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## **A Case Study On Ethical Decision Making By Legislative Leaders And Their Motion To Approve The North Carolina Charter School Bill Of 2011**

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A Case Study on Ethical Decision Making by Legislative Leaders and Their

Motion to Approve the North Carolina

Charter School Bill of 2011

Moses Fox, III

North Carolina A&T State University

A dissertation submitted to the graduate faculty  
in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

Department: Leadership Studies

Major: Leadership Studies

Major Professor: Dr. Forrest Toms, Ph.D.

Greensboro, North Carolina

2015

The Graduate School  
North Carolina Agricultural and Technical State University

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## Biographical Sketch

**Moses Fox III** was born on November 18, 1977, in Yazoo City, Mississippi. He attended Woolfolk Elementary School and N. D. Taylor Middle School before graduating from Yazoo City, High School in May of 1996. Moses went on to attend Hinds Community College in Hinds County, Mississippi for two years before transferring to the University of Southern Mississippi where he received a Bachelor of Arts degree in Broadcast Journalism in 2001, becoming the first male and second college graduate in his family. Upon graduation Moses relocated to Charlotte, North Carolina to begin his career in broadcast television. He spent time at two of Charlotte leaders in broadcast news. After four years of professional growth Moses became eager to become more versed as a community leader and business professional. Therefore, he returned to school to pursue a Master's of Science degree in Organizational Change and Leadership at the Pfeiffer University in Charlotte, North Carolina. Moses completed this degree in August, 2006 and began his career change in the nonprofit sector. In 2008, Moses was accepted into the Leadership Studies, Doctoral Program at North Carolina Agricultural & Technical State University.

Moses's career path has provided him the opportunity to grow as a servant leader. He has formed development teams for nonprofit organizations with the sole purpose of generating funding for the organizations. Moses's leadership yielded financial gains well into the millions for the organizations he has represented. In addition to generating funds for organizations, Moses has expanded his reach by providing community engagement and academic success strategies to public and private schools. He has worked to establish collaborations between civic, fraternal, business and educational communities.

## Dedication

This dissertation is dedicated to my family. They provided continuous support; value and prayer for everything that I endeavor to do in life. Each of them serves as members of my front line and has at some point guarded me against failure:

- Moses Fox, Sr. and Ella Mae Fox—You provided me with an understanding of two of the greatest values in life, family and faith.
- George Wallace, Jr. and Mary Louise Wallace—Thanks for giving me the best mother a boy could ever imagine having . . .
- Moses Fox, Jr. & Katherine Wallace Fox—I am so blessed to have you as my parents. Through the years you have taught me so much about myself and why it is so important to follow my heart and work for what I want. I love you both!
- Latoya Marie Harry (Alexis & Caleb)—Whenever I needed to turn away from the grunt of work, I knew I could call you for a quick laugh or gentle cry.
- Cortina Maria Fox (Areanna & Lonnie III)—My little sister who has shown dedication to overcome all adversity . . .
- Tyren Jamal Fox—The brother that I have grown to respect for his dedication and drive at such a young age. Your impact on the world will be major and I am so glad to be here to witness some of it with you.
- William R. “Bill” McNeal Jr. & Nata “Faye” McNeal—You blessed me with the woman who has stood by my side throughout this journey. Her strength is a testament to your teachings.
- Yahzmin Marie Fox & Moses Fox, IV—My princess and prince who will receive the torch and continue the legacy . . .
- Tiffany McNeal Fox—The love of my life and one who stood with me throughout this journey, pushing me out of bed when my body did not want to move, and fussing because I did not feel like writing when she thought I should . . .

I dedicate this work to each of you!

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As a high school sophomore, I had the honor of meeting a dynamic history teacher by the name of Charles Chiplin. Even though Mr. Chiplin was not my history teacher, he took a special interest in me as a young African American boy. I lacked confidence and could be considered self-centered, until the day Mr. Chiplin overheard me being negative about school. This was a contradiction of how I was raised and the potential he saw in me. He spent the next 15 minutes assuring me I would be a success and I would achieve this through education. That short lecture was the beginning of a new relationship. He introduced me to new endeavors and organizations that molded me as a young man and eventual scholar. Due to many exchanges with now Dr. Charles Chiplin, I continuously find myself setting new goals and working diligently towards each of them. Dr. Chiplin was called home to be with the Lord in April of 2012. He will be missed!

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“Fear does not allow dreams to come to fruition! Therefore one must reject fear prior to dreaming or dream until fear no longer clouds your dreams . . .”

~ Moses Fox, III

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## Abstract

The purpose of this study was to explore the role that equity and ethics played in decision making by examining the perspectives of elected leaders in a case where members of the North Carolina legislature decided to lift the cap on charter schools by enacting the 2011 North Carolina Charter School Bill.

The analysis was based on triangulated qualitative data from historical documents, written documents from the state's legislative library, and interviews from consenting legislative leaders of North Carolina. The researcher used Colaizzi's (1978) phenomenological data analysis protocol to explore and understand the participants' lived experiences. Finally, a pattern matching analytic technique called explanation building was used to establish an understanding of a single five point predicted theoretical pattern to build an explanation about the case. The triangulated data points provided empirically based patterns that were paralleled to identify causal links between the predicted and empirical patterns. Causal links provided an explanation of the phenomenon of decision making and how equity and ethics impact decision making. There were four major findings in this study. Participant interpretations of the law provided challenges to understanding how charter commissions would evaluate measures of accountability. Perceptions of decision making presented disconnects between the law and delivery of ethics and equity when decisions were rendered. Participants identified principles which highlighted fairness and care as essential when making ethical decisions.

The results of this study showed that participants' interpretations of the law provided challenges to understanding how the charter commission would evaluate internal and external measures of accountability.

## CHAPTER 1

### Introduction

This decade has been highlighted by questions surrounding the state of American public education systems and their lackluster efforts to educate youth (Hutson, 2010). These questions, combined with loss of faith and support in leaders, have led to Education Reform measures that focus on corporate testing and standards measurements rather than equity and growth of all students (Hutson, 2010). With this context, communities are left to question the decision making of leaders who are charged with establishing standards for success. Although there is a need to address testing and standards, the essential function of equity and ethical decision making by leaders must be examined. According to Haq (2011), one of the essential roles of a good leader is to ensure that functions of an organization are performed in an ethical and equitable manner. In cases where leaders are elected or appointed to represent constituents, ethical decision making must serve as forethought to organizational equality.

In an effort to clearly address equity and ethical decision making by leaders, it is important to examine reform efforts and the position that these efforts may have on current and future leaders. Although reform is understood as a concept of matching the means and the ends, the actions of leaders do not always support the same theory (Sass, 2010). Leistyna (2007) provided an example by indicating, “most citizens of the United States are unaware of the extent to which public schools are controlled by private interest” (p. 59). These private interest groups are not limited to publishing companies, for-profit education management organizations, or corporate lobbyists. These groups sometimes manage to merge their interest into the platform of leaders who strive to match the means and the ends for the parties they represent. Voters believe that the masterminds behind Education Reform include corporate executives, media moguls, and

politicians who provide an approximated price tag, which exceeds \$600 billion a year (Leistyna, 2007). With these types of exchanges, voter confidence in their leaders waivers.

The *Charlotte Observer* newspaper published a story on June 20, 2011 titled “Rich Schools, Poor Schools: North Carolina’s Gap May Be Growing.” This article examined a budget approved by state legislatures with a \$429 Million Flex Cut to K-12 education (Stancill, 2011), ensuring cuts to most of the districts across the state. This headline served as an indicator that county governments would have to continue slashing funds to accommodate requirements of the budget while accounting for more of the educational cost within their county. Although the decision to administer these cuts was supported by leaders across the state, these same leaders pressed forward with critical discussions to reform charter school legislation, allowing for the potential increase in the number of charter schools. These decisions seemed to present standards that were not necessarily equal or ethical. A leader’s willingness to eliminate funding from one public education group while entertaining legislation to expand educational opportunities for another group may lead some to question these leaders’ decision making process.

More specifically, the article highlighted a “2010 Local School Finance Study” that showed a widening gap in spending between the 10 richest counties and the 10 poorest counties in North Carolina (Stancill, 2011). This gap illustrated what is needed to fund urban area schools’ growth, showing in essence how rural areas may be left behind in funding needs. Funding and public education is especially important considering how legislative leaders in their decision making process have aligned to manufacture a shift in how public education will look in North Carolina. In 2011, the North Carolina Senate placed Senate Bill 8 on the Senate floor. This bill proposed a change in Charter School Legislation, allowing the removal of the state’s 100-school cap. This bill would allow for the approval of approximately 50 schools per year in



the state. In 2011, Senate Bill 8 became law. By March 2012, the North Carolina State Board of Education had granted nine new charters for tuition-free schools (The Progressive Pulse, 2012). These matters prompted North Carolina Policy Watch to write, “Lawmakers will only further undermine the health of the traditional schools” (NC Policy Watch, 2011, p. 1) in North Carolina, leading to the demise of traditional public education.

People cast blame on county or district level educational leaders like teachers and school personnel rather than on actual factors that may have contributed to this systematic problem. People also do not cast blame on the statewide leaders who provide the means for the systems that govern these leaders and the special interest groups who fund them. Furthermore, issues like subconscious personal racism among leaders and socio-economic or class biases have been identified as major factors that contribute to underachievement among children (Smith, 2005). These factors lead to low expectations, misconceptions, and false assumptions about minority students and poor students in both rural and urban areas. In addition to these factors, North Carolina legislative leaders are in continuous disagreement about decisions pertaining to the budget and K-12 education; additionally, they clash over the lasting effect that their decisions will have on education within this state. Low expectations, misconceptions, and false assumptions are a few of the effects of these reform measures. These measures leave many organizations and families feeling as though school reform comes by way of school choice, while supporting the controversial issues pertaining to the operation of charter schools in the state.

According to the “North Carolina History Project” (2011), those groups that supported the argument to lift the cap on the number of charter schools used educational reform as their platform for change and control. They also believe that freedom of choice in public education

was the missing element. With these shifts taking place not only in North Carolina but also across the U.S., it is important to focus on North Carolina legislature's decision to remove the cap and the extent to which equity impacted their decision to support or deny this legislation. Bechara (2004) noted that ethical dilemmas play a significant role in the decision making process when emotions are high, but does not indicate that individuals do not rationally weigh the consequences of their decisions when there is a focus on equity. Because there is inadequate research on critical decision making, more research on equity and leadership is needed in the current literature. Furthermore, additional research is necessary to understand leadership practices that are necessary in the process of rendering ethical decisions. This study addresses these needs by examining the impact of equity and ethics in the decision making process of elected leaders in the state of North Carolina.

### **1.1 Statement of the Problem**

With constant discussions of Education Reform in the 21st century, there is a need to examine the role of legislative decision makers who ultimately vote on measures intended to improve the quality and condition of education in the U.S. It is imperative that researchers focus more explicitly on the influence of equity and ethics in the decision making process of elected leaders. Given this context, this research study focuses on the decision making of elected officials in North Carolina who comprised the Conference Committee on Education "Education Sub Committee for Senate Bill 8." More specifically, this investigation examines the Committee members' decision to recommend the bill as a law based on equity and ethical standards.

### **1.2 Statement of the Purpose**

The purpose of this study was to explore leader perspectives on equity and ethical decision making by reviewing a case by the North Carolina Educational Sub-Committees

“Conference Committee.” This committee provided the decision to support Senate Bill 8, which essentially became the North Carolina Charter School Law of 2011. This law allowed the potential increase of up to 50 new charter schools per year in North Carolina. This study contributes to the current research on leaders and leadership in the 21st century by examining the extent to which legislative leaders use equity and ethical decision making as they ponder legislation that will influence governance at the state level. To explore this issue, this research study focused specifically on the decision making process of legislators charged with examining the cap on charter schools in the state of North Carolina.

### **1.3 Research Question**

This qualitative research study was guided by two central explanatory questions: (a) How did equity influence legislative leaders’ ability to practice ethical decision making? and (b) How did the leaders’ perspectives constitute elements of ethical decision making? Participants in this study were selected based on their status as elected officials chosen to make decisions for the citizens of North Carolina through the judicial process. These participants were purposefully selected for this investigation because of their service on the Conference Committee made up of both houses of government. This committee was composed of members of the North Carolina State Senate and members of the North Carolina House of Representatives. Finally, the researcher selected the pool of potential participants based on a combination of factors, including their knowledge of the case, their responsibility to their constituent base, and their responsibility in rendering a decision on the case.

### **1.4 Theory Base**

The notion of expanding the number of charter schools operating within any state is amenable to theoretical analysis considering the opportunities that it may have provided for some

students to adequately increase their academic outlook, but questions remain pertaining to the ability of charter schools to replicate their model and provide academic growth to a significant percentage of school-age students. Therefore, there is an immediate need to understand the role that equity plays in leadership which will provide an important context for understanding the ethical decision making process in general. First, equity theory was analyzed to provide an important context for understanding how equality must be present when making ethical decisions that represent the interest of a constituency (Adams, 1965). Second, the body of literature on ethics provides a theoretical frame for understanding decision making as an essential leadership behavior. Within this frame, ethics are explored through the body of literature associated with justice. The review of literature for justice included Plato's *The Republic of Plato* (Cornford, 1941), Immanuel Kant's *Groundwork of the Metaphysic of Morals* (Paton, 1965), John Dewey's *Democracy and Education* (1916), and John Rawls's *A Theory of Justice* (1971). The second framework within this review of literature for ethics was care (Gilligan, 1993; Tronto, 1993). The third framework of ethic was critique (hooks, 2000; Tronto, 1993). The fourth frame for understanding decision making was profession (Sharpiro, & Stefovich, 2001; Hackman, Schmitt-Oliver, & Tracy 2002). The accumulation of these bodies of literature results in a rich and distinctive approach to understanding the perspectives of leaders on ethical decision making.

### **1.5 Definition of Terms**

Several terms used in this study may confuse the reader. Therefore, this section provides clarification to ensure a clear understanding of the terms used in the context of this study.

*Charter School:* A public school under contract—called a charter. These contracts, or charters, are granted from a public agency to a group of parents, teachers, school administrators,

nonprofit agencies, organizations, or businesses that wish to create an alternative to existing public schools in order to provide choice within public school systems (Weil, 2000).

*Equity*: For the purpose of this study, equity is identified as the process of providing access and services (Nieto & Bode, 2008).

*Equality*: For the purpose of this study, equality, which is also known as equality of opportunity under social justice, will be identified as the “allocation of rewards follows normative expectations in order to avoid felt injustice” (Marshall, 1998, p. 334).

*Leader(s)*: For the purpose of this study this term is not based upon any of the main leadership theories, perspectives, or concepts. When this term is used it speaks directly to the identified individual or group who holds a position that is identified as a Leadership Position. In no way does this study attempt to define the role of any particular type of leader. But it does assume that these leaders uphold ethical standards and view themselves as ethical leader(s).

*Leadership*: “Leadership is the process of persuasion or example by which an individual or (team) induces a group to pursue objectives held by the leader or shared by the leader and his or her followers” (Gardner, 1990, p. 1).

*Ethical*: For the purpose of this study the usage of this term shall be used interchangeably. The term *ethics* refers to the term *ethos* which roots back to Greek inheritance and means “customs,” “conduct,” or “character.” This means that values and morals of an individual leader or societal leader may be evaluated and referred to as ethical or an ethic (Northouse, 2007).

