationalism by limiting the details required in fundamental decisions and help overcome the conservative slant of incrementalism.
exploring long-run alternatives.\textsuperscript{9} The theoretical debate between social scientist can rage for years but one of the principal advantages of the mixed scanning approach is in its application. Hans T. Blokland is a professor at the Berlin Graduate School of Social Science Humboldt University of Berlin, In Planning in Dutch cultural policy: an attempt at mixed scanning, Blokland argues that, “Incremental policy is characterized by an incessant flow of marginal policy measures or adjustments, supported by various social actors or ‘partners.’ It is not so much an effort to realize a well-defined long-term objective, as an attempt to contribute practically to the alleviation or solution of an urgent short-term problem. The policy comes about bit by bit, incrementally, in a continuous process of negotiation between social, political and bureaucratic interest groups.”\textsuperscript{10} In comparing the differences between the two theories, one of the main criticisms of mixed scanning is its vagueness and lack of functionality. We refute this criticism and will outline in detail the applicability and functionality of this mixed scanning approach through a summary case study.

The government of India launched Rajiv Awas Yojana (RAY) a pilot initiative based on the mixed scanning model to create slum free cities within the Greater Hyderabad Municipal Corporation (GHMC). The purpose of the initiative was simple, “Make Hyderabad slum-free by providing houses to all disadvantaged homeless, the underlying idea being that pucca houses are effective anti-poverty tools because they prevent spread of disease (provide ventilation and sanitation), provide opportunities to get out of poverty (children have lights to study) and provide


a general sense of security (strong and not flimsy and flammable) through securing property rights, connecting housing to property rights and generally upgrading physical infrastructure. The mixed-scanning approach integrated the dual approach of the model, creating a strategy to allocate resources and the validation of that strategic plan through citizen participation. In summary, the initiative proved that governments can ascribe the framework suitable for the masses and the mixed scanning approach provides an avenue for citizen involvement and engagement, showcasing its relevance and importance.

2.2 PROGRAM IMPLEMENTATION – EFFECTS OF THE HOOVER COMMISSION BUDGET AND ACCOUNTING ACT

As we outlined in the decision making models, the scientific approach for solving public issues in order to improve efficiency, effectiveness, and more importantly, accountability has continued since the 1950’s. The Hoover Commission was one of the first initiatives championed and established by President Truman to recommend changes to his administration. The commission chaired by former president Herbert Hoover to increase government efficiencies and consolidate the various federal agencies. The commission recommended that, “The operating agencies to administer for themselves a larger share of the routine administrative services, under strict supervision and in conformity with high standards.” In the last fifty years the government has attempted several performance management initiatives connecting resources to actual results. The fundamental logic or reasons for these efforts remain the same (efficiency and budgetary)


but the idioms and terms uttered continues to be distorted and adjusted. The historical initiatives advocated and espoused by presidential administrations from Truman to Obama, are the First Hoover Commission, Planning Programming Budgeting System, Management by Objectives, Zero-Base Budgeting and the Government Performance and Results Act. The historical elements of each project brought forth a slew of critics and supporters alike.

In *Leading the Executive Branch: Strategies and Options for Achieving Success*, Elizabeth D. Brown and John David Graham affirm that, “The Hoover Commission made 273 recommendations to Congress in 19 reports 116 of these was fully implemented and another 80 were partially implemented. Recommendations removed barriers to vertical responsibility and accountability, and gave discretionary authority to the department heads rather than to the bureau chiefs.”

As the history of the Hoover Commission has been thoroughly analyzed, we know today that the commission was not merely a mechanism for government improvement but a catalyst for executive power. This clearly illustrates our concerns of the socio-economical structures and ramification of policy implementation. The commission did change the way federal agencies function by consolidating particular federal bodies and creating new agencies for example the Department of Education and Health. In sync with the Hoover Commission, the Budget and Accounting Procedure Act was approved by the same President that established the Hoover Commission, President Truman. The Commission recommended and the Truman’s Administration implemented, neoteric powers for the executive branch.

In this novel transition, the Administration also enacted the Budget and Accounting Act which became the catalysis for measuring the financial health of projects and programs within

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the federal government. The Act’s primary objective was to establish a system capable of protecting and securing the financial resources of each internal government agency. In Public Budgeting and Financial Management in the Federal Government (HC), Jerry L. McCaffery and Larry R. Jones confirm that, “The Act required full disclosure of financial results, adequate information or the agency’s management purposes, effective control over the accountability of all funds, reliable accountability results to serve as the basis for budget preparation and execution, and suitable integration of the agency accounting structures with those maintained by the Treasury.”

It also created the General Accounting Office (GAO) task to perform auditing duties of the federal budget for Congress.

2.3 PIONEERING THE FUTURE – MANAGEMENT BY OBJECTIVES & PLANNING PROGRAMMING AND BUDGET SYSTEM

The Planning Programming and Budgeting System (PPBS) is a systems approach to how resources can be allocated within an organization. One of the chief architects of this systems approach and championed streamlining this new innovative was Robert McNamara. In Cost Accounting 3e, Jawahar Lal, insists:

PPBS is based on a rational model of decision making and involves the following stages: Identify and define the objectives of the programme. Select performance or output measures to assess the effectiveness of the programme. Identify and evaluate alternative methods of achieving the objectives laid down for each specific programme, for this costs and benefits associated with each alternative course of action should be detailed. Select the appropriate programs on the basis of the cost benefit analysis as done in (3) Implement the selected alternative and monitor its performance to ensure that the objectives of the programmes are achieved given the resources allocated to those programs.\(^\text{15}\)


Lal goes on and outlines the various advantages and disadvantages between traditional and functional budgets. With this new emphasis on connecting performance to the budget ironically emerged during the heydays of rational decision making. The Planning Programming Budgeting System (PPBS) was created with the acknowledgement that practitioners were discontent with the line item budgeting and their performance measurements. After thirty years of using the PPBS system to enact better policies decisions and efficiently craft a reasonable budget, the Planning Programming Budgeting System advocates are changing their tone, but not to dismantle the program but to improve it. As we will address shortly, some of the main concerns or challenges facing the nation is the problem of the budget and the incremental process in which it is created.

These performance measurements are supposed to help policymakers make decisions prudently relating to education, health care, and social security. The PPBS advocated for a rationalist perspective, while its predecessor suggested a more incremental approach. In linking resources to performance, the Nixon administration introduced a business and project management perspective of Management By Objective (MBO) in 1973. As the history of the Office of Management and Budget (OMB) will clearly indicate, this new initiative grew the office drastically not only in personnel but in influence and authority.

From one administration to another, the Carter Administration introduced their version of a business approach to the performance measurement called Zero-Based Budgeting. The basic idea behind the Zero-Based Budgeting was to treat new budgets as a new program that needed approval, “This approach was developed to address potential problems with the incremental
expense budgeting approach.” The Management By Objectives and Zero-Based Budgeting are opposites of each other in terms of a top-down or bottom up approach. For example, the Zero-Based Budget attempts to correct previously created irregularities in budgets. While the concept of a Zero-Based budgeting has been viewed as a failure due to the magnitude of work it takes to create a budget but the principles of maneuvering exclusively away from the yearly incremental budgeting is reiterated by most practitioners and experts to date. Even within the realm of budgeting, the debate still seems to be between a rational budget and an incremental budget. “Incremental budgeting requires incremental resources supplied by either a growing economy, as was the case in the 1950s and the 1960s or by the deficit financing, as occurred in the 1980s.” While I support more of integration (mixed scanning approach) of both principles today, I also would emphasize a new innovative approach in the years to come. Even though the next initiative, Government Performance and Results Act, has been modified in the recent years, its primary objectives and challenges still persist.

