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THE REGULATION OF TEACHING: LESSONS FROM THE NATIONAL SCHOOLS PROJECT

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REGULATING SCHOOLS

New Approaches to the Regulation of Work Practices

It is conceivable that the present generation of Australian teachers has been engaged in more workplace reform over a longer period of time than any other occupational group. Teachers can recite a near-interminable list of changes to work practices initiated during the 70s and 80s which required revisions of content to be taught, changes in methods of instruction and the introduction of modified patterns of school organisation. Yet the more things change the more they appear the same. The salient features of schools of 20 years ago are salient today - classes of thirty of so students, dominated by teacher talk and student silence, the content prescribed, instructional groups standardised by age, and teachers isolated from colleagues while they teach. Teachers, except for a relatively small band of enthusiasts, are sceptical of claims that there are better ways of doing things and are disinclined to take new reform efforts too seriously.

Another feature of the teaching profession has been its insularity - in this respect it has functioned like most other professions - operating at arm's length from government in a culture of its own. Until recently, large state education bureaucracies have been able to buffer teachers from intrusions from outside the system. Senior officials in the central offices determined most of the parameters for school reform and set up the standard operating procedures for system and school management. The notion that teachers should regard themselves as 'public servants', alongside workers in hospitals or energy suppliers, for example, and therefore subject to whole-of-government controls, was quite alien to them.

Principally for these reasons teachers view the pronouncements of governments on industry-wide reform of work practices with a large measure of detachment or cynicism. Yet the basis of government reform attempts in the 90s, to which the school sector has been co-opted as part of the education industry, is significantly different from past efforts. Not only is the regime of changes being

developed and controlled from outside the profession but generic forms of industry restructuring are being promoted rather than industry-specific or job-specific ways of doing things. These changes are being reflected in new state and Commonwealth legislation which overrides existing regulatory frameworks (Ludeke, 1993; Dabscheck, 1992). Management and employees will be able to negotiate individual workplace or enterprise agreements which can vary standard working conditions and practices in order to make the enterprise more productive. What this means for teaching is unclear since those who have framed the legislation are unlikely to have considered the work of any occupational group in particular, least of all teachers. However, the sentiment reflected in the rhetoric announcing the legislation is that when the changes take effect workers will be able to adopt work practices that were previously prohibited or which, for regulatory reasons, lay outside their reach. Thus, if the intention of the legislation is realised teachers can look forward to working in conditions which favour the trial and take-up of new methods of organising their schools and teaching (Angus, 1991).

The regulatory reformers had more in mind the metal, meat and sundry other industries in which productivity is easily measured rather than the education 'industry' with its less tangible product. Are the problems confronting industry at large essentially the same as those confronting schools? Are schools over-regulated institutions, restricted by layers of red tape, constrained in their response to the immediate and longer term demands of clients, held in check by centrally devised rule systems? Are they like other sectors of business and industry, with increasingly outmoded means of production protected by industrial awards and government regulations applied uniformly across the sector? A national action research project has addressed some of those questions. Before examining the evidence emerging from the project it will be helpful to consider the state of the formal rule system that applies to schools.

The Corpus of School Rules

There is no denying the size and complexity of the regulatory framework. It is like a lasagne with

layers of rules and regulations. Parliamentary legislation constitutes the first layer. In addition to the state education acts (recently revised in New South Wales and under revision in Tasmania) are the potent pieces of legislation devised usually by central agencies, mostly of recent origin, and invigilated in a tough-minded way. Schools must increasingly take account of legislation governing key areas of operation such as financial administration, health and safety, employment, and access to information. But parliamentary legislation constitutes only the tip of the regulatory iceberg and, for most practical purposes, is seldom consulted. More voluminous and of practical significance are the subsidiary pieces of legislation (or parliamentary regulations) and the awards and agreements sanctioned by the industrial relations courts. For example, the formal regulations in some school systems run to hundreds of pages. The industrial awards and formal agreements are of a more modest length though broad in scope. The third layer consists of the plethora of ordinances issued by officials with delegated powers. This is the largest and most forbidding component of the regulatory framework.