*Ethical Leader*: This leader demonstrates normatively appropriate conduct through personal actions and interpersonal relationships, and the promotion of such conduct to followers

through two-way communication, reinforcement, and decision-making (Brown, Trevino, & Harrison, 2005, p. 120).

*Ethic of Justice:* This ethic focuses on rights and laws. Justice means the universal good or the good for everyone (Rawls, 1971).

*Ethic of Social Justice:* This ethic focuses on social justice and is defined as an “approach or action that embodies treating all people with fairness, respect, dignity, and generosity” (Nieto & Bode, 2008, p. 11).

*Ethic of Care:* This ethic focuses on maintaining relationships and empathy. It means “caring about,” “taking care,” “care giving,” and “care receiving” (Tronto, 1993).

*Ethic of Critique:* This ethic focuses on criticizing laws or politics. This process of criticizing includes consideration and discussion of issues of race, class, gender, and identity (hooks, 1990).

*Ethic of Profession:* This ethic is defined as “an occupation requiring an education, especially law, medicine, teaching, or the ministry” (Barnhart, 1970, p. 1647). Within this study ethic or profession will expand beyond this definition to include what Shapiro and Stefkovich (2001) define as “a paradigm that includes ethical principles, codes of ethics, professional judgment, and professional decision making” (p. 55). Shapiro and Stefkovich (2001) continue on in their reference of ethic of profession as an individual or professional code of ethics, ethics of a community (district, county or state government representative), professional code of ethics, and the standards of the profession.

## **1.6 Organization of the Study**

The present study is organized in five chapters. Chapter 1 provides an opening with a personal introduction from the author and a general background for the study. The prologue

describes the purpose of this study and why it is significant. It also includes a list of definitions for readers, a statement of the problem, the layout of the exploratory questions, an explanation of the theory that guided the study, and an organization of the study. This chapter is an overview of the study and a preview for chapters to follow.

Chapter 2 is the review of literature. This chapter addresses the problems and theoretical constructs identified within the design. It includes literature on educational reform, charter schools, equity, and literature on ethics. It concludes with a summary that ties equity in educational reform, and charter schools to ethical decision making.

Chapter 3 is the methods and procedures section where the researcher explains the methodology used to guide the study. This chapter reiterates the exploratory research questions proposed in Chapter 1, and it serves as a rationale for the selected methodology. The methodology was a qualitative case study that examined the state legislator's decision to support Senate Bill 8 during the 2011-2012 North Carolina General Legislative Session. This chapter explains the researcher's role and includes ethical considerations as well as credibility of the study.

Chapter 4 provides the results of the study. It includes a presentation of data collected during the study. Data collection was triangulated by way of multiple qualitative methods and transcribed to foster an understanding of pattern matching needed to establish causal links relevant to explain the phenomenon to stipulate the "how" of the said research questions.

Chapter 5 provides a discussion on the results of the study. This response aligns with the exploratory question. Additionally, the researcher provides recommendations for elected officials and future research as a result of the findings.

## CHAPTER 2

### Review of the Literature

#### 2.1 Introduction

The review of literature is organized with an introduction followed by a discussion of the theoretical framework that guided the study. The first theoretical framework is Equity Theory, which provides a correlation between equity and ethical decision making. The second theoretical framework is ethics for understanding decision making as an essential leadership behavior. Next, the review covers equity and decision making as a measure for discussing school reform and charter schools. The final section presents a review of the history of North Carolina Charter School reform efforts also referred to as Senate Bill 8.

The literature review on equity begins with a brief background of equity theory and how equity serves as an essential component of decision making. The literature review on ethics begins with a presentation of four paradigms: ethic of justice, ethic of care, ethic of critique, and ethic of profession. The discussion continues with a review of the history and primary purpose for charter school legislation. Following the review of the primary purposes there is a discussion on charter school reform efforts and an overview of North Carolina charter school reform. The chapter concludes with an exploration of the appropriateness of the two theoretical frameworks in the context of this study.

#### 2.2 Background of Equity Theory

Adams (1965), a Belgian-born U.S. psychologist, introduced Equity Theory as a social comparison theory in psychology, stratification, and sociology (Adams, as cited in Neumann, 1980). Over the past 15 years, Equity Theory has become increasingly popular among social scientists and practitioners in Western society. The theory's arrangement falls within two



categories. The first is input, and it explores the fairness and equitability of what people think. This notion provides a concept of fair balance between leaders and constituents, which should be reflected within their decisions. A policy brief by Organization for Economic Co-Operation and Development (2008) highlighted fairness as one of the major dimensions when enacting policy domains within education systems. Fairness is further explained as “making sure that personal and social circumstances—for example gender, socio-economic status or ethnic origin—should not be an obstacle to achieving educational potential” (p. 2). For this reason, the concept of fairness, which is provided through equity, is essential. Secondly, there is output, which explores how people respond when they feel they are getting more or less of what their relationship deserves (Coleman, 2006). Adams (1965) provided a description of outputs or outcomes which were perceived as exchanges resulting from social interactions by recipients about their contributions. This concept is important as the social interaction of an exchange that is perceived as acceptable by an elected official acting on behalf of constituents who supported him with their vote.

A compelling expression of inputs and outputs can be drawn from one of the longest standing arguments for equity in public education. This issue may be identified as a foundation for and against education reform as we know it today. The issue was identified as the landmark case of *Brown v. Board of Education of Topeka*, which ensured equitable learning opportunities for children who lagged behind their peers in academic achievement (Talbert-Johnson, 2004). In 1954, the decision by the United States Supreme Court provided the inputs and outputs or outcomes provided justice for children who were not in a position to speak. Therefore, the leaders of the courts attempted to provide equality through their decision making.

The concept of equity plays an essential role in what constitutes good decision making by leaders and non-leaders (Adams, 1965). Equity is necessary in decision making because it calls for an equal distribution of outcomes (Adams, 1965). Equity Theory provides an avenue to further examine inputs and outcomes and the existence of fairness by those rendering decisions. As indicated by Adams (1965), “Equality between inputs by employees and their perceived outcomes must be aligned with the perceived inputs and outcomes of their leaders which then allows equality to take place” (p. 336). This statement emphasizes the expectancy of decision makers or leaders regardless of profession.

Furthermore, Equity Theory provides the challenge to ensure a strong and productive relationship is achieved through trust and loyalty. Equity theory is central to this investigation as it assists with understanding fairness of the decision by the Education Sub-Committee to support Senate Bill 8, which proposes lifting the Charter School Cap in the state of North Carolina. Finally, equity theory assists by providing investigation into the perceived equity involved in the decision from the perspective of the persons rendering the decision.

### **2.3 Ethical Paradigms for Decision Making**

The second component of the theoretical framework is ethics for understanding decision making. A review of literature on the subject of ethics provides an understanding of ethics, which is necessary to describe and explain ethics within each of the four ethical paradigms for leadership as explained by Shapiro and Stefkovich (2001). This review is critical to understand the body of knowledge, which guides leaders when making decisions.

### **2.4 Ethical Theory**

Ethical Theory provides systems of principles and rules that guide individuals when making decisions pertaining to what is right or wrong and good or bad in particular situations

(Northouse, 2007). These principles highlight the basics of understanding when one is attempting to view another as a morally decent person. This theory and its principles stem from Plato (427–347 B.C.) and Aristotle (384–322 B.C.). According to Aristotle, the term *ethics* refers to the term *ethos* and has been translated based on Greek inheritance to mean “conduct” or “character” (Northouse, 2007). It is also from the related Greek work *ethikos* which has been translated as “theory of living” (“Ethos,” 2007, para. 1). Toffler (1986) also referred to *ethics* as “rules or standards” which “govern behaviors” and *moral* as “relating to principles of right and wrong” (p. 10). Given that these terms are closely related, they are used interchangeably in this investigation as a means to further understand the principles of ethical theory.

According to Northouse (2007), ethics are morals or the beliefs of individual leaders or societal leaders. These leaders should possess the ability to “concern the mean between too much and too little” (Aquinas, 2005, p. 162). In accordance, ethics must be seen as a form of accountability to self. In this study, the researcher evaluated leaders to generate an understanding of their conduct and reasoning for decisions on Senate Bill 8. Because of their roles as public administrators and public servants who were elected to serve, one would assume ethics encompass a supreme range of principles and values. According to Haq (2011), these principles and values should include tangible levels of fairness, compassion, responsiveness, integrity, transparency, devotion to duty, and selfless actions.

A platform for the four paradigms for ethical leadership exists in *Ethical Leadership and Decision Making in Education* (2001). According to Shapiro and Stefkovich (2001), ethic of justice, ethic of care, the ethic of critique, and the ethic of profession provide a paradigm for understanding ethical leadership. According to Rawls’s *A Theory of Justice* (1971), ethic of justice is defined as justice for the good of everyone or the universal good. This ethic focuses on

rights and laws for all who may or not be affected. Tronto (1993) presented the ethic of care and focused on four phases of care: “caring about,” “taking care,” “care giving,” and “care receiving.” Within the ethic of care is a presence of empathy from one to another. This ethic has a focus on relationships between people. The ethic of critique posed a ‘sensitive dispose’ as bell hooks (1990) would express an inequality within our society of class, race, and gender. Finally, Shapiro and Stefkovich (2001) believed ethic of profession was the most complex of the four ethical paradigms because the profession includes a person’s individual and personal code of ethics. Shapiro and Stefkovich (2001) believed that within ethic of profession the complexity of one’s professional code of ethics and their standards could be examined.

**2.4.1 Ethic of justice.** The ethic of justice paradigm is universally considered the most prominent of all four paradigms. This paradigm describes “justice” as doing what is right versus that which is thought of as wrong. Justice focuses on rights and laws. These paradigms provided room for continuous philosophical debate within the theory of justice when evaluating rights and laws. Historical discourse brought forth the rights and laws of individuals versus those of the community included Plato’s work *The Republic of Plato* (Brown, 2004; Cornford, 1941; Heinaman, 2002), Aristotle’s work *Nicomachean Ethics* (Wheelwright, 1935), Immanuel Kant’s *Groundwork for the Metaphysic of Morals* (Paton, 1785/1965), John Dewey’s *Democracy and Education* (1916), and John Rawls’s *A Theory of Justice* (1971). With a focus on justice, ethics, and moral duty, these philosophers established the foundation for leadership theory as it is known today.

The ethic of justice began with *The Republic of Plato* (Cornford, 1941; Heinaman, 2002 & Brown, 2004). In Part I of *The Republic of Plato*, an imaginary theoretical argument which included Plato; Glaucon and Adeimantus who were Plato’s elder brothers; brothers, Polemarchus

and Lysias along with their father Cephalus; one of the most well named writers, Euthydemus; Thrasymachus the teacher of rhetoric and Socrates himself transpired (Cornford, 1941). This discourse on justice was inundated with varying views and definitions. One example included a heated intellectual exchange between Polemarchus and Thrasymachus. The exchange included a rant by Polemarchus regarding his thought that “justice consists of helping one’s friends and harming one’s enemies” (Cornford, 1941, p. 12). This conclusion was not the understanding shared by Glaucon and Adeimantus as they affirmed in Book II. Here they indicated their belief that the consequences of justice and injustice must also be considered in any attempt to understand justice (Heinaman, 2002). Therefore, they asked for further discussion on the effect justice and injustice. In Socrates’s response, he refers to Book II’s detachment of their consequences which states,

I granted your request that the just man should be reputed unjust, and the unjust man just, even though it would be impossible that the falseness of their reputations should escape both gods and men. I yielded in this for the sake of argument, so that justice itself could be judged with respect to injustice itself . . . since that judgment has now been made, I ask on behalf of justice the return of the reputation it has in fact among gods and men.  
(Heinaman, 2002, p. 316)

To further Socrates’s argument against the intellectual group on the point that consequences of justice are good and consequences of injustice are evil, he discusses a clear division between the perfectly unjust men that are consequences of justice with a reputation of injustice. This further indicates that in cases where just men with reputations of injustice highlight evils as consequences for injustices. Due to haunting revelations unveiled by a recent scholarship on *The Republic of Plato* concerning the gap between consequences of justice being good versus

consequences of justice being evil, Brown (2004) presented in his review of Glaucon and Adeimantus's challenge that Socrates's response reveals that it is better to be psychologically just than psychologically unjust.

In contrast to the original quarrel, Thrasymachus argues that "what I say is that 'just' or 'right' means nothing but what is the interest of the stronger party" (Cornford, 1941, p. 18). Socrates then questioned what was meant by this statement and Thrasymachus responded:

In every case the laws are made by the ruling party in its own interest; a democracy makes democratic laws; a despot makes autocratic ones, and so on. By making these laws they define as "right" for their subjects whatever is for their own interest, and they call anyone who breaks them a "wrongdoer" and punish him accordingly. This is what I mean: in all states alike "right" has the same meaning namely what is for the interest of the party established in power, and that is the strongest. So the sound conclusion is that what is "right" is the same everywhere: the interest of the stronger party. (Cornford, 1941, p. 18)

The time-span devoted to philosophical debate and intellectual quarrel devoted to justice has continued for centuries and will continue for an infinite time to come. For the purpose of this review further discussion is presented within Immanuel Kant's philosophy of the ethic of justice.

In Part II of *The Republic of Plato*, the focus of the discussion on justice was placed at the feet of the individual and viewed as one would view a political structure. This section was organized within three parts; reason, will and sensation. The three are thought of as the analogy from between the soul which also featured the state and its three parts; guardians, auxiliaries and populace (Cornford, 1941; Pakalukn, 2005). Within this section the political structure is further identified as political justice. Cornford (1941) defines it as justice belonging to a city and

individual or the justice of a particular man. The correlation inferred that reason was linked to the guardians as they possessed the necessary wisdom and reason required to make decisions. Within the context of leadership the guardians or leaders possessed the wisdom and reason to make informed decisions. This discussion continued with the notion that it was easier to begin by looking at the political level for justice and proceed with investigative approach to understand whether there is an analogous virtue that can be identified in an individual.

Part III of *The Republic of Plato* alluded to there being a contradiction which states that philosophers must be kings. The contradiction declared that due to a thirst for knowledge that is prevalent in philosophers, they should have been acknowledged as kings or leaders. According to philosophers justice from both the individual and the state perspective was viewed as the highest form of virtue (Cornford, 1941). The text continues by addressing philosophers as

lovers of wisdom who, we have dared to assert, ought to, be our rulers. Once we have clear view of their character, we shall be able to define our position by pointing to some who are naturally fitted to combine philosophic study and political leadership, while the rest of the world should accept their guidance and let philosophy alone. (Cornford, 1941, p. 181)

According to *The Republic of Plato*, philosophers were wisdom seekers, and by this account alone they should have been the leaders of that society. It must be noted how the quotation shared meaningful insight on how some men were naturally suited to be leaders while others should be guided by the philosophers who were seen as kings and leaders. Within *Nicomachean Ethics*, Plato's concept of justice where he wrote about ethics, happiness, and moral virtue were expounded upon by Aristotle. Due to the complexity in defining justice one

may refer to many defining measures of the definition. But according to Pakaluk (2005) the most complete definition reads as such:

Justice is that with respect to which a just person is said to be the sort of person who, of his own choice, does what is just, and who distributes goods, both to himself in his dealings with others in their relations to one another, not in such a way that he gets more of what is desirable, and his neighbors gets less, but rather in such a way that he gets an equal amount, and likewise, when he distributes goods and others, and he's not himself involved, he does so in such a way that the others each get an equal amount. (Pakaluk, 2005, p. 181)

This definition defines justice as one would a perfect virtue simply because of one's virtue towards others and not simply towards himself. Additionally, Aristotle offered a definition of justice where he treated ethics as a distinct subject matter. In *The Nicomachean Ethics*, he focused on two ethics of man, his character and his moral virtues. Within this paradigm Aristotle states,

A man judges well and is called a good judge of the things about which he knows. If he has been educated in a particular subject he is a good judge of that subject; if his education has been well-rounded he is a good judge in general. (Wheelwright, 1935, p. 159)

Aristotle's justice theme revolved around virtue, character, ethics, and doing what was right and just for the good of the whole rather than what was good for an individual (Pakaluk, 2005). To summate, Aristotle's intent was to elaborate the understanding that "Justice is seeking justice with justice."