2.4 PIONEERING THE FUTURE – GOVERNMENT PERFORMANCE AND RESULTS ACT

The Government Performance and Results Act of 1993, was created to enhance the conservancy within the federal environment and connect assets and leadership decisions to performance results. This requires that each government agency report their activities annually to Congress. The objectives were for each agency to develop a realistic 3-5 year strategic plan,


confirm a set of performance targets for the created strategic plan, and report on these targets yearly. In *Performance Budgeting: What Works, What Doesn’t*, William G. Arnold argues that, “We are at a historic turning point in the realm of federal budgeting for two principal reasons. First, entitlement programs are mushrooming, consuming ever large portions of federal spending. Legislators are squeezing discretionary budgets like never before. Second, information technology has increased the visibility of government activities. The explosion in the number of media news outlets means more and more eyes are serving as watchdogs over government spending.” The Government Performance and Results Act (GPRA) provides guidance to agencies in preparation and submission of a strategic plan, annual performance plan, and annual program performance report. GPRA requires agencies to engage in project management tasks but as Schick has argued, “Agencies often propose modest savings in ongoing programs to show that they have lean, efficient operations, but this tactic is usually employed to get more money that they received for the current year.” Improving the measurement perimeters within itself is the key to the future of performance based systems in general but specifically to the federal budget process. GPRA is integrated into the budget process (including the two planning activities and performance evaluation and reporting) which presents a familiar concern of making incremental changes to an already cyclical process.

In *The Federal Budget: Revised Edition: Politics, Policy, Process*, Schick describes federal budgeting as having a tendency toward “Incremental decision-making,” which means that the

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federal budget is a cyclical process that can accurately be categorized periodically recurring events. Schick argues that, “what GPRA has yet accomplished and what PPBS could not do a generation ago is to wean federal budgeting away from the tendency toward incremental decision-making.” He believes that most government agencies over the years have budgeted on the assertion that all their programs and initiatives will be funded instead of diminishing the activities of their program. This is the reason Zero-Based budgeting advocates insist that a new and innovative process must be created and enacted in order to prevent further failures. Schick suggests that, “Agencies have therefore concentrated on how much more to seek for new or expanded programs and on how to respond to changes in government priorities. Agencies often propose modest savings in ongoing programs to show that they have lean, efficient operations, but this tactic is usually employed to get more money than they received for the current year.”

GPRA follows a long list of legacy initiatives aimed as aligning resources to performance. The Government Accountability Office (GAO) conducted a study in March 2004 of the Government Performance and Results Act, in effect for more than ten years. The report demonstrates that the Office of Management and Budget (OMB) has focused on the issues of managers in the recent years, but substantial challenges still exist. GAO found that the developed requirements provided a substantial infrastructure for implementing a results ascribing system.

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20 Ibid.

21 Ibid.
While the essential elements have been created, numerous significant challenges to GPRA implementation still exist:

Inconsistent top leadership commitment to achieving results within agencies and OMB can hinder the development of results-oriented cultures in agencies. Federal managers continue to have difficulty setting outcome-oriented goals, collecting useful data on results, and linking institutional, program, unit, and individual performance measurement and reward systems. There is an inadequate focus on addressing issues that cut across federal agencies.22

The various results-based and /or performance-oriented initiatives have come and gone but as the current federal gridlock of the budget persists (sequestration 2013) the time for reform is here again. The future of tying budgeting to performance will need to be revamped; the future promise of tying budget to performance will depend on what we learn from the implementation of GPRA. Tying budgeting to performance seems to be here for the long haul. I believe some mechanism for improving the current performance based system will be utilized. Performance based budgeting was created not to be envisioned as a reward and punishment system based on level of performance, but rather as an approach to evidence based decision making. The key intended benefit is to shift the focus and debate away from the level of program inputs, and focus on results.

2.5 THEORETICAL BUDGET CERTAINTY –DECISION MAKING PROCESS IN ACTION

Alice Rivlin, a senior fellow from the Brookings institute argues that, “Under the current process, a dwindling portion of the budget (discretionary spending) is subject to annual scrutiny and increasingly complex rules, while major mandatory programs and the tax code operate on

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automatic pilot.”23 In fact, the changes in retirement programs and taxes should be made as infrequently as possible and with long lead times, so that people and businesses can plan their lives. Specifically, when it comes to mandatory spending and revenues, the new changes would ensure that mandatory spending and tax expenditures are reviewed in a five or six year cycle. This would make the budget process less volatile and unpredictable. Rivlin claims that, “Congress must bring the retirement programs and tax expenditures into a process of periodic review and decision, so that you can actually control the major drivers of the budget, the deficit and the debt. It should vote a comprehensive long-term budget, review actual spending and revenues in relation to the intended long-term budget, and have a process for deciding what to do if the numbers are veering significantly from the intended track.”24 In other words, discretionary spending should be reviewed less frequently and moved to a biennial appropriation, which would provide Congress more time for oversight and the executive branch more time for planning and implementation.

### 2.5.1 CREDIT REFORM BUDGET CASE STUDY SUMMARY

There is a plethora of research and debate surrounding the economic upheaval facing America and the global economies. Economists, politicians, bankers, and laymen alike speculate on the reasoning behind the economic recession, slow growth, and outline proposed remedies. One of the echoed themes is the mandatory and discretionary spending debate. Should mandatory spending be recalculated? Will sequestration affect the military? How do you define

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24 Ibid.
cuts? Should a projected budget increase cut be defined as a cut? Will the trust fund have enough money for the next generation? While the debate regarding taxes and revenues and potential policy actions to fix the problem continue to polarize the conversation, less time is devoted to understanding the market cost of risk in budget estimation. This can be useful and also improve policymaker’s ability to make a rational decision based on real numbers. Risk management is the process of identifying, analyzing and proactively responding to uncertainty.

The federal government established a federal credit program which provides several financial instruments, including direct loans and loan guarantees in order to subsidize programs ranging from secondary and higher education, energy and agriculture development, and business investments. In *Measuring and managing federal financial risk*, Phaup and Lucas insist that, “The distortions from neglecting the price of risk in some cases have been considerable and suggest that investing in the capacity to provide this information to lawmakers through the budget process is likely to be worthwhile.”

The estimated federal credit is more than 3 trillion dollars thus showcasing that some of the most risk adverse federal government programs are not truly transparent in their mission goals, objectives, and authority. For example, programs like the Commodity Credit Corporation (CCC), Overseas Private Investment Corporation (OPIC), Export-Import Bank (Ex-Im), etc., have indefinite budget authorities and do not need an annual appropriation. In examining how off-budget credit entities, Commodity Credit Corporation (CCC), Overseas Private Investment Corporation (OPIC), Export-Import Bank (Ex-Im), and others, bind the U.S. government to enormous amount of debt and risk without any public or political penalty. The amount of risk that these Government Sponsored Enterprise entities create

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by providing direct loans, loan guarantees and other products as an off-budget program is not truly measureable. Any spending by the government not covered by tax revenues is financed out of the receipts from debt securities sold by the Treasury to the public. Deborah Lucas and Marvin Phaup suggest that, “In practice, the price of risk is almost entirely absent from federal budgeting. This omission makes the federal credit and some insurance programs appear to cost less than their market value, thereby favoring such assistance over alternatives that are accounted for at market price.”26 That means the increase in public debt is the net deficit from both on-budget and off-budget spending. However, the official debt is not affected by off-budget spending if there is a positive balance in the relevant off-budget account.