Most school systems are attempting to catalogue these rules in manuals or computer data bases but many of the instructions and rules that directly impact on practice are made locally with delegated authority or have the ambiguous status of a guideline suggesting a course of action and are therefore unlikely to find their way into a central data base. Finally, infusing the whole of the regulatory framework, though invisible, to a large extent, are the tacit or informal rules and shared understandings about how things are to be done; these rules are notoriously unresponsive to official revocation. Any new rule or regulation about work organisation will be interpreted within this huge corpus of rules containing its various dense layers.

The body of rules is so extensive that virtually no-one knows its contents. It is much easier in centralised, authoritarian systems to proclaim than revoke a rule. Hence, the status of a rule is often unclear, even when cited with apparent authority, since there is the chance it may be obsolete. Most schools operate with only a loose understanding of the rule system. Usually, threat of litigation or dismissal motivates reference to well-thumbed sections of the regulations. Though most state systems are trying to rectify this situation and overhaul the corpus of rules the process of rule-documentation is being outpaced by rule-invention.

The Regulation of Teaching

Although the overall volume of regulation in education is extensive, the specific regulations *directly* governing how teaching and learning should take place constitute only a small proportion. This is surprising given the uniformity of school structures and teaching approaches in Australian education systems. It would be reasonable to expect specific reference in the corpus of regulations to the dominant features of the processes of schooling. Yet particular forms of pedagogy are not prescribed. For example, there are no explicit regulations about how employees are to teach mathematics; nor are there regulations which explicitly require students to be organised into equi-sized groups, each with a single teacher in charge whose principal mode of instruction is exposition from the front of the classroom. Hours of student attendance and the punishment of students are typically the kind of matters directly and specifically regulated. There is not much more.

There are, however, regulations which instruct employees to do as they are told by superordinates such as school principals, superintendents and chief executives. These delegations range from the very general in some school systems (amounting to a form of management prerogative) to the highly specific in other systems where delegations indicating who is responsible for what are detailed in comprehensive manuals. Hence, it would be a mistake to conclude that because the corpus of regulations does not contain explicit descriptions of acceptable forms of pedagogy that the controls are few or weak.

Regulations that *indirectly* govern teaching are much more extensive. Entry into the profession, career paths, and promotional procedures, for example, are highly regulated though with minimal reference to any particular forms of pedagogy. The propensity of these regulations for influencing teaching arises from the way in which they are operationalised by departmental officials. For example, selection criteria for a vacant promotional position may be specified by central officials in the interest of the whole teaching service rather than the circumstances pertaining to the school in which the vacancy has occurred with the consequence that the school is unable to select a teacher who teaches in a style consistent with team members.

In a similar way, boards of study established by state governments with oversight of secondary curricula indirectly influence pedagogy by specifying syllabuses which are subject to examination after a fixed period of time. The

pressure to cover content at all costs becomes the driving force for the pedagogy, particularly during the later years of schooling. Although the legislation establishing these boards of study makes no reference to particular forms of pedagogy the content coverage pressure favours conventional 'chalk and talk' instructional methods ahead of more exploratory approaches even though the syllabus writers may have structured the content in such a way as to enable more adventurous teaching approaches. In addition to prescribing content, boards of study require teachers to adopt particular assessment procedures in order to produce state-wide standards of performance. The requirement that teachers meet the assessment criteria may directly influence the form of instruction in ways that may be incompatible with the intentions of the syllabus writers or the teacher's preferred approach to teaching (Hammersley, 1990). The assessment procedures used by teachers are often structured in ways that correspond with the examination process or which lead to the compilation of state-wide standards of performance.

Thus, although there is little regulation directly governing teaching the working environment of teachers is highly regulated, often indirectly, and often unintentionally, as far as the framers of the regulations are concerned. Paradoxically, the way in which the organisation of teachers' work is structured by the plethora of rules and regulations designed for purposes *other* than the promotion of quality teaching may account for the durability and pervasiveness of particular kinds of pedagogy.