The works of philosophers Immanuel Kant, John Dewey, and John Rawls continued scholarship on the theme of justice through their writings which included justice, ethics, morals, and moral character. *Groundwork of the Metaphysic of Morals* (Paton, 1785/1965) is an original of Immanuel Kant. This piece provides a development of his understanding of moral philosophy and principles of ethics while serving as his foundational concept for what is right versus what is wrong. It was Kant, who termed ethics “moral philosophy,” and he considered ethics to be one of the three sciences of ancient Greek philosophy, the other two were physics and logic (Paton, 1785/1965). Kant’s moral philosophy is believed by many to represent the formal recovery of the rational grounds that make life moral, rather than the cultivation of a moral life (Hunter, 2002).

In the first chapter of *Groundwork of the Metaphysic of Morals*, Kant introduces the moral philosophy approach. The approach of identifying the good will and its results offers a distinction between ‘good will’ and ‘good character.’ This approach continues on to be good will and its results, the function of reason, the good will and duty, the motive of duty, and the categorical imperative which was introduced in a negative form (Paton, 1785/1965).

Chapter II states each of the categorical imperatives and provides clarification for each one of them. Of the three categorical imperatives the Formula of the Law of Nature affirmed was the most popular and it states, “Act only on that maxim thought which you can at the same time will that it should become a universal law” (Paton, 1785/1965, p. 88). This is also known as the ‘Golden Rule’ which by Kant’s definition is the “science that teaches not how we are to achieve happiness, but how we are to become worthy of happiness” (Bowen, 2004, p. 68). By following the principle of categorical imperative one should be led to happiness because their actions and decisions were based on doing what was the moral thing to do (Paton, 1785/1965).

Chapter III reviewed several principles of moral duty. In Kant's discussion of free will versus determinism he believed that all humans possessed the free will to make decisions and the free will to utilize prior experiences to make decisions. However, Kant was forced to ponder the question "How is the categorical imperative possible?" (Paton, 1875/1965, p. 121). Through further examination of potential execution methods, it was realized that the concept of reality for the theoretical and philosophical categorical imperative was difficult. This would sway most to believe that present day leaders are not realistically capable of making decisions based on categorical imperative as it is presented by Kant. On the contrary, Bowen (2006) established that the categorical imperative "transcends cultural bias, religion, socioeconomic status, and paucity of philosophical training in that it allows rational decision makers the freedom to make universally acceptable decisions on moral worth and validity" (p. 342) without precautions. With this understanding they cannot act in a manner that assumes their actions are right and just to the point that they become universal law. To summarize, Kant's contribution to the ethic of justice is impeccable. His developments advanced the study of ethics which is inclusive of moral concepts of categorical imperative. His philosophical guidelines furthered the establishing of how leaders should make decisions and how they should act towards others.

The final author reviewed within the ethic of justice is John Rawls, the author of *A Theory of Justice* (1971). Justice of fairness, principles of justice for individuals, justice for institutions, the sense of justice, and the good of justice were all related to the topic of justice and covered extensively within this text. Each of the noted justices was identified as social primary goods, which meant "they were to be distributed equally unless an unequal distribution of any or all of these goods were to the advantage of the least favored" (Rawls, 1971, p. 303). Rawls focused on two main principles for justice. The first principle determined that persons should

have equal rights to primary and extensive basic liberties and that those liberties should be similar to the liberties of others (Rawls, 1971). The second principle determined that inequalities should be arranged by social and economic priorities. This should allow both to (a) be reasonably expected to be to the advantage of everyone, and (b) to provide accessibility to all positions and offices (Rawls, 1971).

In the context of ethical theory, Rawls's principles called for liberty, wealth fairness, and equality for all. Considering the thoughtfulness of each of these principles, political systems should consider each as a part of their call for liberty. Political leaders indicate their ambition to attain equality and equity or justice within the judicial system but unfortunately, it is not always possible. Because of the liberal nature of many of his ideas, Rawls was criticized and accused of providing a fictive model (Treanor, 2003). However, Rawls has been credited by many scholars for his contribution to the ethic of justice, ethical leadership, and equity by contributing to the body of knowledge on justice, civil disobedience, rights, and laws.

This review of literature on the ethic of justice has included an extensive summary of contributions around the works of Plato, Aristotle, Kant, and Rawls. A presentation of Plato's philosophical and intellectual debate on justice represented the interest of the stronger or majority group (Cornford, 1941). Aristotle's works on justice revolved around virtue, character, ethics, and doing what is just for the good of the whole, versus that of the individual (Wheelwright, 1935). Kant's presentation of justice provided a clear understanding of moral philosophy while creating a clearer perspective for categorical imperatives. Lastly, the contributions of John Rawls to the discussion of justice was proven through his book as it outlined justice as fairness, equality of freedom, and equality of wealth.

**2.4.2 Ethic of care.** Ethic of care is the second of the four paradigms. “Since the early 1980s, research around moral psychology sought after a way to articulate differences between justice and care as orientations to moral decision making, and to examine gender differences in their use” (Katz, Noddings, & Strike, 1999, p. 38). From the very beginning, ethic of care proved to be a paradigm that would develop into a complex framework. Tronto (1993) defines the ethic of care as “caring about,” “taking care,” “care giving,” and “care receiving.” Since its inception, this paradigm has become historically linked to feminist research and the women’s movement (Denzin & Lincoln, 2000). During the turbulent 1960s in the U.S., feminism and feminist research foundationalized (Denzin & Lincoln, 2000), and ethic of care was at the center of most of this research. Considering these turbulent times, the focal point of the ethic of care centered on relationships and sometimes more specifically on empathy related “one person to another” relationships. From a leadership perspective, ethic of care and the decisions an individual makes parallel. Additionally, ethic of care coincides with ethic of justice, which focuses on doing what is right and just per actions made for the universal good. Ethic of care focuses on the relationship not excluding empathy and caring about or taking care of others.

The roots of the ethic of care lay with Kohlberg and Gilligan. The premise of much of their work surrounded feminist research on the gender differences of males and females during decision making processes. Kohlberg was a graduate student of psychology who examined moral development. His dissertation proposal focused on the study of scholars such as Plato, Socrates, Dewey, Kant, Rawls, and many others. His inquiry in the area of moral development continued as he wrote *Essays on Moral Development: The Psychology of Moral Development* (1984). These essays were extensive and provided a guided depth and understanding of moral development through three volumes: Volume I, *The Philosophy of Moral Development: Moral*

*Stages and the Idea of Justice*; Volume II, *The Philosophy of Moral Development: The Nature and Validity of Moral Stages*; and Volume III, *Education and Moral Development: Moral Stages and Practice* (1984). Some of his earliest thinking was found in Volume II as he expounded upon years of his longitudinal study trying to validate the conception of his stages. He states,

This twenty-year period was not simply a matter of collecting dilemma interviews from my original subjects every three years. Rather, it was a period of revising and refining the stage of definitions and the method of assessing them, a process just completed in the year of the first volume's publication. (Kohlberg, 1984, p. xii)

There were six developmental types of stages for moral development outlined by Kohlberg. These six moral stages which were divided into three levels were outlined by way of his dissertation and ensuing studies. The three levels were identified as (a) premoral; (b) morality of conventional role conformity; and (c) morality of self-accepted moral principles. Stage 1, punishment and obedience orientation and Stage 2, naïve instrumental hedonism were a part of Level A. Stage 3, good boy morality of maintaining good relations, approved by others and Stage 4, authority-maintaining morality made up Level B, and Stage 5, morality of contract of individual rights and democratically accepted law, and Stage 6, morality of individual principles of conscience made up Level C (Kohlberg, 1984). The development of these six stages provided data from a cross-sectional sample of 72 males from the Chicago area (Kohlberg, 1984). These males, ages 10, 13, and 16 were selected because of Kohlberg's belief that pre-conventional moral level consisted mostly of children under the age of nine. The conventional level was identified as "the level of most adolescents and adults in our society and in other societies" (Kohlberg, 1984, p. 172), while the post conventional level was identified as being "reached by a minority of adults and is usually reached only after the age of 20" (p. 172).

Kohlberg (1984) shared that children would enter at Stage 1 and progress towards Stage 6 without skipping a stage. This was possible through horizontal movement through each stage which moves vertically. This formation allows a child's progression from "logic to social perception to moral judgment" (pp. 171–172).

In Kohlberg's (1984) original research interview, there were nine hypothetical dilemmas presented. The most famous of the nine was the Heinz dilemma, which highlighted a female cancer patient from Europe who was nearing her end due to the type of cancer not being treatable. Note the sequence that follows:

There was one drug that the doctors thought might save her. It was a form of radium that the druggist in the same town had recently discovered. The drug was expensive to make, but the druggist was charging ten times what the drug cost him to make. He paid \$400 for the radium and charged \$4000 for a small dose of the drug. The sick woman's husband, Geinz, went to everyone he knew to borrow the money and tried every legal means, but he could only get together about \$2000, which was half of what it cost. He told the druggist that his wife was dying, and asked him to sell it cheaper or let him pay later. But the druggist said, "No, I discovered the drug and I'm going to make money from it." So, having tried every legal means, Heinz, gets desperate and considers breaking into the man's store to steal the drug for his wife. (Kohlberg, 1984, p. 640)

There were ten Heinz dilemma questions presented in Kohlberg's original research interview.

The first question simply asks if Heinz should steal the drug, and the subsequent questions were designed to further under the subject's moral type (Kohlberg, 1984). Each of the young men's responses was categorized into one of the stages of moral development. This research was significant due to it being the first time anyone had focused on and established a

stage theory of moral development. As with most researchers, Kohlberg (1984) also noted that his research had deficiencies. Although his stages of moral development provided a guideline for moral thinking and decision making, it lacked the inclusion of women. This notion would be highlighted by future researchers like Carol Gilligan.

Carol Gilligan wrote *In a Different Voice: Psychological Theory and Women's Development* (1982/1983), which was a direct criticism of Kohlberg's *Theory of Moral Development*. She continued on by writing a classic, *In a Different Voice* (1982), where she introduced her profound ethic of care. As this book began she introduced the ethic of care by redefined the ethic of justice and noted that it was different from the one presented by Kohlberg and highlighted it as a resolution of moral dilemmas (Shapiro & Stefkovich, 2001). According to Carol Gilligan, the ethic of care came to fruition because of the ethic of justice. She “discovered that, unlike males in Kohlberg's studies who adopted rights and laws for the resolution of moral issues, women and girls frequently turn to another voice, that of care, concern, and connection, in finding answers to their moral dilemmas” (Shapiro & Stefkovich, 2001, p. 16).

Gilligan furthered her point in her 1993 version of *In a Different Voice*, where she alluded to Piaget and Kohlberg's study calling it one dimensional because it focusing only on boys (Gilligan, 1993). In the second chapter, Gilligan revisited Kohlberg's moral dilemma featuring Heinz and the druggist. This chapter focused on the moral dilemma of two 11-year-old children. The girl was identified as Amy and the boy Jake. Gilligan concluded “in the light of Kohlberg's definition of the stages and sequence of moral development, her (Amy) moral judgments appear to be a full stage lower in maturity than those of the boy (Jake)” (Gilligan, 1993, p. 30). Gilligan noted differences in the moral psychology of the children included in this

briefing. She felt that while “Jake’s judgments reflect the logic of the justice approach” (Gilligan, 1993, p. 30), “Amy’s judgments contain the insights central to an ethic of care” (p. 30). Gilligan continued on by expressing how Amy’s response presented a notion of powerlessness and an inability to think systematically about moral concepts or law. She also believed that Amy possessed an unwillingness to challenge authority (Gilligan, 1993, p. 30). This assertion provided a different perspective from the boy vantage point versus the females.

Gilligan (1993) believed that Amy’s responses were evasive and somewhat subdued, creating an inner dialog that she termed “the voice of others and also the voice of herself” (Gilligan, 1993, p. 50). These responses by Amy led Gilligan to conclude that her voice of conscious was more concerned with relationships, empathy, and care. Jake’s voice of conscious, which focused on stealing the drug and justifying it, was supported because his action could possibly save a life (Gilligan, 1993). The fact that Gilligan’s study included interviews with females and males, while Kohlberg’s study only focused on boys provided significance because of its differentiation between the moral voices of different genders. It was concluded that men’s moral voices included justice, rights, and treating everyone equally while women’s moral voices included care, responsibility, the expression of care of suffering, connecting emotionally, and having responsibility for individuals (Hinman, 2001).

According to Gilligan the concept of voice included “the voice of concern, correctedness, relatedness over time and caring. She felt this voice to be important and yet, in Kohlberg’s stage theory, it was invisible” (Shapiro & Stefkovich, 2001, p. 98). Gilligan characterized the female voice as an essential part of ethic of care (Denzin & Lincoln, 2000). This provides an understanding as to why Gilligan and Joan Tronto defined ethic of care as the concept of caring about another person, taking care of them, giving and receiving care, being there for the other



person, listening, sharing responsibility, strengthening and maintaining relationships, and having a notion of voice (Shapiro & Stefkovich, 2001). The concepts of ethic of care are similar to those highlighted in Gillian and Tronto's definition.

*Justice and Caring: The search for Common Ground in Education* (1999), written by Michael Katz, Nel Noddling, and Kenneth A. Strike presented the ethic of care as an option to the ethic of justice in situations where moral decision making must be considered. Nel Noddings, author of Chapter One, titled "Care, Justice and Equity," shared that the "debate on care and justice has often taken the form of strong opposition, care versus justice. It has often been concentrated on an alleged gender difference-women favoring care and men favoring justice" (Katz, Noddling, & Strike, 1999, p. 7). Kenneth A. Strike wrote numerous chapters, on "Justice, Caring, and Universality: in Defense of Moral Pluralism," while Michael Katz wrote "Teaching about Caring and Fairness: May Sartons' *The Small Room*." Strike concluded the book with "Three Pictures of Justice and Care" (Katz et al., 1999). The arguments of each of these authors insist that decision making has historically been identified through the lens of the ethic of justice. However, in modern political/educational leadership structures, the most appropriate ethic may not be the ethic of justice. Therefore, the more modern approach towards utilizing moral decision making may be that of ethic of care.

Strike provides us with the most useful key to understanding potential conflicts between ethic of care and ethic of justice when he highlights the word "may" as he indicates "because justice and caring aim at different moral goods, they may conflict" (Katz et al., 1999, p. 21). This remark does not provide clarity but more unrest as to whether ethic of justice and ethic of care are at odds with each other. Theoretically, it is plausible that both paradigms could co-exist by adding moral pluralism to the complexity of moral decision making. Strike alludes to this

possibility of the co-existence when he shares that “there is more to the moral life than justice and caring” (Katz et al., 1999, p. 35).