The official debt rises or falls only on the on-budget imbalance. So off-budget program deficits will still draw down government debt. With no other source of funds, the Treasury must borrow from the public to cover the off-budget payments. The credit subsidy cost of these programs is the actual net present value of the estimated long-term cost to the United States government for these activities. The Ex-Im bank for example loans, guarantees, and insurances cost the government monies because the fees it charges (usually 10 percent) do not cover all of its expenses and because the interest rates it charges borrowers are lower than the rates it pays to borrow from the Treasury. This budget failure makes it difficult for Congress and the administration from comparing the Ex-Im bank costs with the cost of other programs. Prior to 1990, the cost of most federal credit programs was similar to other programs. “The mix of cash flows included in the budget account made net outlays an inaccurate measure of cost.”27 So in

26 Ibid., 29.
27 Ibid., 38.
essence, the real cost reported was not really comprehensive and very difficult to evaluate. When the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508) was signed into law, P.L. 101-508 added Title V to the Congressional Budget Act Title V, also called the Federal Credit Reform Act of 1990 (the FCRA), changed how the unified budget reports the cost of federal credit activities (i.e., federal direct loans and loan guarantees). 28 The Federal Credit Reform Act of 1990 was enacted to provide Congress a better view of the cost of U.S. government loan guarantees, direct loans and insurance programs.

The purpose of the Federal Credit Reform Act was to:

(1) measure more accurately the costs of federal credit programs; (2) place the cost of credit programs on a budgetary basis equivalent to other federal spending; (3) encourage the delivery of benefits in the form most appropriate to the needs of beneficiaries; and (4) improve the allocation of resources among credit programs and other spending (Section 501 of the FCRA). 29

The Federal Credit Reform Act (FCRA) of 1990 was supposed to improve the government’s ability to allocate funds from the unified budget and strengthen the economy. The passage of the Balance Budget Act of 1997 amended the FCRA ensuring some necessary technical changes. The U.S. government’s accounting system does a poor job measuring the actual cost or risk of new federal loans, insurance, and guarantees. Governmental programs such as deposit and pension insurance, however, also can be viewed as credit guarantees, although they are not

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covered by FCRA. Deposit and pension insurance are distinguished from the types of
transactions covered by the FCRA by their lack of a mixed maturity date. "In other words, even
after the Federal Credit Reform Act modifications, government programs like Commodity Credit
Corporation (CCC), Overseas Private Investment Corporation (OPIC), Export-Import Bank (Ex-Im), and others are still engaging in risky activities with federal funds without any real oversight
and political consequences. The desire to make rational policy decisions are coupled and
interconnected to the knowledge and awareness of the public. This case analysis showcases a
small portion of how policy decisions or non-decisions regarding monies relating to direct loans
and loan guarantees increase the public debt.

2.6 INFUSING POLICY – A LEAN SIGMA APPROACH

With the current financial state of the United States and the increasing social concerns, many
people espouse the belief that the federal system has a propensity for immense inefficiencies and
inequalities. A plethora of scholarly research exists relating to the traceability and functionality
of quality improvement tools. What is Six Sigma and why is it important? How does it differ
from Lean Six Sigma? How can it be applied to improving the quality of government services?
The principles of Six Sigma originated in the early 1980’s by the company Motorola. It is a set
of tools utilized by businesses to achieve and strive for high degree of efficiency by omitting
defects to a specific standard deviation. As in all fields of study, definitions vary and there are
those who view Six Sigma as a philosophy, a set of tools, or a methodology. The process
originally focused on the manufacturing industry to purposively improve performance and
eliminate manufacturing product defects as early as possible. One of the most popular tools

Sigma experts use on their programs and projects to root out defects is the five step approach are Define, Measure, Analyze, Improve and Control (DMAIC). It is used to improve current processes and according to A. Aruleswaran, “provides the organization with a roadmap on how to resolve problems that affect quality and productivity. The methodology encourages empowerment and furnishes everyone with a vast array of toolsets.” This approach not only delivers highly competitive quality but also improves the measures for customer satisfaction.

Another tool sigma experts are fond of is the five step approach of Define, Measure, Analyze, Design, Verify (DMADV) for products or processes that do not exist and must be developed in order to meet the customers expectation.

Besides the performance benefits, the private sector quickly realized that the sigma phenomenon could systematically increase their financial capacity. Businesses such as General Electric (GE), Allied Signal (Honeywell), Raytheon, and Polaroid quickly realized how this streamlined process could increase their profits. General Electric (GE) is the quintessential implementation success case study, “GE averaged about 3.5 sigma when it introduced the program. With Six Sigma embedding itself deeper into the organization’s processes, GE achieved the previously “impossible” operating margin of 16.7 percent in 1998, up from 13.6 percent in 1995 when GE implemented Six Sigma.” The company went on to make record profits of over $600 million, thus being a model for other businesses. Less than thirty years later, the private sector has embraced the process improvement methodology wholeheartedly to the

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31 A. Aruleswaran, Changing with Lean Six Sigma (Puchong: LSS Academy SDN, 2009), 28.

point that the federal market place remains the last frontier. The private sector’s current level of interest has not only increased, it has blossomed and matured. The American Society for Quality, an organization established to advance the professional development of quality professionals, has a news column within their corporate website which outlines private and public entities that have used the Lean Six Sigma processes and their organizational has profited and saved monies. This list below clearly illustrates this growing appreciation and trend in business for Lean Six Sigma principles:

- Lean Six Sigma Increases Efficiency for Financial Services Firm
- Ford Team Uses Six Sigma to Reduce Costs While Improving Environmental Impact
- On the Right Track: Rail Company Reduces Expenses with Six Sigma
- Simplify and Unleash: One Bank’s Strategy for Growth Through Six Sigma
- Six Sigma Green, Black Belts Help Manufacturer Save Nearly $1.5 Million
- Siemens VDO Optimizes Processes Using Six Sigma
- Cummins Inc. Saves Nearly $1 Billion with Six Sigma
- Six Sigma’s Power to Save: A DMAIC Project Reduces Energy Consumption for Visible Savings

One of the main issues Sigma experts run into is the misconception that Six Sigma can and will replace other methodologies, “The Six Sigma strategy involves the use of statistical tools within a structured methodology for gaining the knowledge needed to achieve better, faster, and less expensive products and services than the competition.”33 This articulates an important dimension in that the evaluation of the processes can illustrate the readiness of an organization to deliver high level services. Lean Six Sigma, an organizational improvement approach, was developed from the notion of eliminating waste of all types and including a focus on customer values. The overall objective of Lean Six Sigma is to outline the necessary steps to map and

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create a values system famously used by the Toyota Motor Company. The Lean concept ascribes value-added activities into things the customer (citizen) wants and aligns perfectly into how this approach fits into government. For example, the Lean Healthcare has taken root in the American healthcare system because of the enormous rising cost, customer satisfaction and lack of overall quality. The Lean initiative has empowered the industry to transform its entire organization and adopted sustainable and measurable strategies for dealing with waste, legacy technology systems, and most importantly oversight and errors. The integration of Six Sigma and Lean is viewed as a positive grouping because, “Lean on its own cannot bring a process under statistical control to achieve quality targets, whilst Six Sigma alone cannot significantly improve process speed or reduce waste that can improve operational cost and capital.”\textsuperscript{34} Depending on the type of organization, the need for both Lean and Six Sigma is paramount to an organization’s return on investment. We will address the reason why in the next section but overall Lean Six Sigma has proven to be very successful in the private sector at improving the overall objective of organizations from manufacturing, health-care, and financial sector.