In summary, it is possible to derive the following propositions about the regulatory framework and its impact on teaching:

- there is a uniformity and consistency about the work practices (including teaching) of teachers that have endured previous reform attempts;
- the regulatory framework of school systems is massive though there are few specific regulations governing teaching;
- schools operate with little reference to the formal regulatory framework; and
- the identity and nature of regulatory impediments to the adoption of innovative forms of pedagogy are unknown.

Is it possible that the legal and industrial impediments that constrain the quality of teaching and student learning are of overstated importance?

The National Schools Project was set up to answer that question.

LEARNING FROM THE NATIONAL SCHOOLS PROJECT

Using Action Research to Test the Regulatory Framework

The purpose of the National Schools Project was to find out whether the prevailing regulatory framework was limiting the quality of teaching and learning in schools, and if so, which elements should be changed. The industrial parties agreed to proceed with an action research project in which schools from all states, and from both government and private sectors, would generate their own restructuring projects under the aegis of the Project according to agreed principles. It was assumed that schools would require some variation of the regulatory framework in order to put their ideas into effect. The prospect that union and employer might agree to exempt a school from particular regulations or award conditions if it could be shown that they were impeding the implementation of a sound educational plan to improve student learning was unprecedented and seen as a potentially strong selling point for the Project. The initial plan was to invite 30 schools to form the pilot group though this number grew to nearly 200 by the second year as the central ideas took hold.

The pivotal construct in the National Schools Project was 'work organisation', a term borrowed from industrial relations jargon (along with many other terms used in the Project) and foreign to most teachers. The term came to mean the structuring of the work environment of teachers. In the National Schools Project, 'work organisation' was juxtaposed with 'pedagogy', the actual act of teaching (or structuring of student learning). Presumably, work environments can support or inhibit particular forms teaching. For example, the structure of the school day and the organising of students into groups assigned to particular teachers are forms of work organisation. When students work in self-contained classrooms at a particular grade level teaching tends to take on a generally recognisable form. Clearly, pedagogy and work organisation are related in practice, although the relationship is not always clear.

The pilot school teachers were encouraged to identify impediments to student learning arising from current work organisation arrangements and to devise their own solutions to such problems from within the existing resources of their school. Although there were no prescribed solutions

schools were expected to operate according to agreed principles stated in the Project rationale. Underpinning these principles is the notion of the 'systems work unit' (or self managing team) The key features of the systems work unit are a commitment by members to adopt participative decision making, to work collaboratively to solve problems, to accept responsibility for the achievement of agreed outcomes, and to monitor their work in relation to the achievement of the outcomes.

Provisional Conclusions

The early feedback from the pilot schools indicated 'slow progress', leading employer members of the NPQTL Governing Board to question whether they should have jointly specified the detail of the work organisation trials instead of leaving the decisions to school staffs to make when they felt ready. This was the old way of doing things, in which central authorities took little account of the start-up time required by schools to move from an expression of interest to achieving a collective commitment among staff for a plan of action. There was a tendency among critics of the Project to forget about the 'hurly-burly' of school life. Most of the pilot schools were enthusiastic about their participation in the Project but their first practical problem was to squeeze from their timetables a regular block that would enable some collaborative planning. Since the Project did not have the resources to buy release time the resolution of this problem was usually protracted, in some cases constituting the major achievement of the first year.

Typically, the pilot schools were creative problem solvers. One school negotiated a shortened school year for its community by cutting the unproductive time of the last week of the school year during which most students, with exams over, make an early start to the summer holidays. As a *quid pro quo* staff agreed to participate in a series of out of hours planning meetings interspersed through the year. Another school extended the day and provided evening classes for older students, reflecting the study timetable they might experience when they graduated to university or technical college; they filled some of the gaps that consequently appeared in the timetable with planning meetings. To make these arrangements work smoothly, it was necessary to establish child care facilities for staff who worked the evening shift; eventually a centre was established jointly with the local hospital and technical college. Although the acquisition of this collaborative planning time was a major achievement the purpose of the project was to improve student

learning. Much of the early efforts of the pilot schools can be construed as a means to a longer term end, although, as Chadbourne (1992) points out, there is the danger that much of the initial activity of the pilot schools will be misconstrued as an end in itself illustrating once again how the goals of education reform are displaced by the means of achieving them.