It is critically important to note that the formulation and development of the definition of the ethic of care and the ethic of critique would not have been possible without the assistance of Joan Tronto. She is the lone author to contribute to both ethical paradigms with her writings. Due to the possibility of duplicity, her contributions to this review of literature will be explained in the next chapter, titled **Ethic of Critique**.

The debate over whether the ethic of care and the ethic of justice should be combined allows a continuation of scholarship, which is provided by the likes of Chenyang Li (2008). Li presented the essay, *Does Confucian Ethics Integrate Care Ethics and Justice Ethics? The Case of Mencius*, which she supported by saying,

I will define a view of the relation between care and justice and the relation between care ethics and justice ethics on the basis of the notion of ‘configuration of values,’ and show why care ethics and justice ethics cannot be integrated. (p. 69)

This statement provides support for her thought advocating Confucian ethics. According to Confucian ethics, care and responsibility along with impartiality and universal obligations were embraced (Li, 2008). The notion is furthered that the feminine perspective inhabits moral obligations when care and responsibility are displayed. This essay pushes the perception that conflict does not have to be the driving force between care and justice. It highlights the belief that the ethic of justice and the care of care endorse similar actions.

In summary, there were eight authors who contributed to the expansion of the ethical paradigm, ethic of care. Lawrence Kohlberg; Carol Gilligan; Nel Noddings and Kenneth Strike; Joan P. Shapiro and Jacqueline A. Stefkovich; Joan Tronto; and Chenyang Li are all scholars of

the latter part of the 20th and 21st centuries whose work introduced and continue to propel the ethic of care. Although Gilligan provided the introduction and scholarship in during her research of the ethic of care, each of the other authors' contributions helped to highlight the complexity and need for further discovery. Gilligan's research ignited the fire for feminist research as it pertains to gender differences within the decision making process which provided leverage for equitable discussions. Research and dialog on ethic of care continued to grow well into the 21st century with works by Chenyang Li. Even today as it relates to leadership, the ethic of care provides leaders a viable alternative to ethical decision making.

**2.4.3 Ethic of critique.** The ethic of critique is the third of four ethical paradigms included in this review of literature. This review will identify how some scholars were able to discover tension within ethic of justice, rights, and laws. By critiquing the laws and the processes we will attempt to determine if the process was just (Shapiro & Stefkovich, 2001). The ethic of critique provided a focus on laws or policies from a critical frame by taking into consideration discussions of race, class, gender, and identity (hooks, 1990). For example, Perkins-Gough (2008) wrote *Do Private High Schools Help Low-Income Student?* Perkins-Gough performed this study to see if private high schools are better academically than public high schools. The study showed that the students who went to public schools were just as likely to attend college as their peers who attended private high schools, they had similar levels of job satisfaction at age 26 as their peers who attended private high schools, they were just as engaged in civic activities as those same peers, and they were able to score just as well in math, reading, science, and history as the students who attended the private high schools. This article has implications of inequalities on the part of leaders as it reveals that at urban high schools the potential and to become leaders is possible with the right guidance. Continuing with this focus,

we will move toward critical theorists like Paulo Freire, who wrote *Pedagogy of the Oppressed* (1970, 1993, 2001). Freire (2001) criticized formal education, and like Dewey, highlighted these thoughts about informal education. He believed that the guidance as indicated above was presented by leaders who would

submit to and identify with a person or group having power. By this symbolic participation in another person's life, [men have] the illusion of acting, when in reality [they] only submit to and become part of those who act. (Freire, 2001, p. 78)

Henry A. Giroux was another educator and critical pedagogical theorist who drew upon postmodern theory in order to address issues of race and gender (Giroux, 2001). In his writings he criticized education and politics while calling for social change. To many critical theorists, ethic of critique is thought of as an expression of social inequality.

Tronto (1993) assisted in the formulation of the definition of the ethic of critique just as she did with the ethic of care. The ethic of critique, according to Tronto, was simply a method of criticizing laws, politics, and the ethic of care. She was a scholar with a feminist approach who felt that the ethic of critique included critique of both ethic of justice and ethic of care. Tronto's stance as a feminist and political scientist helped her to distinguish herself from other writers on the ethic of care.

Tronto (2002) expressed privilege by criticizing ethic of care while indicating it as a function of class not gender. She believed that families of elite status used care services more significantly than non-privileged families who are in many cases also seen as not economically feasible. Non-privileged families traditionally have fewer disposable resources that would allow them to provide care to others. Therefore, ethic of critique should be viewed as a critique of class, race, and identity and not gender alone (Tronto, 2002).

According to Shapiro and Stefkovich (2001), the ethic of critique is “based on critical theory, which has, at its heart, an analysis of social class and its inequities” (p. 14). For political leaders or educational leaders, this ethic which was embedded in critical theory is aimed at awakening leaders to inequities in social and in particular political instances (Shapiro & Stefkovich, 2001). The Ethic of critique demands that leaders “deal with the hard questions regarding social class, race, gender, and other areas of difference, such as: Who makes the laws? Who benefits from the law, rule, or policy? Who has the power? Who are the silenced voices?” (Shapiro & Stefkovich, 2001, p. 16). In summary, in the political contest, ethic of critique positions leaders to review and approach policies and laws for the benefit of all constituents regardless of social class, race, or gender.

**2.4.4 Ethic of profession.** The final and arguably most practical ethical paradigm for the review of literature for leadership was ethic of profession. Shapiro and Stefkovich (2001) remind us that this ethic focuses on the individual or personal code of ethic by individuals, ethics of the community, their standards within their profession, and their existing professional code. The ethic of profession “can be used separately as a fourth lens for reflecting on, and dealing with, dilemmas faced by educational leaders” (Shapiro & Stefkovich, 2001, p. 11). Although Shapiro and Stefkovich indicated a focus on educational leaders, for the purpose of this review it will be extended to examine the profession of community leaders who establish laws and orders that affect leaders’ decision making inside and outside the classroom. Shapiro and Stefkovich (2001) further accentuate the importance of “asking educational leadership faculty and students to formulate and examine their professional codes in light of their personal codes and codes of professional standards among national, state, and local organizations” (p. 55).

According to Wagner and Simpson (2009), “the education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service” (p. 173). This said, it is imperative that within this ethic leaders provide a level of trust that will allow constituents to believe in their worth and dignity as human beings which will in essence provide a guarantee of ethical standards. Additionally, their professional code must be to provide equity while exemplifying a nature of democratic principles (Wagner & Simpson, 2009).

Shapiro and Stefkovich (2001) referenced four realms that directly link the ethic of profession. According to the analysis above these realms will provide a deeper level of understanding of the expectancies of this ethic. The first realm of the ethic included the individual’s personal code of ethics. Factors such as a leader’s home environment, past experiences, past excursions, prior education or access to education, socio-economic background, and other factors that relate to their tacit socialization are a part of their personal code. As indicated each of these codes are directly related to the individual’s past. The premise of both paradigms insinuates that a person’s background and/or past experiences influence his/her present day beliefs which directly influence their moral compass and decisions.

Shapiro and Stefkovich (2001) believe that within this code a leader may be “forced into positions in which they may have to draw the line between an individual’s personal and professional life” (p. 55). They further believe that personal codes of ethics include oaths, pledges, declarations, prayers, and affirmations that affect individual’s moral behavior. For example, as two people are provided an oath when they are married, a person’s code of ethics is similar as that document guides how the two individual persons obligate themselves to one another. It is expected to guide each person’s ethical behavior, how they make decisions, and the acts each person may or may not decide to engage within. Some additional examples of how a

leader could exemplify their personal code of ethics include: respecting others, their ability to personally commit, treating everyone equally, positive dialog, self-direction, motivation, and honest feedback. Personal codes of ethics are sometimes written down while others may elect to establish mental notations. For example, a leader may decide to share his personal code on his professional website. It may state, 'I will conduct myself in a manner that highlights my ethical compass, by treating all individuals, regardless of age, socio-economic status, religion, educational level, race, gender, or ethnicity equally.'

The second of the three realms of the ethic of profession integrates the ethics of the community (school), district (university), and the state (community). The community is sometimes identified as the school community where the leader resides. The district is a setting that may be viewed as a community due to a written code as the leader has been elected by the community or the district. For example, John is elected to his state's house of representatives for the thirteenth district. There is a map that highlights the specific area that he is charged with representing. There are written guidelines in the form of handbooks that provisions the role that ethics play between elected leaders and their constituents.

The third realm of the ethic of profession includes the professional code of ethics. This code of ethics, according to Shapiro and Stefkovich (2001), alludes to a particular profession.

When discussing ethics in relation to the professionalization of educational leaders, the tendency is to look toward professions such as law, medicine, dentistry, and business, which require their graduate students to take at least one ethics course before graduation as a way of socializing persons into the profession. (p. 18)

While many graduate schools require courses, not all undergraduate schools require them. This is relevant because not all legislative leaders obtain graduate degrees. Once those who obtain

graduate degrees enter a profession, they are expected to adhere to a code of ethics for that particular profession. For example, lawyers, doctors, and insurance agents have a set of code of ethics whereas political leaders or elected officials are not particularly bound by a code of ethics or set of ethical principles.

In the fourth realm of the ethic of profession, Shapiro and Stefkovich (2001) identify standards of the profession. Whereas the standards for educational leaders are clearly defined by the Council of Chief State School Officers (CCSSO), an organization of public officials who provide leadership on major educational issues (CCSSO, 2006). CCSSO is a nonpartisan, nonprofit organization which created the Interstate School Leaders Licensure Consortium (ISSLC; Hackman, Schmitt-Oliver, & Tracy, 2002) in 1994 to outline and define standards for school leaders. Although these standards can be identified as a positive for school leaders they do not extend to elected leaders who serve on education commissions. The ISSLC defined six standards for school leaders. For the purpose of this study and review, we will focus on Standard 5, which stated, “A school administrator is an educational leader who promotes the success of all students by acting with integrity, fairness, and in an ethical manner” (Hackman et al., 2002, p. 4). This standard is excellent as it provides an expectancy of ethical decision making by school leaders. This standard described the manner in which leaders should exemplify ethical and moral leadership while acting with integrity and fairness in order to create ethical communities. The only problem with this standard is that it does not extend to elected leaders who provide rulings that directly affect leaders within education.

In situations such as this, leaders are faced with the dilemma of having to choose between realms of their personal code of ethics and their professional realm, although there may not be a defined code for their professional realm. For example, leaders are faced with daily challenges



surrounding political matters. While trying to decipher what is the potential right (or wrong) decision, they encounter challenges from groups and individuals who may benefit from a particular decision being rendered. Leaders should take into consideration the rights of those who will be directly affected (students, parents, major stakeholders) before making decisions. Typically in situations such as this, decisions are based upon the needs of many rather than a few. For example:

Charter schools serve as a compromise between a conservative political philosophy that really would prefer vouchers and a liberal political philosophy that vehemently opposes tax-supported private education . . . While the schools function independently of most regulatory interference from state or local agencies, students must participate in state mandated assessments. Charters have wide-ranging control over their own curriculum, instruction, staffing, budget, internal organization, calendar, and schedule. They are also not held to the same strict licensing requirements for professional personnel as other public schools. (Garland et al., 2011, p. 10)

In a situation similar to this, it is not clear what the right or wrong decision might be considering the potential of many being multi-dimensional. This brings up an issue within the ethic of justice where Rawls thought the universal good is the good of everyone (Rawls, 1971). This theory leads us to believe that having a solution to a problem that is for the good of everyone is ideal even though the reality is that everyone cannot be pleased. This theoretical perspective places leaders in awkward situations where they are led to pass judgment on the best solution for the greater number of constituents. The ethics of the profession dictates a degree of ethical decision making by leaders. Sometimes when a conflict surfaces, a leader's personal ethics may conflict with what they thought was necessary through their professional code of ethics.

Quintessentially, the review of literature for the ethic of profession provided a greater complexity than the other three ethical paradigms. The inclusion of a person's individual or personal code of ethics, ethics of the community, professional code of ethics, and standards of profession were reviewed. According to Shapiro and Stefkovich (2001), this ethic was treated as a separate paradigm for the study of ethical leadership and decision making. Therefore this review of literature continues with an examination of equity and ethics and the role it plays in charter school legislation.

## **2.5 Primary Purposes for Charter School Legislation**

To understand the evolution of how legislation has come to the place that it stands, it is essential that we explore what happened in the years leading up to this point and why reform measures continue to be a fuming topic for leaders in many states. Each section in this review will focus on perspectives of equity, beginning with the 1896 Supreme Court Case *Plessy vs. Ferguson* which identified separate, but equal as not only legal but also preferable (Holzman, 2008). The continuation of reform acts and judgments continued permeating throughout the times identified as the progressive movement. This movement focused heavily on growing race exploitation and class-based inequalities through democracy in social, political, and economic fashions (Pai & Adler, 1997). This was a time where few thought it was important to have white students attend school where black students were present and black students attend school where white students were present. Exploitation and inequalities continue between 1909 and 1954 as groups like the National Association for the Advancement of Colored People (NAACP) launched legal attacks against segregation. This multi-decade push culminated in a successful push towards the desegregation of education through the *Brown v. Board of Education* Supreme Court

case. Only after more than 50 years of pushing did the momentous case begin to enact change in the way school reform and equity amongst students would play out (Holzman, 2008).

Although these decisions were made, there was a culture that existed within education that stood as an unspoken divider for black and white families. Illich (1970) told us that “even if they attend equal schools and begin at the same age, poor children lack most of the educational opportunities which are casually available to the middle-class child” (p. 6). Holzman (2008) tells us that in many school districts *Brown v. Board of Education* continues to not be upheld. This is substantiated by Rachel Slama of Harvard University and Amrit Thapa of Teachers College, Columbia University, where they have shown that in some states ten times as many Black students attend schools with graduation rates substantially below 50% (Holzman, 2008). These two decisions stand as the driving forces for many legislative debates surrounding education, education reform, and other measures that surround what public education should look like.

The purposes identified below were being evaluated as if they served as the foundation for the decision by the leaders of the Legislative Educational Sub Committee members to process Senate Bill 8, which eventually became The North Carolina Charter Schools Bill of 2011. The approval of this law provides an assumption that the passing of this bill will (a) improve student learning, (b) increase learning opportunities for all students, (c) encourage the use of different and innovative teaching methods, (d) create new professional opportunities for teachers, (e) opportunities to be responsible for the learning program and educational opportunities at the school site, (f) provide accountability measures for high student achievement results, and finally (g) that it was established to encourage the replication of successful charter schools (North Carolina History Project, 2011). Within this review the researcher will identify research that either supports or rejects the notions of each purpose in an effort to evaluate its leverage for

decision making. This review will assist in understanding whether legislative leaders considered the effects of inequality when making decisions pertaining to Senate Bill 8.