2.6.1 LEAN GOVERNMENT INITIATIVE

The Lean Government Initiative is a Lean improvement program aimed at improving government efficiency and transparency. The initiative is championed by several state and federal agencies around the country. Two of the main government agencies paving the way for the Lean initiative are the Department of Defense (DoD) and Environmental Protection Agency (EPA). While Colorado provides an example and window into the implementation possibilities on a state and local level, the \textit{Lean in Government Starter Kit version 3.0:How to plan and

\footnote{Aruleswaran, Changing with Lean Six Sigma, 24.}
implement successful Lean Initiatives at Environmental Agencies by the Environmental Protection Agency and state representatives seems to bridge the gap to the federal sector. The start kit is promoted as a job aid and guideline for federal agencies in implementing Lean principles. DoD has also created a handbook outlining how they have been more efficient in their operations and have embraced Lean Six Sigma wholeheartedly. In exploring further the question of how Lean Six Sigma can help any organization achieve its goals and objectives, the Lean Government Initiative seems to illustrate the ability of corporate entities as well as federal institutions in providing services using Lean quality improvement concepts. Some of the concerns with the Lean Government Initiative are that the majority of the government agencies are only using one (Lean) process improvement framework. As outlined before, Lean Six Sigma only works when used in concert, “Lean on its own cannot bring a process under statistical control to achieve quality targets, whilst Six Sigma alone cannot significantly improve process speed or reduce waste that can improve operational cost and capital.” Some of the reasons Lean as a stand-alone process improvement process is problematic are its lack of identifying unknown, temporary, and complex issues. Six Sigma’s statistical tools would ideally help remedy this issue accordingly. Another concern is Lean’s lack of process stability and standardization that so naturally exists within the Six Sigma processes.

2.6.2 FEDERAL SIX SIGMA (FEDSIGMA) – THE FINAL IMPLEMENTATION FRONTIER

With the growing concern of bureaucratic inefficiencies, a program to systematically analyze and evaluate some of today’s most pressing problems is paramount. Instances of this within the local and state level, federal regulating and non-regulating agencies, and foreign

35 Ibid.
nations have occurred. One of the first city governments to adopt the Six Sigma management processes is Fort Wayne, Indiana by Mayor Graham Richard. He is a supporter of increasing the government’s practical use of quality management techniques like Lean Six Sigma, team building between government and the private sector, and improving broadband services to smaller communities. In *Performance is The Best Politics*, Richard outlines his performance improvement initiatives established during his tenure as mayor. Some of the micro-level services that were improved include pothole repair and repaving projects, city permits, reduced garbage pick-up by 50%, street lighting, and water main replacement. In Fort Wayne, this proved that governing bodies can readily adopt Six Sigma processes with astonishing results. While Mayor Richard’s case showcases the applicability of the quality improvement principles, this process does not replace but fuses with a structural methodology.

How does the quality management principle of Lean Six Sigma align with the issues that primary and secondary education is facing? The first aspect is to take a more detailed look into how a school in Adams county school district in Thornton Colorado applied Six Sigma principles to its system. In short, with proper planning, teachers were taught and started implementing the principles in their school. So the, “Simplest applications would be on non-educational issues – heating/ventilation of buildings, ordering materials, lawn and building maintenance. The toughest would be on the curriculum side – teachers, textbooks, testing materials and courses.”

As with any experiment, the beginning trials are usually the most difficult as people move through the organizational change curve. The DMAIC process outlined before was used and the

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teachers began to see the value of analyzing problems and seeing quantifiable results. The outcomes were straightforward; teachers were able to solve the non-educational issues fairly quickly and are outlining a pilot program to test the curriculum problem which shows the cost savings. The potential benefits of using this methodology are endless. For example, in an article, *Is it time for Six Sigma in Education?* Lisa Gardner poses the question of possibility of retuning ASQ’s Koalaty Kid program back into schools. The Koalaty Kid Program was aimed at using quality processes to increase the achievement and performance of students. No matter which initiative or program chosen to fix the American education system, a system of continuous improvement as citizens and as service providers to students can co-exist with the Lean Six Sigma methodology.

### 2.6.3 LEADING ORGANIZATIONAL CHANGE

The essential challenge the Lean Government Initiative faces is that only a few government agencies are actually implementing Lean Six Sigma and in order to truly transform government using the tools, processes, and methodologies of quality management, government leaders must acquire the necessary skills needed for leading organizational change. In order to solidify the necessary innovation that the quality process offers, a proper organizational change process must occur, “Transformation is an ongoing process that permeates the entire organization, and represents a sharp break with the past. This break is a major difference between transformation and simple reform. While reform is an attempt to go down the same path more efficiently, transformation involves the development or discovery of entirely new
The fact is more than 70 percent of all change initiatives fail. Some of the common elements found in failed initiatives are their lack of focus. As a recent Ken Blanchard report, *Mastering the art of change*, showcases, while up to 70 percent of all change initiatives fail, almost 29 percent of them are started without any real structure, essentially failing before they start.

This presents a real challenge to federal initiatives rushing to communicate the adoption of business principles without quantifiable results. In order to implement a change initiative as drastic and robust as Lean Six Sigma, a proper organizational change approach is needed. Depending on the organization and its business environment, Kotter’s 8-step change model, Lewin’s freeze and unfreeze change model, and McKinsey’s 7-S change model are all reasonable approaches. The underlying issue is simply that there is no fast track process for implementing Lean Six Sigma, as the history of GE illustrates, their cost saving and increased profit occurred when they embed the Six Sigma process completely into their processes. In *Adkar: A model for Change in Business, Government and Our Community*, Jeff Haitt, claims that, “The lifecycle for ADKAR begins after a change has been identified. From this starting point, the model provides a framework and sequence for managing the people side of change.”

The various organization change models can provide federal entities with the ability to understand the reasons why an initiative is not working and provides guidance into how to fix the problem.