Early in the life of the Project an external evaluation was commissioned to interview staff, examine documentation and assess the extent to which the pilot school initiatives were consistent with the purposes of the Project. A review team was established with representatives from the Australian Council of Trade Unions, the Business Council of Australia, the national organisation of government school parents, the Catholic Education office from one state, and a deputy principal from a school not associated with the Project. The evaluation panel visited 40 pilot schools. Connors (1993), the convenor of the panel, concluded that the National Schools Project legitimised the responsibility of schools for forming judgments about the operation of their own schools and for making sensible trade-offs in order to improve learning outcomes in accord with their own and system goals. The joint support of unions and employers had provided schools with a chance to explore their options in a relatively open-ended way, free from external sanctions. The range of work organisation reforms observed by the panel included changing the working relationship between teaching and non-teaching staff, resource sharing among schools, reorganising the teaching and learning around self-managing teams, innovative applications of information technology, forms of collaborative planning, restructuring the school day and the minor re-building of facilities to enable more flexible student groupings. However, nearly all the 'exploration' occurred within the formal regulatory framework. Connors comments:

The Panel's observations of the progress being made in the NSP pilot schools does not support the claim that the regulatory framework of centrally-set industrial award conditions is a significant barrier to more flexible forms of work organisation, structures and practices at the school level. The Project has already established that, across and within States, a great variety of work patterns are possible within existing award conditions. In Victoria, the capacity of the Project to challenge award conditions featured prominently in the initial phases of its introduction to schools, which were invited to test that capacity directly. It is clear to the Panel that many Principals and teachers were puzzled as to what challenge, if any, could be

mounted that would accord with their professional priorities. (p. 29)

However, from a broader perspective Connors comes to a different conclusion.

If we take the 'regulatory framework' in its wider sense, however, and include credentialling, teacher promotion arrangements and the prevailing culture of systems in terms of rewards and incentives for teachers and students alike, then there is no doubt that these factors have a profound influence on the way in which work in schools is organised. (p. 29)

It would seem that on the basis of the evaluations conducted so far the National Schools Project has promoted reflection and a spirit of reform. However, the original intentions, whether naive, fundamentally erroneous, or unduly ambitious, seem unlikely to be fulfilled. It was expected that towards the end of its three year term the industrial parties would gather to examine the experience of the pilot schools and negotiate major modifications to the regulatory framework so as to enable the mainstream of schools to follow in the footsteps of the pilot schools. Such a notion has been discarded. Why was this so?

CULTURE AND REGULATION

Boundaries and Horizons

Boesch (1989) observes that culture defines possibilities and conditions for action. Could it be that limits of what the pilot schools set out to achieve, and finally achieved, were culturally determined? Further, as a corollary, could it be that the regulatory framework is of only incidental importance in enabling, or constraining, reforms to teaching and learning given that it survived the National Schools Project wholly intact? There are several reasons why the pilot school staffs may have been satisfied with only minor adjustments to the status quo. Some of these reasons have less to do with the blinkering effects of school culture and more to do with the parameters of the Project.

One assertion that can be made about the National Schools Project is that the regulatory limits of what is both desirable and possible were never tested. Had the schools set wider horizons they would inevitably have been obliged to confront the regulatory system. For example, the time-frame of the National Schools Project may partly explain the modest demands placed on the regulatory system. Project school staff were encouraged to undertake an extensive reflective and planning phase. They were actively discouraged from seeking the 'quick fix'. After two years of participation, many schools

were just getting into the swing of things. It is possible that as the schools develop their plans they will look for bolder and more fundamental changes to their operations. In particular, features of the regulatory environment which were taken for granted may seem increasingly problematic. For example, it is common for high school teachers to complain of the strictures imposed by the Year 12 assessment and certification systems in their states. Yet none of the 200 pilot schools sought to change the rules regarding certification or to seek exemption from them. This part of the regulatory framework has been taken for granted or regarded as a permanent fixture. Teachers may have quite reasonably concluded that to overturn the power of secondary assessment bodies was expecting too much from the Project. Had there been concerted pressure from a large number of the pilot schools to seek exemption from the legislation governing secondary school assessment it is possible that some concessions would have been made in some states though it is more likely that the schools' submissions would have ended in some kind of stalemate leading the schools eventually to abandon their plans.