**2.5.1 Student learning and increase learning opportunities.** Within an open floor session to discuss Senate Bill 8 on the North Carolina Legislative Floor, it was indicated by a five-term Republican from Wake County that removing the cap on charter schools in North Carolina would increase educational opportunities to all children in of the state. The passing of this bill would provide a maximum of 50 charter schools per year added to the almost 100 schools that currently exist. Members of the Republican Party believe that these increases will force financial and academic improvement in traditional schools by compelling them to compete for funding and students. Contrary to the beliefs of the Republican Party, a Democrat representative from Cumberland County shared that this bill “was created not to improve public education, but to compete with it and ultimately destroy it” (Stancill, 2011, p. 5A). In an effort to identify works that would support or disapprove this argument, we refer to a study by Lynn and Parker (2006) as they critically synthesize how Critical Race Theory (CRT) is utilized within an emerging field of inquiry to critique and analyze K-12 education research and whether or not learning opportunities could be presented in a system where inequalities are consistently taking place. This study pointed to CRT as a framework for examining persistent racial inequalities in education in school experiences that marginalize, additionally affecting student learning opportunities for students of color and race-conscious education policy. These studies were evaluated using qualitative research methods and explored how these studies have changed the nature of research while stressing the need for further research that critically interrogates race and racism in education public and private (Lynn & Parker, 2006).

Roberts (2009) conducted a study on ethic of care as an integral part of pedagogical methods needed in schools. Roberts (2009) referred to this phenomenon as the colorblind “community of care.” She used a phenomenological methodological design as her foundation to interview ten successful African American and seven successful European American educators who taught in high schools with a high concentration of minority students. The purpose of this study was to examine teacher care for Black students by exploring perceptions and behaviors of their teachers using the theoretical lenses of care theory and critical race theory.

The finding of this phenomenon of teacher care showed that the care concept affirms that students experience positive school outcomes such as improved attendance, attitude, self-esteem, and other positive outcomes. Additionally, the findings indicate that Black students were acknowledged or implied somewhat equally across most emergent themes by teachers of both races. The findings also reveal differences in teacher definitions and behaviors which can be identified in teachers in traditional public school classrooms or charter school classrooms.

Alder (2002) also discussed building caring relationships in her study of interpretations. This qualitative study examined how caring relationships were created and maintained between students and their teachers to better understand the functionalities of relationships. This study consisted of interviews, focus group sessions, and observations of classrooms to examine perceptions. Axial coding of transcribed tapes and field notes helped to discover that teachers are seen as caring when they know their students well, teach understanding, and are helpful academically while holding high expectations for behavior and achievement.

**2.5.2 Teacher innovative methods and professional opportunities.** One premise of the charter school movement includes the notion that all children can learn. In order for this to become a reality in any school setting, there is a need for functional and capable teachers being

available to educate them. This section will attempt to present literature that highlights professional opportunities for teachers as well as highlight a trend that may be causing many students to leave traditional public schools for charter schools. This is important due to anxieties of advocates who are concerned that public school teachers and schools lower their expectations for minority students causing them to gravitate to charter schools.

In a study examining geospatial technologies (GIS/GPS) integrating into K-12 curriculum, Goldstein (2010) explored outcomes of an integration process with of determining (a) student responses to the inclusion of GIS/GPS into their curriculum, (b) determined the existence of relationships between the inclusion of the program into K-12 their existing curriculum, (c) examined teacher response to the effectiveness of the professional development included in the GIS program, and (d) evaluated teacher perceptions of the integration process into their curriculum.

Because of the bold initiatives that are expected as a part of education reform this study was significant to educators at all levels. This was a qualitative and quasi-experimental study in design. Its samples consisted of 1,425 students from one middle school and 62 teachers from one school district. This study consisted of two instruments, surveys which focused on gathering student perceptions of their learning enhancement through the inclusion of GIS and GPS program and feedback forms for teachers that revealed positive perceptions of the GIS/GPS program as an integrative tool for current curricula and training (Goldstein, 2010).

Goldstein (2010) conducted a study that highlights the finding that the integration of GIS yielded higher FCAT reading scores for students who participated than those who did not. The research also showed that students who had a higher frequency of GIS instruction also had higher averages in science and social studies (Goldstein, 2010). This study is significant because

as it highlights one program that has provided an understanding of the type of growth that is possible for students when educators receive appropriate professional opportunities. The challenge for this study and its argument for or against charter schools is that it does not speak specifically about charter schools and whether or not these types of opportunities are being provided as options for charter school teachers.

Lynn and Jennings (2009) took a different approach to understand methods and professional opportunities by conducting an exploration of the analytic connections between the scholarship on Black teachers and the development of the concept of critical pedagogy. In a detailed analysis of both the critical pedagogy and scholarship of Black teachers, the researchers focused on the work of two African American male teachers from an urban school in Los Angeles.

The findings of this study revealed links between the two concepts, indicating that it is stronger than existing literature suggests. Of the top 10 school districts in the United States, 23% of the districts' populations are enrolled in charter schools. Four districts are above 30% enrollment of the student population and each of these districts is located in urban cities (Scott Cowen Institute, 2010). The Lynn and Jennings (2009) study also suggests that Black male teachers in urban communities embodied qualities highlighted in both critical pedagogy and scholarship on Black teachers. The study finds that these teachers engage in extensive questioning of the effects of power and knowledge in the classroom. Their approach was inclusive of historical knowledge and critical consciousness that connects their students' lives to the classroom (Lynn & Jennings, 2009). This approach provides a different perspective that can be argued as a potential benefit if presented by charter schools, considering the freedom that is expected of their teachers.

On the contrary, York-Barr and Duke (2004) conducted an empirical study that supports the notion that not enough is known about teacher leadership developments or about its effects. This study examined numerous small-scale studies that described dimensions of teacher leadership practice, and characteristics and conditions that promote and challenge leadership by teachers. One of those studies which included 87 teacher interviews showed that the amount of teacher leadership/development time that was focused on instruction was limited (Dierks et al., 1988, as cited in York & Duke, 2004).

**2.5.3 Choices in types of educational opportunities.** This section of the review intends to better understand the types of educational opportunities that may be provided by charter schools in comparison to public schools or home schools. In addition to reviewing studies and outcomes pertaining to these opportunities, this section will also define (a) charter schools, (b) public schools, and (c) home schools. Finally, this section will examine how equity provides opportunity and access to excellence. David (2008) shares what his research says about small learning communities in urban districts like Los Angeles and New York City. His study investigated statistics on dropouts, underachievement rates, and low student outcomes to better understand the dismal condition of most large urban schools. This study is focused on learning communities utilizing a national study commissioned by the Gates Foundation looking at 50 schools to determine if their purposely created small learning communities resulted in desired outcomes such as lower dropout rates, increased attendance, higher test scores, and a higher rate of teacher collaboration (David, 2008). This study compared samples of works from students at small schools to samples from students at larger schools and found that there was some evidence of work that was more rigorous and relevant in literature, but not in mathematics. The findings of this study concluded that small learning communities are more likely to create positive



relationships between educators and students than those in traditional educational settings. His findings also indicate that strong relationships with teachers result in higher student attendance (David, 2008).

One notion that is thought of as a new reform measure in both traditional and charter schools is the notion of single gender schools or single gender classes. The questions continue to loom about whether this is a measure that increase student learning opportunities at any level. Jackson and Bassett (2005) conducted a study which explored factors which influence parents' choices about single-sex "gender" schools in the independent sector. This study focused on under-researched aspects of school choice by making gender and middle school grades the focal point. Three schools participated in this mixed method study which consisted of questionnaires where 225 respondents provided quantifiable results, while semi-structured interviews of 15 sets of parents provided a medium for measuring qualitative data.

The findings of this study suggest that the reputation and exam results of schools were key features in directing parental choice. Additionally, the fact that the school was single sex plays a significant role in the parents' decision to send their children to the school. Finally the research indicated that the view of single-sex education amongst the parents surveyed indicated advantages for girls while co-educational educational settings for boys were more significant from a social standpoint (Jackson & Bassett, 2005).

Although this study does not specifically focus on single gender or co-educational charter schools, this may be an area where charter schools may be able to generate interest from non-traditional supporters. This study neither confirms nor denies whether charter schools provide the greatest choices in types of educational opportunity. However, it does present ideas and decisions centered on charter school legislation.

**2.5.4 Accountability measures for student achievement.** The issue of student achievement continues to lead reformers to work toward establishing measures that will provide a clear picture of student achievement. In a detailed comparative descriptive study of public and private schools, Chubb and Moe (1985) reported that relationships with parents and outside authorities rely upon their relationships, the organizations structure, and interpersonal relationships to establish educational environments and practices to increase the possibility of accountability. Using administrator and teacher surveys, 500 people were able to participate. This longitudinal study suggested that private schools produced significantly greater gains in achievement when compared to traditional public schools (Chubb & Moe, 1985). This rationale supports the notion that the removal of the cap on charter schools may provide measures for improved student achievement. This study does not provide us with an understanding of the demographic makeup of its participants to better recognize if equity or inclusion measures were taken into account during the administration of this study.

Therefore we examine the study by McDonald and Ross (2007) that stands out as it measures progress within program implementation models. This descriptive, qualitative analysis of student achievement, school climate, and pedagogy examines positive teacher and parent perceptions about academically-focused teaching and positive student achievement mandates on state tests. The study utilized the match treatment-control student analytical design, which is thought to provide highly comparable control mechanisms where individually matched students are compared based on ethnicity, poverty level, gender, and ability.

Both of these studies highlight accountability measures that can be found in charter schools. The challenge lies with the disputed elements of reform that is indicated in previous research that shows mixed results in the success utilizing similar measures (e.g., Anderson et al.,

2002; Berends, Watral, Teasley, & Nicotera, 2006; Carnoy, Jacobson, Mischel, & Rothstein, 2005) in charter schools. In contrast to this notion, Ascher and Wamba (2000) conducted a national study of three standards of equity in charter schools. For the purpose of this study, researchers collected demographic data on 801 charter schools. These data indicated an impressive 70% of all charter schools did not show a distinct difference from their surrounding districts as it relates to percentages of white students. Of the 801 charter schools to participate in the study, 31% served students of color. The study suggested mixed outcomes as it relates to racial isolation by social class while highlighting that the programs that drew a wide range of students provided high quality achievement to low income students (Ascher & Wamba, 2000).

Hess (2004) challenges the issue of student achievement and measures of accountability because of the belief that problems begin or end in the school. Hess argues that the problem is a political one. His argument is that choice-based reform offers a way to address public demands for accountability without leading to standardization that is inclusive of test-based systems. Hess's study focuses on "front end" authorization of schools and "back end" closing of schools as a political problem. He wishes to focus entirely on the "back end" accountability which stands to challenge political grasps the toughest. Within his study, Hess (2004) discusses four basic strategies that legislators and program designers could use to tackle regulatory accountability within charter schools. But even with these strategies in use he did not present a measure or remedy to the issue of accountability within charter schools.

Lastly, Barr, Sadovnik, and Visconti (2006) compared student achievement between students in charter schools and public schools in Newark, New Jersey, and found that charter schools in this district displayed inequalities that mirrored public schools throughout the state. This qualitative study looked at academic/achievement scores of fourth graders in one district's

public and charter schools. It further indicated that charter schools and public schools are similar with pockets of excellence and mediocrity. There were two criteria used to measure the schools and they included actual test scores and the difference between actual and predicted performance. This study further tells us that charter schools are not simply magic bullets but instead warrant further investigation to better understand which practices work and which do not work.

**2.5.5 Replication of successful charter schools.** What is it that makes a charter school successful and what does it take to replicate that model to ensure proper growth for charter schools? This section of literature will attempt to answer this question.

School reform has become essential to educational systems as the way to provide organizational change draws interest from advocates of public education in traditional and charter school settings. Fusarelli and Fusarelli (2003) remind us that student achievement, particularly in urban schools, remains abysmally low, and the persistence of achievement gaps among ethnic groups has become a concern of federal and state policymakers. They go on to indicate the need to draw upon the lessons learned from corporate restructuring. We are beginning to see policymakers reshape educational organizations. The push by policymakers has been to reshape educational organizations by putting more emphasis on rigorous performance standards, outcomes, and accountability measures (Kanter, 1989). This has been enacted because of the pressure by federal and state lawmakers to reform education through enhanced performance reporting systems.

A different perspective is presented by scholar Weinberg (2009) and presented in his study which argued that it is important to look at religious charter schools as a possible answer to reform efforts. The researcher suggested that charter schools are better able than public schools

at accommodating their students' religious beliefs because they are smaller and are able to serve a particular student population (Weinberg, 2009). Therefore, there should be an argument that the approach for charter schools should come by way of religious charter schools. Additionally, in a longitudinal study, Chubb and Moe (1985) suggested that the greatest difference in the performance of public and private schools lies in political constraints that perpetuate through public school environments more rapidly. They indicate in their study that due to these constraints, Catholic schools produce significantly greater achievement gains than public schools (Chubb & Moe, 1985).

## **2.6 Charter Schools and Reform Efforts**

There is an implicit need to understand equality when making decisions that directly affect constituents. According to Herbert Kohl, "most American children feel as though there is essentially one public school system in the United States, and it is authoritarian and oppressive" (Kohl, 1975, p. 11). This statement is one that may be presented as political fuel for and against public schools and a defining factor as to why leaders should take a closer look at equity when making decisions that will affect their full constituency. On one hand, public schools argue that due to their structure, they have successfully educated students of all scopes in all regions for many decades. In addition to this argument, Pai and Susan (1997) reminded us that one of the central goals of public education was to standardize the curriculum of common schools while eradicating social, economic, and political inequalities between private, well-funded schools and poor rural schools that stressed norms and behaviors of traditional Anglo-Saxton environments. Conversely, there has been an overwhelming representation of African American males placed in special education classes as a part of the current public educational structure (Oswald, Coutinho, & Singh, 1999), suggesting some form of inequity. According to Lynn and Parker (2006), using

Critical Race Theory (CRT) they were able to identify inequalities such as marginalization of minority students, as well as efficacies in race-conscious policy regarding education. Their qualitative study explored the nature of educational change and emphasized the need for further research around policies pertaining to equality and racial matters in education

According to Oswald et al. (1999), one of the many causes for increases in improperly diagnosed minority children in Special Education can be linked to inappropriate identifiers. According to this study, adolescents living in urban and high-poverty environments are subjected to inappropriate identifiers at a rate 50% greater than their counterparts. The U.S. Department of Education has identified improper diagnoses as a contributing factor in the dropout rate for minorities being above 50% (IDEA, P.L. 105-17; Section 601; U.S. Department of Education, 1995b, as cited in Oswald et al., 1999). On the supplementary end of this prospective, Whiting provided a case that favors the current educational structure in his argument that public schools are taking steps to identify gifted black males. In his Scholar Identity Model, he identifies Achievement Barriers facing Black males while working to better understand how social injustices play a role in perpetuating the vicious cycle of underachieving. As an illustration to public educational structures, Whiting argues that initiatives such as this can place focus on helping Black males to develop the necessary functions that are essential to their success (Lee, 2006).

The opposition's argument for charter schools is that they are needed to provide choice for students who cannot succeed in the traditional public school environments (Fedewa, 2005) due to the bureaucracies of educational reform. In 2006 there was an attempt to rationalize the structure for adequate public education (Lee, 2006). This study was constructed to measure rationale and structure by examining an application of efficiency measuring equality, equity, and

quality. Using these measures the author examined policy established to measure the delivery of public education. In the evaluation of litigation, the authors were able to establish a policy framework to develop educational opportunity for all children (Lee, 2006). A part of the charter school argument is that public school reform equates to inequalities that are direct effects of the measures taken by leaders who generate laws to support the structures that are in place. For example, in 1990 the Kentucky state legislature passed their Kentucky Educational Reform Act (KERA), which served as their comprehensive systemic overhaul of that state's educational system (Fusarelli & Fusarelli, 2003). This reform measure of interlocking policies was intended to provide heavy emphasis on student and school accountability that is tied to performance reporting systems of rewards and sanctions which are linked to student achievement (Cibulka & Derlin, 1995; Minorini & Sugarman, 1999). In support of the notion that "Uncle Sam tears down the walls of the educational system" (Patrick, as cited in Reigeluth et al., 2006, p. 27), the argument for school reform continues to be a driving force within state legislative chambers. Charter school proponents might argue that the federal government constrains systemic change in a way that places more emphasis on the current system rather than what is necessary to implement vision, planning, and metrics to provide equity for everyone involved.