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CHAPTER 3
EDUCATIONAL LANDMARKS – THE STAGNATING OF JUDICIARY INTEGRATION

I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain.¹

John Adams, Familiar Letters of John Adams

There is a plethora of research and scholarship regarding the challenges the American school system faces, such as consolidating the size of districts, school unions, teachers’ pay, charter schools, school segregation, privatization of education, etc. There are just as many questions as there are suggested solutions to the problem of educating the citizenry. A recent report conducted by a Department of Education federal commission found that education policies in the United States were hindering students, more specifically, students from low income environments. The Equity Excellence Commission advocates for a more robust interpretation of local, state, and federal education policy. While education advocates are elated with the commission’s findings because it outlines some of the concerns and challenges they’ve faced in recent years, my concern and apprehension with policy advocates and interest groups are that they’ve watched passively as an encumbrance of bills, statutes, and laws have been passed which erode the fabric and foundation in which a representative society is built upon. The first question is what type of education system should the American people support? In order to answer this question, we must first understand the school system in the United States. The purpose of primary education is to educate students and prepare them for higher education and to make a

¹ Charles Francis Adams, Familiar letters of John Adams and His Wife Abigail Adams, During the revolution (Whitefish: Kessinger, 2007), 381.
smooth transition into the American work place. Some believe that the school system has failed to educate our young people, while others are cautiously optimistic about the possibility of innovating and improving the current education system in America.

4. EDUCATION EXTERNALITIES – MYTHS AND LEGENDS

In social science, economics is one of the quintessential instruments for comprehending and analyzing contemporary societies. In the discipline, macro and microeconomics are the two frames from which economics is distinguished. The macroeconomics perspective views the performance of the economic system as a whole, the total national output of what is produced over a specific period of time including the performance of trade, employment variables, and national economic policies. While the microeconomics cross-examines the consumer actions by individuals and groups at the ground level of the economy; this relates to supply and demand for goods and services. The study of economics is supposed to help people and nations make smarter decisions.

The Federal Commission on Equity and Excellence in Education represents a trend within public policy in which the entities and enterprises to which these concerns and challenges of inequality originate (government) paradoxically also control and repress the discourse by delegating (federal commissions) stewards and advocates of popular policies to articulate and envision an innovative approach and strategy for their failures. The delegation encompasses a group of social experts in law, education, government and economics, with an overabundance of cultural capital in the very system that has so surgically disenfranchised and stunted the positive growth of people so desperately in need. The policies to which the education commission rejects
ironically are championed by the same local, state and federal departments. For example, as we’ve outline earlier, no Child Left Behind and Race to the Top programs both echoes the same promising message of change.

3.1 LEARNING DISCIPLINE – EDUCATION EXTERNALITIES

The concept of an externality continues to be a growing disciple within the social science field of economics; moreover, its ability to conform to the ever changing wave of interest in economics is encouraging. On a basic level, an externality is the economic analysis of what does or does not directly affect the consumer of goods and services within a society. In relation to an education externality, it can be defined as, “Social or public benefits from the education of each individual that benefits others in the society in both current and future generations.” While this goes beyond the definition of externality to some, the inclusion of non-market private benefits takes into account the glaring missing pieces in understanding externalities in education. The Federal Commission on Equity and Excellence in Education cited the McKinsey Report, *The Economic impact of achievement Gap in America’s Schools*, which studied the economic impact of the achievement gap and achievements between pupils from different social and cultural upbringings. Mckinsey, a global management firm, is not alone in this quest to analyze and interpret the educational outcomes, changing trends, and impact on the labor market.

The public and private sector alike are scrambling to showcase this phenomenon because this growing privatization of education has quietly existed but its growth will excite the educational entrepreneurs willing and ready to provide the needed service. In the same manner, the philosophical expression of essentialism applies that there is a distinguishable variation in the

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foundation and attributes of groups of people. Furthermore, these qualities are innate in nature and can be categorized in term of sex, gender, class, ethnicity, and race. The theory of a racial origin or a deviation from the concept of biological differences in race is disconcerting. While more of a 20th century perspective, its relevance and cryptic notions are buried in policy language and statutes within our federal register. The field of comparative mythology provides an opportunity to further explore the role and power of myth in one’s society from an assorted vantage point. In *Man’s Most Dangerous Myth: The Fallacy of Race*, anthropologist Ashley Montagu pointed out that, “In our own time we have lived to see the myth of race openly adopted by governments as an expedient fiction. Myths perform the double function of serving both as models of and models for cultural attitudes and behavior.” This outlines the basic understanding of behaviorism in which the society is conditioned systematically to learn through positive or negative reinforcements.

The extent to which governmental and non-governmental entities have participated in the creation of this systematic phenomenon is crucial to the structural outcome or ramification of the myth of race. My aim is not to outline the glaring malice of past groups, agencies, and peoples; it is to articulate and showcase the residual effects of policies created during a time of sheer inequalities. In the aftermath and with the guidance and support of the judiciary, state and local governments eroded years of integration policies.

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3.2 STATE OF THE AMERICAN SCHOOL SYSTEM

The American public tends to believe that they understand how the public school system functions, due to the fact that the majority of people attended some sort of public schooling. However, the school system has drastically changed in the last two decades. The challenges that the American school system faces in the 21st century can be attributed to all of the following issues: school voucher programs, school district consolidations, gifted versus normal, the errors in measuring children’s I.Q., the No Child Left Behind program, choice of schooling (charter, private, public), Race to the Top program, teachers’ unions, bad teacher/good teacher myths, school redistricting, the ramifications of religious education, increased testing and segregation. Of all the items listed, segregation may seem out of place. The consensus is that while integration had its problems, for example the school busing mandates; overall segregation has been eradicated and the challenges of yesteryears are gone. We will elaborate in more detail but all of these issues have contributed to the challenges that the United States education system faces.

3.2.1 IMPACT OF SCHOOL DISTRICT SIZE

The consolidation of school districts represents one of the most detrimental factors to education system in the United States. The belief is that consolidation lowers the overall cost of operating schools within districts remain the consistent axiom of policymakers. While the numbers have varied slightly, in 2003, Harvard Professor Christopher Berry presented a study at the Kennedy School of Government and insisted that, “From roughly 1930 to 1970, a rapid movement toward centralization and professionalization reduced the number of districts from 130,000 to only 16,000, as about 90 percent of the districts that existed in the former year were
eliminated through a process of consolidation. While the historical perspective on consolidation might lead one to believe that this movement may present negative repercussions on the public and legislators would cease this practice. Unfortunately as the study results of the political, financial, and education achievement of students are inconclusive, even though district consolidation has slowed down compared to the early 1900's states like New York and Pennsylvania continues to incentivize the consolidation of school districts.

### 3.2.2 IMPACT OF CHARTER SCHOOLS

To some people, charter schools are considered the answer to all the difficulty and failures of the U.S. education system. What are charter schools? Why are they important? The National Education Association defines it as, “Publicly funded elementary or secondary schools that have been freed from some of the rules, regulations, and statutes that apply to other public schools, in exchange for some type of accountability for producing certain results, which are set forth in each charter school's charter.”

Minnesota initially passed the first charter school law in 1991 and by 2006, the Center for Education Reform reported that there were almost 3500 charter schools and they were enrolling more than one million students nationwide. Charter school advocates argue that charter schools are held to a higher level of accountability than public schools. In a recent 2009 survey by the New York City Charter schools evaluation project entitled *How New York City’s charter schools affect achievement*, the study concluded that charter schools have a more positive effect on students test scores than traditional public schools.