The lack of incentive to contest the rule system may have been another reason for its tacit acceptance by school staff. At an unofficial level state department executives hoped that the Project would provide a vehicle for fundamental changes to work organisation in schools. The Project provided the pilot schools with opportunities to break out of the pattern of standard hours of instruction, class sizes and divisions of work between teachers and other support staff. Some departmental officials initially expected the Project to enable the testing of more radical forms of work organisation, such as the application of communications technologies in lieu of face-to-face teaching or the achievement of increased staffing flexibility through the employment of contract teachers. On the other side, union leaders associated with the Project were watchful of proposals that might establish precedents enabling governments to reduce working conditions that had been established through hard-fought campaigns over past decades. Though supportive of trials of teacher collaboration, and even the redesign of teachers' duties vis-a-vis other school staff, the union representatives drew the line on modifications to work organisation which threatened core tenets of teacher unionism, such as full employment of members. Because the National Schools Project was a political partnership between employer and union interests the disparate agendas of department and union officials were never publicly communicated to schools as to have done so would have provoked division in a project

which was promoted as having achieved unprecedented harmony between the parties. The relationship was too fragile to allow such explicitness (Angus, 93). The compromise was to allow pilot schools to define their own horizons of what should be sought within the Project, guided only by relatively bland rhetoric.

A third reason for the apparent acceptance of the formal rule system may have been the decision not to target any particular rules for testing or examination. At no time during the Project was there any analysis of the regulatory framework in order to find out on an *a priori* basis which practices were prescribed or prohibited by official rules. The approach was much more pragmatic. The action research orientation, with its focus on school practice, meant that the attention of school staff was only drawn to a formal rule when it became evident that observance of the rule would *directly* impede the adoption of the proposed course of action. Rules that *indirectly* governed practice such as staff selection seemed to fall outside the purview of the Project. Furthermore, teachers are not used to referring to formal rules since they are rarely inviolated. Hence, the award restructuring perspective of the Project would have appeared foreign or even irrelevant.

Ironically, the structures of the Project mirrored the structures of the school systems with power centralised in the hands of senior departmental and union officials 'safeguarding the interests of teachers' while the rhetoric of the Project espoused local initiative and self-management. The state steering groups were composed of union and departmental officials without representation from the pilot schools. The membership was justified on the grounds that as the business of the steering groups was to approve exemptions from the regulatory framework, and perhaps formal adjustments to the framework, this was the responsibility of the executive, not the rank and file. The consequence of these structures may well have been to reinforce the lines of authority and dependency of school staffs on central authority and to undermine the official intentions of the project. If schools calculated that the Project was not a means of redistributing or sharing the power to make local variations then the incentive to significantly test the formal rule system would be seriously diminished. In effect, through its decision-making structures the Project reinforced the dependency of teachers on central departmental and union officials to authorise change and subtly led pilot school staff to submit proposals which would not challenge 'head on' the power of the centre. Hence, the constancy of work practices may be explained by the retention and

display of general powers by school authorities which can override any specific regulatory adjustments, general powers which are directed to maintain the status quo.

It is a moot point as to whether the National Schools Project demonstrates the power of school cultures or the dominance of systemic norms of dependency, norms that reflect quite accurately the imbalance of power between school staffs and central authorities and which are expressed quite unambiguously in the regulatory framework. Little pressure was exerted by the pilot schools to clarify the limits or live up to the rhetoric of the Project. Employers and unions were rock-solid in wanting to keep hold of the reins as they always had.