In early June of 2011 The North Carolina Education Sub-Committee "Legislatures" also known as the charter school conference committee approved and forwarded the bill that would inevitably become law and lift the cap on the number of charter schools operating in the state. The removal of the cap and eventual approval of additional charter schools is now possible due to the act formally identified as "Charter Schools Act of 2011," which was signed into law by Governor Beverly Perdue on June 17, 2011 (Gov. Perdue Signs Senate Bill 8, 2011). This law removes the cap of 100 charter schools and allows the state Board of Education discretion in

granting final approval of up to 50 new Charter School applications per calendar year (NCASA, 2011). According to Ascher and Wamba (2000), “this should not happen due to a lack of equity standards” (p. 6). These standards assume that schools are responsible for breaking the traditional relationship guiding socioeconomic status and educational achievement which is fitting to the charter school movement as it seeks freedom from input and process regulations in exchange for performance-based accountability (Ascher & Wamba, 2000). This research will focus specifically on the decision to lift the cap on the number of charter schools operating in the state, and whether it provides equity for all affected, as indicated by the educators and local citizens whom these leaders represent.

Stanley Rothstein, in his 1994 work, *Schooling the Poor*, articulates one of the emerging issues within schools that must be addressed if true reform is to come to a reality. He states,

School officials and reformers were overcome, at the end of the nineteenth century by an impulse to confine urban youth in overcrowded, mass institutions. Everywhere we find the same sense of pride in common schooling, the same mission of moral suasion and acculturation there must be caution. (Rothstein, 1994, p. 61)

This reference clearly alludes to youth within the confines of urban settings. Therefore, this question must be raised: What about rural confines and the many issues that are imminent in those settings? Although the populations of rural and urban areas differ, shouldn't each institution be valued/treated equally? Rothstein goes on to communicate that schooling was the “common birthright of every American child” (Rothstein, 1994, p. 61), regardless of where their residence located. The common birthright of every American child displays a principle that must be debated due to indicators that suggest facilitation of mass educational institutions that serve as the catalyst for modern education.



The establishment of the first effective school systems which we know today as the Department of Education began in 1867. This establishment took on many different faces to come to the institution that we know it today. Beginning with the Boston Latin School in 1635 which provided an education philosophy focused on sons of a certain social class. The education philosophy was a breeding ground for students to enter leadership positions in church, state, or the courts. In 1879, the Carlisle Indian Schools were established and eventually expanded to have 26 locations. Their founder's goal was to shape the identity of school age children by assimilating Native American children into the mainstream culture, but it failed profusely (Sass, 2010). This provided the foundation for reform in American schools. The premise for most of these reform acts was the adoption and implementation of a system for equating educational standards (Sass, 2010). Throughout the years these trends continued as some schools closed to make room for new schools and larger schools.

Today, reform is a hot topic for educational systems all over the United States. For example, the National Alliance for Public Charter Schools (2011) released their annual edition titled "A Growing Movement: Americas Largest Charter School Communities," which highlights a growth trend in Urban Communities throughout the United States. For nearly two decades the number of unique "charter" schools has shown growth, as much as 30% for public school students who transition to charter schools. In addition, 16 school districts with an excess of 20% or more of their traditional public school students are being enrolled at charter schools (National Association of Public Charter Schools, 2011). This is enormous in urban settings while potentially crippling in rural settings. If this trend continues, what happens to traditional public schooling?

## 2.7 North Carolina Charter School Reform

In 1996, an idea was generated to provide self-appointed groups, individuals, and organizations the ability to formulize public school opportunities outside of the realms of traditional public schools. The premise for these ideas can be tracked to the state of Minnesota with their passage of the nation's first charter school law in 1991 (Manno, Finn, & Vanourek, 2000). This law opened the door for a charter school reform movement that would sweep across the United States at a rapid pace. In North Carolina this movement took effect on June 21, 1996 when House Bill 955 was signed into law and became the Charter School Act. This bill was established as an effort to provide greater chances for at-risk and academically gifted students. The act provided authority for a system of charter schools that would offer an opening for teachers, parents, pupils, and other members of the community to establish and maintain schools that operate independently of existing schools. This law emphasizes a method to provide the following opportunities:

1. Improve student learning;
2. Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are identified as at risk of academic failure or academically gifted;
3. Encourage the use of different and innovative teaching methods;
4. Create new professional opportunities for teachers, including the opportunities to be responsible for the learning program at the school site. (Office of Charter Schools, 1996, p. 6)

The charter school law provisioned approval of a maximum of 100 charters within the state in any given year. It also included provisions that prohibited more than five charters per

school district. Within the first five years of this law, there were 93 charter schools approved that served more than 18,000 students across North Carolina (Manuel, 2002).

This decision provided outcomes that can be perceived as both negative and positive. The National Alliance of Public Charter Schools (2012) provides a tool which compares charter school models to form a ranking system based on laws that govern each state. This rubric utilizes a variety of accountability measures to rank each system accordingly. Prior to the ruling to lift the cap on charter schools, North Carolina ranked 32 out of 42 states that have a Charter school law. The 2012 evaluation of all charter schools revealed that even with the changes to the Charter School Act in North Carolina there were not enough provided within the new bill to move North Carolina up on the list. Instead, North Carolina fell one slot to 33 out of 42 states with charter school laws.

More specifically within North Carolina, Manuel (2002) proved that the decision to allow charters schools was beneficial for education and the charter school movement in the state of North Carolina as he highlighted the successes of Exploris Middle School. This school opened in the fall of 1997 and for the first four years of existence was identified as a School of Excellence. This non-traditional school opened its doors to anyone to come and see how the students learn. Manuel also shared the successes of SPARC Academy which was a K-8 program consisting of a student body of 100% African American students, a contrast to the student population at Exploris. SPARC Academy faced vast changes in its early years and did not settle into a permanent location until 1999. Along with the many changes the school encountered, they lost many of their stronger students and encountered a lot of transfers to and from traditional public schools (Manuel, 2002). Unfortunately, as many studies have indicated, charter school

successes are difficult to emulate. Unfortunately, SPARC Academy is not one of the 98 charter schools providing educational services in North Carolina currently.

As of December 2011, 16 charter schools that were approved in 1997 are still providing educational services in North Carolina. Although many have shown success for students of all ethnic backgrounds, there are still questions about equality and each school's ability to be equitable. A study by Bifulco and Ladd (2006) noted that during the 2001-2002 school years, charter schools enrolled larger numbers of African Americans, and lower percentages of White and Hispanic students in comparison to traditional public schools. In contrast, this same study showed that charter schools served a higher percentage of students whose parents held four-year college degrees, and a lower percentage of students whose parents were high school dropouts.

The perceptions of these findings support the notion that charter schools might be established to serve White students or students from economically sound backgrounds (Bifulco & Ladd, 2006), inevitably allowing questions of equality to generate as it relates to their willingness to educate economically disadvantaged students across all demographics. Bifulco and Ladd (2006) concluded that their findings identified serious concerns about North Carolina's charter school program, the most important one being that both African American and White charter school families end up in schools that are very similar to their racial and socioeconomic home school background. This is very relevant considering the dozens of charter schools that have been established to serve a population of mostly Black students. Within the Legislative Link in 2011, it is noted that the overall White enrollment in traditional public schools in North Carolina was 53%, while 62% of the charter schools in the state were comprised of a majority White enrollment (NCASA Legislative Link, 2011).

The intent of this review is neither to defend nor support the “Charter Schools Act of 2011,” but to assist in providing a framework justifying the need to study the decision by the leaders who made this legislation possible. This review is organized to assist in determining why the North Carolina Education Conference Committee supported Senate Bill 8 and if these leaders’ decisions were attempts to provide ethical leadership from their seats as The Legislature of the State of North Carolina.

### **2.8 Senate Bill 8 “No Cap on Charter Schools”**

The movement that would eventually lead to the establishment of the Charter Schools Act of 2011 began three years earlier when the North Carolina Association of School Administrators (NCASA) presented a report, “Reasons for Opposing an Increase in Charter School Cap” (NCASA, 2011). This report highlighted seven reasons not to lift the Charter School Cap. Several of the reasons involved matters directly related to equity, whereas one of the points specifically stated, “expansions of charters should not occur until we can determine how to eliminate the politics surrounding their creation and change charters from being a competitor of traditional public schools into being a true alternative for students not succeeding in the traditional setting” (NCASA, 2008, p. 8).

Soon after the publication of this report, a lawsuit was filed by The NC Institute for Constitutional Law against the state of North Carolina and seven counties on behalf of several charter schools, parents, and students, saying the schools are entitled to capital funding. The prayer for relief from this case allowed charter schools the right to receive public funding for operating expenses and per-pupil allotments just like traditional schools, but had been frozen out of construction and maintenance money. In 2010, NCASA assisted in the efforts to stop a bill that would petition legislative leaders to raise the cap on charter schools (NCASA, 2008).

In late January of 2011, the first edition of the bill was filed seeking a lift of the cap on charter schools. On February 2, 2011, the Senate Education Committee debated the bill to lift the charter school caps, which inevitably led to Senatorial amendments, noting that more changes were needed to allow equity. The new changes provided more confusion to the charter school bill as it was thought to become a Local Education Authority funding nightmare. Therefore, the bill was sent back for a second and third revision. On February 24, 2011, the charter school bill cleared the senate with much scrutiny. The bill was thought of as problem-filled and prompted the NCASA to publish its concerns with this piece of legislation. There were three major themes that resonated from their summary: equity issues, funding issues, and governance issues (NCASA, 2011).

Equity being the first of these themes drew a focus on testing irregularities between charter schools and traditional public schools. Within this same theme were questions as to how equitable licensure and benefits for teachers were in one domain versus the other. Tied directly to equity were issues relating to funding practices that this bill would allow. Prior to this bill, charter schools did not qualify for any state or local funds for school construction. Charter school funding had to be generated from private funding at 100%. The specific question was asked, should lottery revenue be used as a funding stream for charter school construction projects? In response, charter school proponents argued that it would be equitable to provide funding for purposes such as construction. This proposed addition to the bill led to questions surrounding constitution violations that would subject the bill to constitutional challenges (NCASA, 2011). The third pressing issue pertaining to the bill surrounded governance and who would have presiding powers to make decisions for the charter schools. The sponsors of the bill wanted full anonymity as it related to approving new charters. They moved to establish a

completely separate commission that would undertake all aspects of governance which would be a direct violation of the State's constitution.

The bill moved on to the house where it was analyzed and revised multiple times prior to March 15, 2011. At this time the bill was thought of by legislative leaders as improved but problematic. On April 6, 2011, the House finance committee submitted their version of the bill, which was also identified as problematic. On Monday, April 8, 2011 the bill was set for House approval and prepared to be sent to the conference committee. The conference committee was the Education Sub Committee, which consisted of six members, three from the house and three from the senate. Their function was to evaluate each underlying issue that may have been discussed in committee and decide whether its purpose made the proposed bill stronger or posed a problem (NCASA, 2011).

To recapitulate, the North Carolina legislative leaders' decision to recommend the approval of the Charter Schools Act of 2011 was supported by seven primary purposes, five of which are indicated above. The review of literature above endeavored to evaluate how equity is identified as the process used to generate the result which provides equality (Nieto & Bode, 2008). This review will assist the researcher of this study in questioning whether these leaders understood their duty to provide a fair and just evaluation of the seven purposes indicated above prior to making their decision to support or deny this legislation.

Past research does not provide a thorough review of the decisions made by legislative leaders who supported or opposed the removal of the cap on the number of charter schools. The amount of data gauging an understanding of equity by legislative leaders and their ability to provide ethical leadership was inconclusive. Additionally, the thorough review of literature

pertaining to the seven primary purposes for the bill was limited due to a lack of research produced on this topic.

## **2.9 Summary**

In summary, the literature review sought to examine two theoretical frames that guided this study on ethical decision making for elected officials who are identified as leaders. The first framework was equity theory and the second framework was ethics for better understanding decision making as an essential leadership behavior.

The review of literature on equity theory began with a brief history of equity theory. The literature review on ethics began with an arrangement of the four ethical paradigms for leadership. Shapiro and Stefkovich (2001) expressed how the four ethical paradigms—ethic of justice, ethic of care, ethic of critique, and ethic of profession provide a premise for understanding ethical decision making. The review described in detail the theoretical constructs of each paradigm. The review began with a thorough account of the history of the oldest ethic, justice. Next was a progressive explanation of the ethic of care presented by Carol Gilligan. Consequently, the ethic of critique and the ethic of profession which are thought to be the most practical were described and explained. The purpose of the literature was to describe and explain equity theory and its importance when rendering decisions, and to describe and explain the four ethical paradigms of leadership. The literature review concluded with a recap of equity as it relates to school reform, charter schools, and finally the role that equity played in the historical makeup of North Carolina Charter School reform efforts. Within each area there were prominent authors who contributed to the progress of equity and equality by decision makers. Therefore, each section was explained and described in detail.



## CHAPTER 3

### Methodology

#### 3.1 Introduction

This chapter focuses on the methodology used in this study. The methods and procedures that describe the methodology include the research design, the selection of the participants, data collection, data analysis, the researcher's role, ethical considerations, credibility of the study, and a summary.

#### 3.2 Research Design

This research investigation used a case study approach (Yin, 2009) to explore the decision by legislative leaders to support Senate Bill 8 of the 2011-2012 North Carolina legislative session. The primary goal was to investigate the Conference Committee's decision to lift the cap on the number of charter schools in the state of North Carolina and to examine how equity and ethics influenced their decision-making process. This qualitative study addressed the following central exploratory questions: (a) How did equity influence legislative leaders' ability to practice ethical decision making? and (b) How did the leaders' perspectives on ethics constitute elements of ethical decision making?

The case study approach was appropriate for this research investigation because it focused on society and culture in a group or organization (Marshall & Rossman, 2006). Denzin and Lincoln (2000) argued that case studies "have become one of the most common ways of doing qualitative inquiry, but they are neither new nor essentially qualitative. These researchers argue that a case study is not a methodological choice, but a choice of what is to be studied" (p. 435). The researcher identified the case to study as legislators charged with examining a bill placed on the floor of the North Carolina General Assembly. The researcher studied the

legislators' decision to support this bill considering the perceived absence of equity and ethics. Individuals who make up a specific group or organization put this action into motion. The individuals who made up the group rendered a decision that required investigation.

Further, Yin (2009) introduced the essence of a case study as “the central tendency among all types of case studies” (p. 17), illustrating that the major focus of case study investigations is to illuminate a decision or set of decisions. A case study strategy is traditionally identified as simple or complex. Simple case study strategies are described as close and personal investigations between the participant and researcher. The primary goal of this strategy is to seek and capture deep meaning of the participants' experiences in their own words (Marshall & Rossman, 2006). Complex case study strategies include multiple methods that serve as tools during the exploration. These strategies are road maps for undertaking a systematic approach to the exploration of a phenomenon (Marshall & Rossman, 2006). The researcher employed the complex case study strategy for this investigation since the intent of this study was to explore a phenomenon using systematic approach with multiple methods, which included interviews, observations, and document analysis. These are essential as the degree of interaction with complex case study strategies is diffuse (Yin, 2009).