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Charter school advocates argue that the lottery system, which is the admission process for getting into charter schools, is superior to all other methods because it reduces the self-selection bias. Gerald W. Bracey, associate professor at George Mason University, presented a report to the education policy studies laboratory in Arizona State University, entitled *Charter School’s performance and accountability: A disconnect*, and argues that, “It appears that charter school advocates who believed that charters could increase achievement and should be held accountable for doing so have lost control of the pro charter movement to those for whom deregulation is a sufficient condition for declaring success.” Charter advocates have used the mantra of “school choice” as a sound bite for pundits and layman to support their cause. What’s really happening is the private sector’s attempt to introduce school choice as a mean to privatize the school system and by misleading and distorting the vision of school reform. In, *For charter school company, issues of spending and controlling*, Stephanie Strom presents a dilemma that is taking root within the charter school debate, corporations advocating for the privatization of schools and applying business strategies and disciplines to schools this new industry for the purpose of increasing corporate profits. For example, executives from AES Corporation created Imagine Schools as a commercial charter school company and have, “Built an organization that has contracts with 71 schools in 11 states and the District of Columbia. Imagine is now the largest commercial

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The danger in this privatization approach to school reform is that the money funding these new corporations is public funds.

3.2.3 IMPACT OF NO CHILD LEFT BEHIND (NCLB)

There is no doubt that the American school system is confronting many challenges. How are Americans going to overcome the rising costs of education? Are we willing to accept a system that limits the type or amount of children accepted into school? Do we need a privatized elementary and secondary education system in order to satisfy neo-liberalism’s crusade against the American school system? The social and public policy implications of some of these programs being acted will further push this nation’s educational system into turmoil. One of the most politically motivated laws enacted by Congress, the No Child Left Behind Act (NCLB) of 2001, expands the federal government’s role in education. President Bush signed the bill into law to reauthorize the Elementary and Secondary Education Act.

The law was first authorized in 1965 and reauthorized by President Clinton in 1994. Advocates of the NCLB act argue that the emphasis on test results can improve the overall quality of the public school system. While the opponents claim that the NCLB Act will further damage the education system in this country. The former Assistant Secretary of Education under President Bush, Diane Ravitch, gave an interview with National Public Radio regarding NCLB, which she strongly supported during her tenure. She has changed her mind and is no longer an advocate or supporter of the initiative. In, *The death and life of the great American school system*, Ravitch claims that, “When someone chastised John Maynard Keynes for reversing

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himself about a particular economic policy he had previously endorsed he replied “when the facts change, I change my mind.” I agree with that assessment. The facts have changed, the negative course for the nation’s poorest continues to trend depressingly down, but new governmental education reform initiatives endure and persistently ignore the local level advocates experienced with the plight of their constituents.

The government’s new policy toward education reform is the Race to the Top program tied to the American Recovery and Reinvestment Act of 2009. On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act of 2009 (ARRA). The ARRA legislation was designed to stimulate the economy, support job creation, and invest in critical sectors, including education. On November 4, 2009, President Barack Obama stated, “It's time to stop just talking about education reform and start actually doing it. It's time to make education America's national mission.” The Department of Education claims that, “The ARRA provides $4.35 billion for the Race to the Top Fund, a competitive grant program designed to encourage and reward states that are creating the conditions for education innovation and reform; achieving significant improvement in student outcomes, including making substantial gains in student achievement, closing achievement gaps, improving high school graduation rates, and ensuring student preparation for success in college and careers; and implementing ambitious plans in four core education reform areas: Adopting standards and assessments that prepare students to succeed in college and the workplace and to compete in the global economy;

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Building data systems that measure student growth and success, and inform teachers and principals about how they can improve instruction; Recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most; and Turning around our lowest-achieving schools.”

This seems to outline every educational reform initiative that’s ever been designed and implemented.

In the Study: *On average, charter schools do no better than public schools*, Amanda Paulson, articulates the concern of many about the growing support of charter schools, “The worry is that President Obama and others are getting seduced by the movement because they’re looking at the results from boutique charters [like KIPP and Aspire] rather than at the wide array of charters that don’t outperform regular schools,” and also “It’s irresponsible that President Obama would [push] all 50 states to create more charter schools in light of such sketchy evidence.”

As of 2009, more than 4700 charter schools have enrolled over 1.4 million children in 40 states and the District of Columbia and the numbers continue to grow. The Center for Research on Education Outcomes (CREDO) is Stanford University based independent education research initiative, conducted a study in 2009 comparing charter schools and regular public schools in 15 states and the District of Columbia. The findings simply stated that, “Charter schools have become a rallying cry for education reformers across the country, with every expectation that they will continue to figure prominently in national educational strategy in the months and years to come. And yet, this study reveals in unmistakable terms that, in the

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10 Ibid.

aggregate, charter students are not faring as well as their TPS counterparts. Further, tremendous variation in academic quality among charters is the norm, not the exception. The problem of quality is the most pressing issue that charter schools and their supporters face.”

Advocates of charter schools have done a great job convincing the public that elementary and secondary education has failed due to the myth of bad teachers versus good teachers. Who are the good or bad teachers? The beauty of this myth is that it’s not one specific person but an idea or stereotype that never dissolves. Theater usually brings the emotional and sometimes irrational assumptions to life without saying a word. According to a new documentary, Waiting for Superman, bad teachers and unions are plaguing our school systems. The problem with this myth is that the people with a lot of influence and capital (Bill and Melinda Gates, Tom Brokaw, Oprah Winfrey, etc) are joining in on the teacher bashing without the full historical understanding of how the school system was created and how it has been altered by various interest groups.

3.3 EDUCATION MANTLING – INTEGRATION FOR ALL

The study of history presents an illuminating perspective on the manners in which people and societies have lived. The purpose of analyzing the past is to understand the events, ideas, policies, and cultural shifts in society. It seems as though every year a new report is published outlining the disproportionally unequal gap between the various groups of children within America’s stratified system. While the alarm for structural changes in the system may be obvious and apparent, policymakers will continue to do what the public allows. A recent report from The Civil Rights Project, E Pluribus… Separation: Deepening Double Segregation for More

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Students, details the persistent and increasing trend within American cities of school segregation. The project and report was authored by UCLA professor Gary Orfield, one of the premier educators and advocate of developmental public policies that are equal and fair to society. Building on the decision making process and phases of implementation analysis, in Dismantling desegregation: The Quiet Reversal of Brown v. Board of Education, Gary Orfield and Susan E. Eaton’s book, among others, claim that America’s schools are more segregated now than they were in the late 1960s.

The Civil Rights Project and researchers at the Harvard Graduate School of Education have examined some of the most important desegregation components and chronicled its trend toward re-segregation. “These findings highlight the effects of inertia and indifference towards integration in U.S. schools since the 1970s, as well as the Supreme Court’s reversal of desegregation policies.” More daunting is the claim that there are no significant state or federal programs and little philanthropy addressing policy to produce better integrated schools. How does this happen? How can federal policy mandates by elected officials be curtailed unknowingly by policy advocates, policymakers, and the American people? What are the socio-economical structures of these policy and what are their social impact and ramifications? Susan E. Eaton’s analysis of a popular policy within a county school board in the D.C. Metro area in the height of school integration illustrates how public policies and especially education policies are eroded systemically in plain sight. In 1975 through the early 1990s, several locally controlled

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programs in Montgomery County were tested due to The Quality and Integrated Education Policy and the city was proudly heralded as a progressive haven for education. What happens afterwards has become the blueprint for curtailing integration policy in America. Eaton showcases that, “After the adoption of a magnet school policy, educational leaders put in place more locally controlled desegregation policies that were never challenged in court.”