The Potency of the Informal Rule System

While on paper the formal rules may seem precise and powerful, in practice it may be the informal rules that count. Thus, allowing that the National Schools Project constituted a fair test of the formal regulatory system, the results point to the potency of school cultures. There are several reasons why this may be so. First, the formal rules may *appear* to be irrelevant and so for practical purposes become so. Second, a formal regulation is only one of a plethora of rules, thereby providing staff with opportunities to comply with some and ignore others; a new regulation merely dilutes the corpus of formal and informal rules. Third, where the formal rules conflict with informal rules the consequences of failure to comply with the formal rules are less severe and immediate than failure to comply with the informal rules.

In the main, teachers have little awareness of the formal rule system. Most would be unable to describe the contents of acts, or the official bodies of regulations and awards. Although this state has much to do with the inaccessibility of the documentation, the bodies of rules are ignored principally because they appear to be irrelevant to the everyday life of teachers. In these circumstances why should teachers, under the aegis of the National Schools Project, have sought to restructure the formal rule books? Hence, another explanation of why the formal regulatory system remained unchallenged in the Project might be that formal rules constitute mostly background 'noise' in schools; what can be changed is determined largely by the informal rule system which consists of localised norms as well as those internalised, formal rules that have been perceived as relevant. In other words, until a formal rule or regulation has been absorbed into the school culture it has little effect excepting in

cases where the rule is externally invigilated. Thus, the informal rule system forms an invisible scaffolding, though scaffolding none-the-less.

If the rule system that counts in schools is an invisible amalgam of norms and internalised formal rules what does this mean for the adoption of new forms of work organisation? Changes to work practices that are inconsistent with the existing body of interwoven, informal rules, even if accepted in principle, may quickly dissipate. Ahs (1986, p.4) writes:

Old rules which have really been abolished persist on an informal basis because they were cornerstones of complicated, labour-demanding routines which people have devoted a great deal of effort to mastering. They include, for example, the rules concerning cut-off numbers and their effect on the allocation of teaching appointments. Other older rules have been officially retained in Ordinances etc., even though they do not fit in with an otherwise new system. These residual rules and routines can, if applied, preclude or impede the implementation of other routines, e.g. those necessary to decentralise forms of decision-making. Allowances for this co-existing, residual code of rules pushes reforms in a conservative direction. In fact, they serve to guarantee that there will not be any systematic change.

From Ahs' perspective it is easy to understand why the pilot schools made such modest progress with work organisational change and why the Project generated so few confrontations with the regulatory system. Grand plans for new kinds of work organisation, even if formulated within the school, must contend with the prevailing patterns of getting the work of the school done. The grander the plan the more likely the disturbance will have wider consequences for the way in which the work is done. Contending with the workplace norms, over which staff have nominal control, may be a more difficult accomplishment than having a formal regulation waived.

The Interpretation of Rules

It is a plausible proposition that the regulatory framework is so vast and inaccessible that it is also relatively unrestrictive. Clever school principals and their staffs can adroitly wind their way through the thickets of rules, choosing which to observe and which to ignore, and get what they want. Even when they strike a clearly stated rule its meaning is a matter of interpretation. Weatherley and Lipsky (1977), who case-studied the implementation of a piece of legislation relating to special education, found that the intentions of

the legislation were quite distorted by the time it was 'implemented' in schools. Assumptions that the intentions of central authorities can be fully realised in schools by some kind of direct transmission through regulation are obviously quite naive. The intentions are re-interpreted by personnel, sometimes deliberately, often as a necessary coping response in order to get through the day's work. Ethnomethodologists, such as Cicourel (1968) and Bittner (1967) describe how in practice rules may be cited after an action and interpreted so as to justify the action.