### **3.3 Participation Selection**

The researcher selected participants for this investigation using a purposeful sampling method (Marshall & Rossman, 2006). This approach provided an opportunity to select participants who would present the researcher with a picture of how the group wrestled with the decision to lift the state's cap on its number of charter schools. Miles and Huberman (1994) provided four aspects of the purposeful sampling model which are essential to the selections: the 'setting' considers where the case or research will take place, the 'actors' focus on who will be

observed or interviewed, the ‘events’ are what the actors have observed, and the ‘process’ examines the evolving nature of events that involved the actors within the identified setting (Creswell, 2009).

To identify prospective participants, the researcher articulated three criteria. First, the participants had to have been elected to serve in a leadership capacity by registered voters in the state of North Carolina. This first criterion focused on the setting as a part of the selection criteria. Second, the participants had to have been members of either the education or finance standing committees during the 2011-2012 Legislative Sessions. This criterion identifies the actors and the events that link the participants to the research questions. Finally, each participant had to have served on the special conference committee for education during the 2011-2012 Legislative Session. The existence of each participant on this special committee fills the aspect of the process needed to facilitate this model. As a result of these criteria, the researcher identified six people who were eligible to participate in this investigation. Each person served on the Conference Committee for Senate Bill 8 during the 2011-2012 General Assembly. The researcher made an initial contact with each participant via a telephone call. The purpose of the call was to introduce the researcher and solicit each participant’s participation in the study. Each potential participant was provided a brief overview of the study and an explanation for the purpose of the investigation. Between the six calls made to potential participants, calls to Micah, Matthew, Mark, and Moab were answered, and the researcher explained to each person that they would receive a letter in the mail outlining all the specifics of the study. The researcher sent a formal letter to each potential participant, orienting them to the intent of the study and explaining the data collection procedures (Appendix A).

After these attempts to engage all six prospective participants, only three participants from this committee consented to participate in this investigation. Table 1 provides a brief overview of each participant and his or her experience as an elected official or legislative leader.

Table 1

*Overview of Participants*

Participant Name (Pseudonym)	Brief Description of Experience
Micah	Member of the North Carolina House of Representatives <ul style="list-style-type: none"> <li>• Male</li> <li>• Served 6 terms</li> <li>• Representative of Wake County</li> </ul>
Matthew	Member of North Carolina House of Representatives <ul style="list-style-type: none"> <li>• Male</li> <li>• Served 3 terms</li> <li>• Representative of Mecklenburg County</li> </ul>
Mark	Member of the North Carolina House of Representatives <ul style="list-style-type: none"> <li>• Male</li> <li>• Served 1 term</li> <li>• Representative of Guilford County</li> </ul>

### 3.4 Data Collection and Procedures

For this investigation, the researcher collected data using a variety of approaches that elicited qualitative data. Qualitative data are sources of well-grounded, rich descriptions and explanations of processes that are needed for identifying general contexts (Miles & Huberman, 1994). Qualitative research elicits tacit knowledge and subjective understanding and interpretations. Considering the potential of varying complex interpretations within this study, the data collection method was carefully examined prior to being selected. Due to the potential complexities within data collection, the researcher sought to triangulate data throughout this investigation. According to Maxwell (1996), data collection methods “reduce the risks that your conclusions will reflect only the systematic biases or limitations of a specific method, and it

allows you to gain a better assessment of the validity and generality of the explanation that you develop” (p. 76). This is very important due to concerns that case study research lacks rigor and provides a minimum basis for scientific generalization (Yin, 2009).

The researcher chose to use multiple methods of data collection to ensure credibility. The researcher identified triangulation as a sufficient rationale for using multiple sources to qualify evidence. Yin (2009) described data triangulation as the collection of multiple sources of data that aim to corroborate simple phenomena, and Patton (2002) shared that methods of triangulation must be chosen with caution to provide accuracy in qualitative inquiry. The four types of triangulation include (a) data triangulation that focuses on data sources, (b) investigator triangulation that refers to different evaluators, (c) theory triangulation that alludes to triangulation of perspectives to one single data set, and (d) methodological triangulation that focuses on a triangulation of methods (Yin, 2009). Of these four types, the researcher believed data triangulation was the most appropriate approach to collect data for this study because it addressed potential problems of construct validity by providing multiple measures of exploration for the same phenomenon. The sources of data triangulated provided a convergence of evidence about the case studied. The other three options of triangulation did not address construct validity. To triangulate data in this study, the researcher organized historical audio, written documents, and interviews to validate findings (Denzin & Lincoln, 2000).

**3.4.1 Collection procedures.** Prior to data collection, the researcher requested and received permission to proceed from the North Carolina Agricultural and Technical State University Institutional Research Board (IRB). Table 2 provides an overview of the data collection procedures used to guide the process. Each subsection below provides a description of the procedures used to collect data in each area of the triangulation.

Table 2

*Data Collection Procedures Plan*

	Instrumentation	Data Source	Collection Procedure	Authorization	Collection Dates
Historical Analysis	Audio Files	NC General Assembly Office Clerks Office & Website	NC General Assembly Office, NC Senate Audio 2011 Session. Visit online audio archive to secure NC House Audio of floor debate for 2011 Session.	No	July 29 – August 23 2013
Written Documents	Agendas, Notes, and Administrative Documents	Legislative Library Archives, Search Portals and Interview Leads	Visit legislative library and other search portals for newspapers or publications by leaders.	No Yes—data from interview process	July 29 – August 23 2013
Interviews	Six one-on-one interviews with legislative leaders	Face-to-Face or phone interviews with each selected participant.	30-minute to 60-minute interview.	Yes	July 29 – August 23 2013

In addition to the collection procedures, the researcher used the *Data Collections Procedures Plan*, which is highlighted in Table 2, as a guide for storing, organizing, and logging the data collected. Data were stored both electronically and on hard copy. Electronic data were stored on an external hard drive, and hard copy data were stored in a locked filing cabinet. Additionally, the digital audio files were stored on an external hard drive and stored with all other documents. The backup audio on the Sony Microcassette-Corder M-540V was stored with other documents. All documents were housed at the primary residence of the researcher where access to these documents was limited to the researcher. The system for organizing and logging the data followed the guide under the triangulated data sources column on the *Data Collection Procedures Plan*. Within each section (Historic Analysis, Written Document, and Interviews)

the logging system included dates of collection, names of participants, time of collection, and places related to data collection.

**3.4.1.1 Historical documents.** Historical documents are identifiable sources of data that are sometimes identified through public reports, legal papers, and government documents (Marshall & Rossman, 2006). When utilizing historical documents, researchers must be very clear about methods for collecting data. Webb, Campbell, Schwartz, and Sechrest (1966) introduced “nonreactive research” which described measures for observing or data gathering that does not cause interference with research participants while providing a varied perspective on a phenomenon. This measure is also known as unobtrusive as it allows researchers to collect data without cooperation from participants included in the records (Marshall & Rossman, 2006). This method simplifies data collection because it does not arouse subjects while providing a medium for utilizing data collected by someone else.

For the purpose of this study, data sources included public reports and government documents. The compilation of these documents was collected as audio files rather than in a written format. The data source for these records was the North Carolina General Assembly Clerks Office and the North Carolina General Assembly Audio Archives. The North Carolina General Assembly Clerks office provided Senate audio of all floor debates pertaining to Senate Bill 8 from the 2011 General Sessions. These debates included audio of all arguments by North Carolina Senate leaders as it pertained to Senate Bill 8 legislation. Additionally, the North Carolina General Assembly Audio Archives was searched. The articles of this search provided access to House audio from all floor debates pertaining to Senate Bill 8. The NC House audio provided access to debates from the two days of arguments on the floor of the North Carolina House. Because these sessions are considered public knowledge by North Carolina statute, there

was no order necessary for authorization or approval to retrieve. The information retrieved was from the indicated locations during the dates of July 29–August 26, 2013.

**3.4.1.2 Interviews.** Interviews are one of the most important sources of data in case study research, which provide effective collection techniques used by qualitative researchers (Yin, 2009). Interviews are a form of research where participants engage in face-to-face sessions, telephone sessions, or focus group sessions with a minimum participant pool (Creswell, 2009). For the purpose of this study, the researcher conducted one face-to-face interview with each participant at a location that was convenient for the participant. On average, each interview lasted approximately 30 minutes in length.

Prior to participating in the interview, each participant reviewed a letter explaining the study and why their participation was solicited. Additionally, each participant was provided an informed consent that requested the researcher's permission to conduct the interview and use any information provided during the interview process. All interviews were recorded using an Olympus WS-311M digital audio recorder. The purpose of these interviews was to obtain views and opinions from participants through unstructured and/or open-ended questions (Creswell, 2009). The focused interview questions followed the Interview Question Table of Specifications outlined in Appendix D.

**3.4.1.3 Written documents.** Written documents are inquiries that provide examination and interpretation of documents. The use of these documents allows corroborative and augmented evidence from sources outside of interviews or field notes (Yin, 2009). For the purpose of this study, written documents included session agendas, meeting minutes, and other relevant documents from events related to Senate Bill 8. These sources of data are considered “nonreactive research” which allow the researcher to collect data without cooperation from



participants included in the records. Unobtrusive measures are particularly useful as supplements to interviews (Marshall & Rossman, 2006). Given this context, the researcher used these data to supplement the individual interviews conducted with the participants.

The researcher collected general session, senate educational session, house education session, senate finance session, and house finance session data from the North Carolina Legislative Library. The researcher used the library's general search database to identify archived documents from each of the identified sessions. Because this information is considered public knowledge by North Carolina statute, there was no order necessary for authorization or approval to retrieve.

### **3.5 Instrumentation**

**3.5.1 Fact analysis rubric.** In order to minimize the potential for the researcher to inject his personal experience, judgment, or beliefs into the data collection or data analysis process, the researcher found it necessary to utilize the *Fact Analysis Rubric* (Appendix D). The researcher created and designed this instrument to eliminate the potential for personal judgment beginning from the time data was collected, transcribed, coded, and analyzed. The researcher used this instrument as the source for bracketing throughout the data analysis and data coding processes. According to Roberts, Priest, and Traynor (2006), researchers use “[bracketing] as an attempt to suspend their experience, judgment, and beliefs” (p. 44) during data analysis.

As a means to provide credibility to the rubric, the principles and rules identified within Ethical Theory were used to guide its design. The researcher used the four rules of Ethical Theory as presented by Shapiro and Stefkovich (2001)—ethic of justice, ethic of care, ethic of critique, and ethic of profession—as an evaluation tool for extracting factual information from the data collection sources. The researcher created the rubric to evaluate data collected in the

interviews, historical documents, and written text. By using the ethic of justice, ethic of care, ethic of critique, and ethic of profession, the researcher analyzed these documents through the lens of each of these ethics, allowing the researcher to identify general rules to guide each data set. This process ensured the researcher examined these documents from a sound framework rather than through subjective or biased beliefs.

**3.5.2 Individual interview protocol.** The researcher worked with faculty in the Department of Curriculum and Instruction at North Carolina Agricultural and Technical State University to design an interview protocol (Appendix E) appropriate for this research investigation. This instrument focused on Ethical Leadership and Decision Making concepts extracted from the research of Shapiro and Stefkovich (2001). The protocol consisted of 12 open-ended questions. Each question was categorized by the variables of equity, ethics, and decision making.

### **3.6 Qualitative Data Analysis**

Data analyses are methods of analysis used to gain an understanding of data through coding and categorizing in an effort to make sense of data. The researcher chose the phenomenological data analysis technique as presented by Colaizzi (1978, as cited in Sanders, 2003) and Shosha (2012) to analyze data in this case study investigation. The researcher chose this process because it was identified by Shosha (2012) as “a research method designed to explore and understand people’s everyday lived experiences” (p. 31), which was the intent of this study. Lopez and Willis (2004) believed the experience of a phenomenon when perceived by consciousness should be a major objective of scientific study. Therefore, the exploration of the participants’ everyday lived experiences is important, and this data analysis approach provides

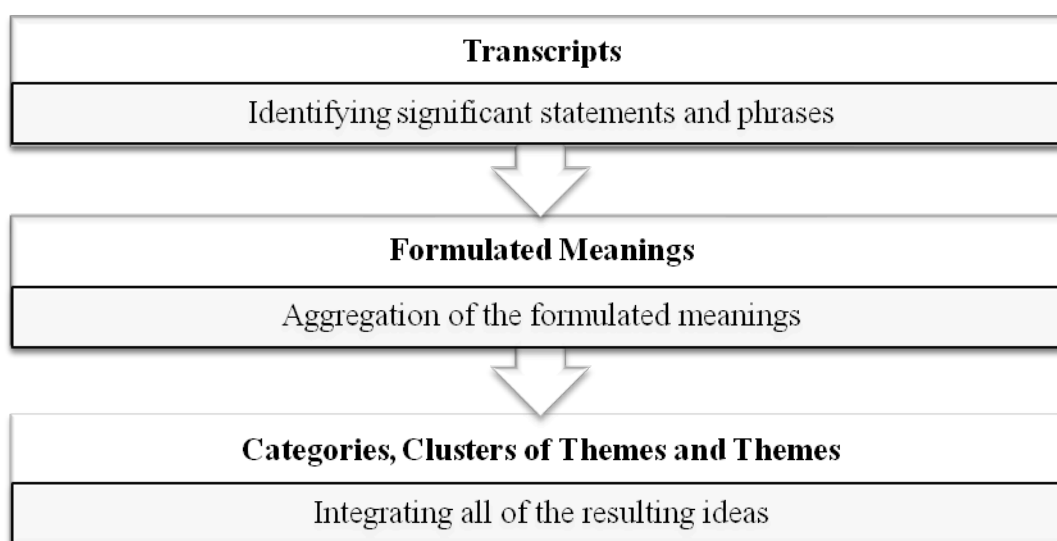
the best opportunity to understand perspectives and experiences of the participants who composed the group in this case.

Upon the completion of the word for word automatic transcription of historical documents and interviews, the researcher verified the accuracy of each historical document by rereading each transcript while listening to the audio then reading them again. To verify the accuracy of the interviews, the researcher conducted member checks with each participant. Each person was asked to review the transcript and provide any corrections via e-mail on or before September 27, 2013. The researcher verified each participants receipt of mail by using the mail receipt notify. None of the transcripts were returned with corrections; therefore, the researcher concluded the accuracy of each transcript by way of the member check process.

To organize data, the researcher utilized the QSR NVivo 10 software program. QSR NVivo 10 is a qualitative research tool designed to assist researchers with analyzing qualitative data using multiple windows. This software package provides transparency through the data analysis process. Using Colaizzi's (1978) phenomenological data analysis protocol, the researcher formulated descriptions to guide the analysis process. The three main areas were (a) data input, (b) organizing, and (c) coding through queries. The data input area highlights the 'source' window in the software program. This window shows primary and secondary research materials that the researchers used to store and identify as an internal data set, an external data set, or a memo. For this investigation, the researcher only used primary research materials and internal data sets (i.e., historical documents, written documents, and interview transcripts). Organizing is the second area and is identified in the software program through 'nodes,' which represents themes, or statements and people of interest within the node structure. The third section is identified as 'coding through queries,' which provides the analysis of the 'nodes'

identified in the second stage of this process. The nodes were identified specifically through a process identified as word frequency querying. This querying process is a form of matrix coding within the QSR NVivo 10 software program. This querying process identifies the frequency of relative words identified within the data point. In this study, the researcher also referred to data analysis nodes as “codes.”