Even in cases where these policies are challenged, the consequences are limited to non-existing. For instance, a recent report by the University of Minnesota pointed out that there has been a familiar trend of re-segregation policies of open enrollment within the urban districts in Minneapolis.

The irony and historical perspective is that the open enrollment law was created to integrate students within specific districts. While education advocates shift their attention from demands for integration to calls for equity, 2007 court rulings in Seattle and Louisville limited school districts’ ability to implement desegregation policies. “America’s current ecological structure concentrates the best prepared students in areas of resource abundance while gathering the least prepared in areas of resource scarcity, it reinforces class inequalities to promote a more rigid stratification system.”

Another example of recent re-segregation policies created to encourage integration in the 1960s-70s but in retrospect is being utilized to re-segregate schools through busing in North Carolina’s Wake County school district. As Wake County represents the most politically visible, these changes and re-segregation initiatives are state wide, school boards are empowered and encouraged to no longer address the issue of school integration. The premise is

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the same; interest groups dominate the discussion with an influx of money through foundations and other non-profit organizations. Like the Byrd Organization before it, these groups employ policymakers within the policy process to enact legislation that adversely affect communities in poorly funded schools and in most cases are minority students. A final case showcasing how federal policy mandates by elected officials can be curtailed knowingly and unknowingly by policy advocates, policymakers, and the American people and the socio-economical structures of these policy and what are their social impact and ramifications is presented in what is happening in the state of Louisiana. In the aftermath of Hurricane Katrina, over half of the New Orleans schools that are re-opening are doing so as charter schools. Milton Friedman informed the public that this hurricane gave the U.S. an opportunity to privatize the school system of New Orleans. Additionally, school districts sometimes permit corporations to open chains of for-profit charter schools. In the United States, though, the percentage of students educated in charter schools varies by school district, only in the New Orleans Public Schools systems are the majority of children educated within independent public charter schools.

In *Choice Without Equity: Charter School Segregation and the Need for Civil rights Standards*, argues that the charter school movement and school choice has been politically successfully in accomplishing its mission, it has also maneuvered steadily in concert with segregation outcomes in inequality and intolerance. “Once an ecological order of concentrated affluence and poverty has emerged and a political order has been created such that poor and affluent families are located in separate administrative districts, then private economic interests inevitably come into play in ways that reinforce the ecology inequality.”  

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16 Ibid., 199.
clings so tightly to the rule of law and with a history of freedom and justice for the masses accept a system filled with injustices and inequalities. Sometimes social scientists undoubtedly over estimate the caliber and character of its people, there are times when the virtues and excellence of a culture is of pure folklore.

An optimist would argue that progress has been made and these desegregation policies are a thing of the past. I would argue that, “School officials do not expect to counteract or improve conditions and have said publicly that they want to try to sustain the current levels of integration by ensuring that school policies do not worsen the situation.”

These districts are not beholden to any specific law or regulation pertaining to school integration that would make a difference. “In terms of institutions, two structural configurations are central to perpetuating black disadvantages in the post-civil right era: the housing market and criminal justice system. Studies consistently reveal institutionalized prejudice and discrimination in the real estate, banking, and insurance industries have documented the surreptitious continuation of illegal practices such as redlining, steering, predatory lending, selective marketing, and linguistic profiling, as well as the web of lies, deceit, and subterfuge known as “discrimination with a smile.”

These practices deter any group from rising within the social hierarchy and these actions actually create a downward mobility which is worse than upward stagnation. In continuing the analysis of education policies, we will look into the social ramifications of the Veterans Affairs G.I. Bill which was created to provide all veterans benefits for their service.

17 Gary Orfield and Susan E. Eaton, Dismantling Desegregation, 238.

18 Massey, Categorically Unequal, 110.
3.3.1 THE TRANSFORMATIVE IMPERATIVE – UPWARD MOBILITY

There is a litany of research and scholarship on the facts that a college education strongly affects whether a person can make it to the next income ladder. Education is paramount to the mobility of all social classes, especially minority communities. Empirical data covering the last few decades clearly shows that, “adults who have degrees from two-year or four-year colleges have far higher family incomes than do adults who have only a high school degree or are high school dropouts. Further, income has grown steadily over time for those with college degrees while remaining stagnant or declining for those with a high school education or less.”19 The Servicemen’s Readjustment Act of 1944 (otherwise known as the G.I. Bill) had a significant positive effect on some service members and their families; the G.I. Bill provided many blue collar workers with the ability to attend colleges and universities. They became lawyers, doctors, office workers, and engineers and raised their children in a middle class environment. The GI Bill provided significant upward mobility for veterans returning from war. The various changes that occurred during the postwar era affected the social, economic, and education framework of the country. Prior to the war, the economic depression created a generation of unemployed and uneducated workers.

Historians are in agreement that the bill provided support for college education as well as home and business loans for returning war veterans In Americans at war, Stephen Ambrose claims that, “8,000,000 veterans got educational assistances from the GI Bill, others got loans.

The total cost to the government was about $30,000,000,000 which was an even better investment than the purchase of Alaska, as the money was recovered many times over in taxes from the recipients.”

The results were remarkable. In No ordinary time: Franklin and Eleanor Roosevelt: the home front in World, Doris Kearn Goodwin argues that, “In the late forties, veterans would constitute almost 50 percent of the male students in all institutions of higher learning.”

To accommodate these veteran students, colleges and universities vastly expanded their campuses. Only 10 percent of Americans before the war even attended college. In light of new studies and reports regarding the overall effect of the G.I. Bill, questions of the inequalities embedded in the policy to circumvent the benefits to honorably serving black veterans. Black Americans seem to have had less opportunities in the labor market and most importantly, in education. “The GI Bill did create a more middle-class society, but almost exclusively for whites. Written under southern auspices, the law was deliberately designed to accommodate Jim Crow.”

On top of this direct injustice, blacks did not have an opportunity to purchase a home fairly without the red lining practices evident in minority communities. Prior to World War II, the United States was already severely racially segregated and minorities would usually attend historically black colleges.

Some argue that historically black schools benefited from the Lanham Act 1946, which contained the federal statutes government trademarks which provided legal protection for certain

20 Stephen F. Ambrose, Americans at War (Mississippi: University Press of Mississippi, 1997), 144.


entities. Turner claims that, “Limited state investment in colleges and universities open to blacks may have restricted the extent to which black veterans in the south were able to make use of the G.I. Benefits to attend college.” Instead of education being the tool to elevate American workers into the next income ladder, it raises the question of the role education had in reproducing inequality. In summary, the GI Bill had a significant effect on upward and downward mobility, housing, and most importantly, education for the millions of soldiers that fought in WWII. The Servicemen’s Readjustment Act of 1944 transformed the American public into an educated society. As the economy grew, so did the opportunity for Americans to received higher education. The GI Bill made a significant difference in the lives of veterans who had the opportunity to benefit. The success of the Servicemen’s Readjustment Act of 1944 was due to many other circumstances beyond the need to educate the populace. World War II provided the United States enormous advantages to build, grow, consume, and mature, while other world powers were restructuring their foundations and economies. The scholarly consensus on the qualitative and quantitative effects of the GI Bill remains in question, but the empirical data on how significant an impact the bill was on certain structural groups of workers in American remains intact.