Few rules are ever so explicit and comprehensive that they specify what must be done under all circumstances. Nor is there, usually, a capacity to monitor or invigilate all the rules, or a particular rule under all circumstances. Such regulatory precision is not possible. Members of organisations, therefore, may act with discretion whether delegated the discretion or not. Some theorists (for example, Simon, 1965) suggest that around each rule is built a zone of acceptance. Actions which are perceived to fit within the zone are accepted as legitimate. The wider the zone the more scope for members of the organisation to do as they want. Hence, it is possible to maintain a well-defined rule system which tolerates a considerable diversity of actions. The zone may be so wide, and the consequential 'slippage' in the regulatory system so extensive that, in effect, there is seldom need to consult the rules. Even categorically stated rules, such as those that define the hours of instruction, can be interpreted in terms of their spirit (keep students on the school site for as long as they need to be there) rather than their literal meaning (they must be in class for 300 minutes per day).

Rules decay. Often rules are prescribed in order to solve a particular administrative problem. When circumstances change the utility of the rule may diminish. The containment of obsolescent rules in the corpus of rules weakens the authority of the regulatory framework, particularly when there are few effective sanctions that can be applied for non-compliance. For example, the time allowance of the lunch time break is often enshrined in regulations or awards yet the rule is frequently flouted when teachers engage in voluntary activities with students. With the decay of the rule new norms begin to crystallise with regard to a range of acceptable activities during official recess. Eventually the practice may be quite contrary to the intention of the rule though the members of the organisation are content to leave the obsolete regulation unchallenged.

According to this line of argument, work organisation rules are unlikely to provide a literal constraint on practice. Interpretation and decay provide actors with room to move in the regulatory framework. As Burns and Flam (1987) point out, human agents continually form and reform social rule systems. The regulatory framework may be more usefully construed as a screen than a straight-jacket.

TENTATIVE ANSWERS AND MORE QUESTIONS

The Interplay of Regulation and Culture

It is tempting to cast the National Schools Project as a demonstration of the power of culture and the impotence of formal systems of rules in shaping work organisation and pedagogy in schools. But the relationship between regulation and culture is complex and does not support such a simplistic conclusion. It is true that practice is shaped by culture. But formal rules can shape culture directly or reinforce culturally acceptable practice. Once adopted and internalised by school staff, rules then anchor practice in the past so that the abolition of a formal rule does not necessarily abolish the practice. Nor does the change of a formal rule necessarily change practice. Culture mediates formal rules but does not always nullify their effect.

Hence, it would be a mistake to regard culture as some kind of constant, impenetrable barrier to change. As Boesch (1989) points out, culture fosters both stability and change. Even when a culture tries to regulate change by establishing rules and limits, opposing forces are unleashed to contest or remove the limits. Hence, the regulatory system is in a continuing state of flux. A better understanding of the interaction of culture and regulation and between formal and informal rule systems is essential to understanding why reforms succeed or fail.

Symbolic Power

Although there is a paucity of specific rules pertaining to pedagogy it does not follow that there must be few regulatory constraints on teaching. In a similar vein, it would be premature to conclude that because of the modest pressure applied to the regulatory framework by schools in the National Schools Project that school systems will support quite unconventional or divergent approaches to teaching. Regulations that delegate power to school superordinates, vaguely specified power, provide enormous symbolic influence. Irrespective of whether the power is ever formally exercised by

departmental or union officials, such regulations communicate to employees that locus of decision-making is situated outside the school. Thus, if a school superintendent is known to favour a particular form of school organisation, or is a strong advocate for a particular approach to teaching, schools may follow suit without any explicit instruction. In the National Schools Project the steering committee members, senior union and departmental bureaucrats, held such power. They were the judge and jury for pilot school proposals, holding the power to reject school ideas.

If the proponents of workplace reform in schools want fundamental changes then schools must be given power to effect such change and deal with the consequences. So far, unions and state departments have been unwilling to delegate such power, fearing that schools will exercise the power 'unwisely'. Although the enterprise bargaining rhetoric implies work site control of work practices, central education authorities, acting in a tradition more than a century old, believe they know best and reserve the right to intervene through general powers reflected in legislation and regulation.