Chapter 4
STRATEGIC POLICY ASSESSMENT INITIATIVE PROCESS

The existence a force called Public Opinion is in the main taken for granted, and American political writers have been most interested either in finding out how to make government express the common will, or in how to prevent the common will from subverting the purposes for which they believe the government exists.\(^1\)

Walter Lippmann, Public Opinion

A program initiative similar to that of the Hoover Commission, created during a time of uncertainty and ambivalence after the Great Depression, should be established to strategically guide the nation into the next chapter of its existence. This proposal will outline my thoughts, coupled with other ideas about how policy analysis and implementation should be administered. As we’ve outlined earlier, independent agencies are tasked to investigate and evaluate federal programs but lack any authority to punish violators. The demands for action from constituents remains a complex process for elected officials; nonetheless practitioners of public policy are very efficient at implementing certain types of outcomes; as the emergence or re-emergence of re-segregation policies in Minnesota, North Carolina and Louisiana, the gentrification of urban cities thus forcing residents out through redevelopment and rent increases, illustrates that the policy process works just fine.

Advocates for better housing conditions lament the fact that legislature’s contest that the lack of funds as the rationale for adequately funding grant programs that would tackle this issue. Coincidentally, with the economy still not fully recovered, most states are financially in debt, and teachers, firemen, and policy officers are being fired due to the financial instability of state budgets; but yet legislators are implementing with strong support national housing policies to

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\(^1\) Walter Lippmann, Public Opinion: A classic in Political and Social Thought (Wading River: Feather Trail Press, 2010), 144.
fund infrastructure programs that has advanced the phenomenon of gentrification. A thorough study of American housing and economic policies relating to the connections between where a person lives and the school they attend can drastically change the future life of the person. I would like to outline my proposal of a Strategic Policy Assessment Initiative (SPAI) process created in order to purposely analyze, investigate, and report on implementing agencies’ level of policy compliance.

4.1 POLICY RECOMMENDATION

The objective of this initiative is to build a roadmap and guidance for civil society, policymakers, policy practitioners, and analyst and demonstrate the benefits of using this process coupled with the principles of Lean Six Sigma and Organizational Change Management to empower innovation in policy implementation by eliminating activities that add no value to the public, decrease costs and inefficacies, and focus on delivering services to the public.

The Strategic Policy Assessment Initiatives mission, action and core values:

- **Mission:** is to provide independent analyses and investigation reports to Congress and the public of its qualitative and quantitative findings and recommendations.
- **Actions:** Recommendations will be based on a standardized tier system approach, depending on the level of non-compliance, actions must be taken including but not limited to administrative sanctions, budgetary action, etc. In case of severe violations, portions of the recommendations are mandatory.
- **Policy Oversight Alliance:** Provides training and experienced professional assistance to the implementation problem agency to observe and advice. We will partner with other independent agencies to synergize on the mission of providing policy advice and analysis to Congress and our shareholders the American people.
- **Core values:** working within government to initiate meaningful change in the way in which we make and implement policy today and in the future.
In structuring the implementation analysis process, we would use a modified version of Professor Weaver’s protocol outlined below:

1. Analyze the specific implementation tasks that are likely to be required by a particular reform proposal. Where the specifics of a proposal have not yet been spelled out, identify the key tasks that will need to be performed and the options that should be considered at each step. For many complex policy proposals, such as health care reform, simply identifying those key tasks is likely to be an enormous undertaking.

2. Compare proposed legislation to the Implementation Analysis checklist using the warning signs, identify and prioritize the most likely sources of implementation failure for detailed analysis.

3. Gather preliminary evidence on which implementation challenges are likely to arise in a particular policy proposal and create the most serious barriers to successful implementation.

4. Conduct detailed analysis of key risks, assembling more detailed evidence on how those implementation challenges are likely to play out in practice. Analyzing interpretation issues, for example, will require an analysis of the clarity of direction given to program implementers in legislative language, in particular with respect to potential areas that have been left unresolved, or where the guidance given to implementers is conflicting. Evaluating the degree to which the projections of financial and human resources needed to implement a legislative proposal are realistic requires a review of current programs or similar programs in the same jurisdiction or other jurisdictions. Analyzing potential program operator or target compliance problems may involve focus groups with current program operators and program clients to identify potential problem areas, as well as a review of program evaluations of existing programs.

5. Publish report on key implementation risks, with options for changes, although the Implementation Analysis should be clear in outlining problems, it should not include a single “accept or reject” recommendation.  

Lastly, a quarterly and yearly Policy Implementation Index will be created in order to showcase the rigorous research and contribution to the American people. The index will outline in detail the agencies in compliance with policies deemed favorable by the people and how elected and unelected government official are implementing these policies. The service products include but are not limited to:

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• Level of Policy Compliance
• Data Governance
• Social and Economic Policy Impact
• Policy Options
• Policy Compliance tracker
• Structural Compliance Risk

Similar to most investigation agencies, the reports may be held up to a few days before releasing the full report to the public. This initiative does not mean to replace any of the other research and reporting agencies, but an implementation analysis and compliance component is needed and this simply provides an alternative.
Chapter 5

POLICY CONCLUSION

In studying the structural components of formulation and implementation analysis through the lens of education policy; have come to the realization that the original intent of having public engagement and involvement during the policy process may need to be revised. The evaluation of the core principles and affinity for the rule of law, unintended consequences and the historical prudence for freedom and equality of America makes it clear that the micro and macro implementation problem may be the lack of aspiration to rid the nation of an entrenched and institutional stratification system. The ability to make a decision on the spatial boundaries that exist within this society will not just go away for example the re-segregation phenomenon in Seattle and North Carolina will continue to be an essential values debate and challenge facing policymakers.

The policies we’ve analyzed in this thesis outline the ways in which citizens are disassociated with the public policy process. The hypothesis that policymakers or the system itself is inept or lacking a structural framework for gauging and evaluating policy problems and implementing results is misguided. In analyzing the implementation process, we’ve learned about the difficulties of turning policy into structural practice and understanding the gap between what policymakers planned versus what actually takes place. What was illuminating and disconcerting was the level of involvement of interest groups and the role of money in the political process. The stereotype that Washington is dominated by the various interest groups speaks directed to one of our primary concern For instance, the evaluation of the Voluntary Export Restraints policy enacted during the 1980s illustrates the role the auto industry lobby
groups played in getting the policy enacted. This begs the question of how do we solve such an issue? How do we streamline the performance measurements and evaluation of policies and its implementation? The government initiatives championing results-based and/or performance-oriented programs have come and gone. This explains why organizational change experts consistently remain people that up to 70 percent of all change initiatives will fail. In summary, a proposal was presented in order to purposely analyze, investigate, and report on implementing agencies’ level of policy compliance. The objective of this Strategic Policy Assessment Initiatives is to build a roadmap and guidance for civil society, policymakers, policy practitioners, and analysts and demonstrate the benefits of using this process coupled with the principles of Lean Six Sigma and Organizational change management to empower innovation in policy implementation by eliminating activities that add no value to the public, decrease costs and inefficacies, and focus on delivering services to the public.