The Remote Control of Teaching

Regulations, apparently unrelated to teaching, can have a powerful impact by limiting the options available to teachers. For example, regulations which specify how job vacancies are to be filled, govern attendance of students at particular schools, or determine resource allocations and school size, such regulations promote uniformity and inhibit local variation. These regulations are usually developed in the interest of administrative efficiency and are regarded as unrelated to the process of teaching, understandably so while teaching is construed as an activity best undertaken privately in classrooms. But if teachers try and radically change their conception of teaching they will soon encounter the steel plating of work organisation rules. Piled on top of these constraints are the government requirements of all employees. These rules are promulgated in the public interest with little sense of their institutional impact. Ironically, the penalty for non-compliance with these rules is usually much more severe than for failure to comply with rules more directly tied to teaching and learning the business of schools. For example, the uniform application of government financial regulations may restrict, or even prohibit, a school's capacity to raise money and spend it on the school's priorities. Yet, changing government financial regulations would seem out of the range of possible action by school staff and even senior education officials. The

restriction becomes a taken for granted part of the regulatory landscape. Such restrictions were never challenged by the National Schools Project, nor was their impact ever calculated. Teaching continues to be an occupation exposed to remote control.

Regulating Enterprise - An Oxymoron?

The purpose of the current regulatory reform program is to promote flexibility and adaptiveness in the workplace in order to achieve greater productivity. Consistency and durability are no longer regarded as the hallmarks of effective work organisation. How do you regulate flexibility? One obvious way is to eliminate rules and produce a leaner regulatory framework. Another way is to frame the regulations in very general terms that require a discretionary interpretation. A third approach is to provide 'escape clauses' which provide exemptions from the rules. These options, however, need to take account of why the regulations were formulated in the first place. Many of the regulations were issued to protect the interests of employees during a time when productivity did not seem to be an issue. The orthodox way of protecting employee interests was to stipulate fixed working conditions and resolutely resist any erosion. Inflexibility on this issue was regarded as an union virtue. Thus, the regulatory system is a two-faced beast: it is expected simultaneously to protect working conditions yet enable innovative new practices. These functions are usually antithetical to each other, one associated with control, the other with initiative.

The dual functions of regulation produced a tension which dogged the National Schools Project from its beginning. Unions wanted to maintain the protection of current working conditions afforded by the regulatory system. Employers wanted variations of working conditions which the union leaders feared could lead to a diminution of the quality of the teaching and learning environment. Although the National Schools Project engendered a high level of trust between union and departmental officials engaged in the Project no employer was able to guarantee the government's position in the future. Hence, the variations in work organisation were vetted closely. The net effect of culture and tradition led to a more conservative trial of the regulatory system than might have been expected or hoped for. As a consequence the National Schools Project has been more successful at raising questions than resolving them. The Project, however, should stimulate a closer examination of how teaching is regulated.

SOME IMPLICATIONS FOR TEACHER EDUCATION

Historically, teacher education institutions have mirrored schools, both culturally and organisationally. The correspondence was seen as a strength. Students educated in such institutions were thought to receive a more relevant preparation for their teaching careers than were they educated in some other form of institution. Most of their lecturers were ex-teachers. When teachers colleges were reconstituted as universities they were, to a large extent, left organisationally unscathed though protected from future organisational restructuring by the university tradition of institutional autonomy. There are signs, however, that the schools of teacher education are a threatened species. They, too, must confront organisational restructuring or face closure or chronic attrition. The Ministerial statement *Teaching Counts* (Beazley, 1993) is one clear signal. The tempo of reform in teacher education in England and the United States seems indicative of what is to overtake Australian teacher education institutions (see for example, Gilroy, 1993; Holmes Group, 1986).

Although the regulatory frameworks governing teacher education are less extensive than for schools, they are powerful none-the-less. Current practice is circumscribed by statutes, awards, and university policies. These formal rules are applied in conjunction with the informal rules of the organisation which dictate how 'things are done around here'. Efforts to restructure teacher education will collide with these rule systems. Teacher educators, especially those with reformist hearts and minds, would do well to examine closely the efforts of their school colleagues grappling with regulatory systems.

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