The researcher analyzed data using the abbreviated version of Colaizzi’s (1978) phenomenological data analysis protocol, which is presented in Figure 1.



*Figure 1.* An abbreviated summary of Colaizzi’s strategy for phenomenological data analysis. Version developed by author on 10/12/2013.

The phenomenological data analysis process involves three steps which were executed using the NVivo 10 software program. Within the ‘source’ window of this program, this protocol provided the measures for identifying significant statements and phrases by reading and reviewing each transcript, historical data point, and written document several times to gain an understanding of each document. The three internal data sources—historical documents, written documents and interviews—accounted for seven source windows, which the researcher used to explore the phenomenon as experienced by the participants. During this stage, the researcher

was intentional about excluding personal thoughts, feelings, or ideas; consequently, the researcher relied on the *Fact Analysis Rubric* (see Appendix D) and the bracketing technique to guide this segment of the analysis process. The procedure assisted the researcher with exploring the phenomenon in accordance to the leaders in the historical documents and the participants in the interviews. Using this process, the researcher identified significant statements and themes, which were organized within NVivo 10 as ‘nodes.’

In the “aggregation of formulated meanings” step of the phenomenological analysis process, the researcher analyzed the identified ‘nodes’ or themes, which allowed for further examination of the statements pertaining to ethic of justice, ethic of care, ethic of critique, and ethic of profession. The researcher categorized the statements within the nodes page and formulated meanings of statements to provide additional coding. The researcher performed word frequency queries through the NVivo 10 software to identify frequently used words, statements, and concepts (themes). Data coding was one of the most important parts of this process as it allowed the researcher to record nodes and sub-nodes that emerged within the data. These nodes were aligned within categorical classification systems (i.e., name, sources, and references) which made the process less chaotic (Patton, 2002).

According to the final phase of the phenomenological analysis process, the researcher integrated all of the resulting ideas and meanings formulated from the significant statements and themes. The categories and nodes established through this process provided data foundation for sub-themes. The nodes were grouped into two primary themes: independent variables and theoretical variables. Independent variables were defined as empirically observed words and statements that were identified through three sub-categories: (a) text search query, (b) interview questions, and (c) general decision making themes. Within each sub-theme, there were 244

references identified from seven sources. In the sub-theme consisting of interview questions, the researcher used the Interview Question Table of Specifics (see Appendix E) to guide theme development. Each source was coded using word concept queries. Theoretical variables were defined by exploring what each interview participant expressed regarding three variables: equity, ethical, and decision making. Within each sub-theme there were 79 references identified from five sources.

Using NVivo 10 software and Colaizzi's (1978) phenomenological data analysis protocol the researcher identified all patterns and themes that emerged within the identified categories throughout the analysis. The researcher then renamed the themes or nodes in this investigation. Using this detailed analysis process, four major themes emerged: (a) Principles for equality; (b) Perceptions of decision making; (c) Interpretations of policy; and (d) Challenges with legislation.

### **3.7 My Role as a Researcher**

Because bias can impact data collection and data analysis in any investigation, the researcher felt it necessary to identify and articulate any variables that may have influenced these processes. One variable the researcher identified was determining which elected leaders would participate in this study. Because one participant represented the district where the researcher resided, it was important that the researcher was diligent and intentional in aligning all questions to the *Fact Analysis Rubric* (Appendix D) throughout the interview process. This approach would control for any biases or subjectivities.

### **3.8 Ethical Considerations**

The researcher's goal was to explore the decisions made by the leaders selected to participate in this study. The researcher sought to provide authentic values without passing judgment based on cultural context or by unveiling real names of the participants (Marshall &

Rossman, 2006). Therefore, the researcher focused on telling the story of each participant by way of interviews and obtained qualitative tools without including personal bias. Thus, the real names of the participants are protected through the use of pseudonyms and referred to as merely “participant” or “leader” unless there is a reference to a committee on which the participant served. Participants were assured that maintaining confidentiality was of utmost importance (Marshall & Rossman, 2006).

Ethical considerations were used as a means to protect the integrity of each participant. Rubin and Rubin (1995) explained the “requirement to behave ethically is just as strong in qualitative interviewing research as in other types of research of humans-maybe even stronger” (p. 96). Marshall and Rossman (2006) highlighted the right to privacy as “observing the intent behind the protection of human subjects that is encoded in documents and procedures” (p. 90). They addressed three key demands that should accompany their description: (a) participants should receive an explanation highlighting specific parameters and interest, (b) participants should be informed that it is their choice to participate without prejudice, and (c) participants’ identities should be protected in the most ethical way (Marshall & Rossman, 2006). Denzin and Lincoln (2000) provided additional insight by describing consent as “*right to privacy*” (which protects the subject’s identity) and “*protection from harm*” (protection from all forms of harm including physical and emotional; p. 662). See Appendix B for the Informed Consent Form.

The researcher conducted this study with maximum ethical considerations for each participant and their cultural backgrounds. If there were occasions when any participant wanted the recording to cease, the researcher immediately complied with their demand and turned off the tape recorder. The recording resumed only after the participant granted permission.

### 3.9 Validity of the Study

Through the research design, the researcher addressed construct validity and internal validity. The researcher achieved construct validity by “identifying correct operational measures for the concepts being studied” (Yin, 2009, p. 40). The measures are identified within the following sections: historical analysis, written documents, and interviews. Each measure of triangulation comprises multiple sources of evidence used to provide data dependability. The process of data transcription took place for two of the three triangulated sources of data. The historical analysis includes audio of sessions that was retrieved from its designated location and interviews are all originated in audio form. The examination of each interview provided a word for word copy of each measure that was ready for analysis. As an added precaution, the researcher conducted a word for word examination of each interview to ensure consistency and verification of data. With multiple levels of verification, the researcher sought to become familiar with what each participant articulated. This repetitive process provided the emergence of clarity in order to identify patterns. As an additional means of providing construct validity, the *Fact Analysis Rubric* was used as a measure to minimize bias through the process called ‘bracketing.’ This is a process “whereby researchers attempt to suspend their experience, judgment, and beliefs” (Roberts et al., 2006, p. 44) during the process of data collection.

It is important to test internal validity which is explained by Yin (2009) as “a concern for explanatory case studies, when an investigator is trying to explain how and why event  $x$  led to event  $y$ ” (p. 42). To test internal validity, the researcher relied on historical analysis, written document analysis, and interviews as a means to provide credibility and further examination of the data analysis. These documents included committee agendas and session minutes presented during committee and general sessions. Each of these data streams were collected through the



North Carolina General Assembly website and North Carolina Legislative Library. Internal validity was addressed through the utilization of an analytic technique known as “explanation building” (Yin, 2009, p. 141). Explanation building is a special type of pattern matching. According to Yin (2009), pattern matching is a process that “compares an empirically based pattern with a predicted one” (p. 136). The predicted patterns derived from four Ethical Paradigms and Equity Theory.

Explanation building presents a more difficult procedure by inhibiting the analysis in order to build an explanation about the case (Yin, 2009). The major element of explanation building is to ‘explain’ the phenomenon that has been identified by a presumed set of causal links that ask how something happened (Yin, 2009). According to Yin (2009), “causal links may reflect critical insights into public policy process or social science theory” (p. 141). The researcher explored the social science propositions, which provided insight into theory building. Therefore, if causal links between the predicted patterns and any empirically based pattern coincided, internal validity of the study is strengthened.

The analysis of the interviews generated an understanding of potential themes and patterns. Themes and patterns were generated by the use of the pattern matching analytic technique (Yin, 2009), which compared predicted patterns with any empirically based pattern. More specifically, the explanation building technique (Yin, 2009), which is a form of pattern matching, was used to analyze these data and provided a parallel procedure for explaining a phenomenon. The explanation building process was not precise, but it provided an explanation of causal links to the theoretically significant ethical theory and its four ethical paradigms (Yin, 2009).

External validity is a test to understand if the “study’s findings are generalizable beyond the immediate case study” (Yin, 2009, p. 43). Therefore, external validity was provided via analytic generalization also known as General Analytic Strategy (Yin, 2009). Pattern matching logic is the analytic technique used to build the procedure. As a precursor to this process, the researcher used a secondary pattern matching logic called explanation building to analyze the case study data from each data set by building an explanation about the case (Yin, 2009). The focus of these explanations blossomed into the focal point of the causal links about how something happened. This process was a parallel procedure that was used to develop ideas for future study (Yin, 2009). It is through these analytic generalizations that external validity was provided.

Ethical theory is concerned with societal values and morals, which are presented by individuals (Northouse, 2007). Northouse (2007) further defined this theory as “a system of rules or principles that guide us in making decisions about what is right or wrong and good or bad in a particular situation” (p. 342). These decisions define the basic understanding of what it means to be morally decent people. Yin (2009) explained that analytical generalizations are efforts by case study investigators to generalize a particular set of results to a broader theory. Generalizations are not automatic, however. The theory will be available for testing by replicating the findings in other groups of leaders, where this theory has specified that the same results should occur. This process of replication provides strong support for the theory without additional replications being performed (Yin, 2009).

### **3.10 Credibility of the Study**

Credibility of the study resided in the use of multiple methods of data collection as a provision for providing triangulation. The multiple methods used were historical analysis,

written documents, artifacts, and interviews. Considering each of these methods is important when triangulating data; since they are equally important when establishing the study's credibility, each are utilized in this study. Another term used by some to provide credibility is "crystallization" rather than "triangulation" (Denzin & Lincoln, 2000). Janesick referred to crystallization as crystals that "combine symmetry and substance with an infinite variety of shapes, substances, transmissions, multidimensionalities, and angles of approach" (as cited in Denzin & Lincoln, 2000, p. 392). Although both triangulation and crystallization are highlighted for the purpose of this study they are analogies utilized as a provision for credibility.

### **3.11 Summary**

In summary, the methodological overview described in this chapter described and explained the research design, selection of the participants, and the data collection and analysis methods. The data included historical analysis, written documents, and interviews. This chapter also included an explanation of the data analysis, my role as a researcher, ethical considerations, and credibility of the study.

The purpose of this qualitative research study was to describe and explain the approval of Senate Bill 8 by members of the North Carolina General Assembly 2011-2012 session on ethical decision making. The research design was an instrumental case study where participants from North Carolina General Assembly 2011-2012 session were carefully and purposefully selected for their decision to recommend Senate Bill 8 to become law. In essence, they are leaders elected to represent the perceived interest of their voting constituency.

The theory base was guided by equity theory and ethical theory. The review of literature provides evidence that equity and ethics serve as an essential component in decision making, therefore the use of equity theory and the four ethical paradigms of the theory of ethics are

presented as parameters for evaluating a leader's ability to render ethical decisions. Each participant in this study was purposively selected. They were each chosen based on their selection to a special committee and/or standing committees who have insight of specific legislative decisions.

Data collection included historical analysis, written documents, and interviews. The use of each of these data points contributed to the use of a triangulated methodology where multiple interests were incorporated. This method of triangulation was time consuming, beginning with the historical analysis and interviews, which provided the researcher the opportunity to develop themes and categories related to the study. The third data point within the triangulated methodology included written documents which served as supporting information in the analysis. The data were collected, recorded, analyzed, and coded in an unremitting manner.

Chapter 4 provides an introduction and proceeds into the results of the qualitative analysis of this examination. The analysis was broken into three sections: providing the process for analyzing data, explanation of leader perceptions, and results of the analysis.

## CHAPTER 4

### Presentation of the Data

#### 4.1 Introduction

This qualitative research study described and explained how members of the North Carolina 2011-2012 General Assembly session approved Senate Bill 8 and made the recommendation for the bill to be sent to the governor's desk to be signed into law. The research design was a complex case study where participants from the North Carolina General Assembly 2011-2012 session were carefully and purposefully selected to participate because of their decision to recommend Senate Bill 8 to become law. It is important to note that the theoretical framework for understanding ethical decision making was established through the literature review and is identified in the study as predicted variables. The purpose of this study was to explore leaders' perspectives on equity and ethical decision making by reviewing the case and attempting to answer the following questions:

1. How do the perspectives of the North Carolina Education Sub-Committee constitute elements of ethical decision making?
2. How does equity influence these legislative leaders' ability to practice ethical decision making?

Based on the information gathered, this study will assist researchers and practitioners alike in future research on equity and ethical decision making.

Three elected leaders from the North Carolina House of Representatives and North Carolina Senate were selected to participate in this study. The participants were selected based on three criteria: each was elected to serve in the House of Representatives or the Senate by registered voters in the state of North Carolina, each served as members of the education/higher

education committee and/or senate finance committee and/or house finance committee during the 2011-2012 legislative session. Data were collected through a triangulated methodology, which included historical documents, written documents/artifacts, and interviews. These data were analyzed as a means to provide the following findings.

#### **4.2 Research Findings and Data Analysis**

The criterion sample for this investigation consisted of three leaders whose leadership is defined by their position as elected officials in the North Carolina General Assembly. This presentation utilizes independent variables, which were defined as empirically observed words and statements acknowledged through the data analysis to further define these leaders' perspectives. A multistep data analysis procedure called phenomenological data analysis by Colaizzi (1978) was used to organize and understand the data through coding and categorization. This procedure helped to explore and understand perspectives and experiences of the participants of this study. This analysis continued with the utilization of the QSR NVivo 10 software program to further analyze the data using multiple windows. These three windows included a data input source window, an organizing window, and a window for coding through queries. Through the coding window, matrix coding which is a form of word frequency query was used to further examine the data sources. Through this detailed analysis process of identifying these leaders' perspectives, 244 nodes were identified from seven sources discussing the interactions and perceptions of the leaders. A word frequency query established 79 nodes. From these 79 nodes, sub-categories were established and clustered around four major themes: (a) Interpreting Policy via the Ethic of Justice, (b) Decision Making via the Ethic of Care, (c) The Policy and Equity Disconnect in Decision Making, and (d) Principles of equality. These themes for the point of this study are identified as empirical themes as they were established through the

phenomenological data analysis process. Within each theme a variation of word queries were administered to determine the frequencies of each word within the theme. One set of queries included the word frequency queries. The frequency is determined by the occurrences of that particular word or similar words within the theme. The outcome of these word queries were presented under each theme below.

**4.2.1 Theme #1: Interpreting policy via the ethic of justice.** Through the data analysis was an emergence of the participants' interpretations about policy. The research suggested that the delivery of education in America has changed and that charter schools should be seen as a part of a new wave of educational delivery. Through the detailed data analysis, interpretations formulated from three primary terms. These three terms derived from a word frequency query of 197 words. An interpretation of policy trends (see Table 3) provides an illustration of the primary high frequency words driving these interpretations. These high frequency words were identified through word frequency queries as a part of the phenomenological data analysis process. The identified words serve as the foundation for determining the interpretations of the participants. Table 3 provides a snapshot of the words and frequency percentages guiding how participants' narratives regarding policy was interpreted as it relates to the decision to support this bill.

Table 3

*Interpretations of Policy Trends*

<b>Primary Word</b>	<b>Frequency Percentage</b>	<b>Similar Words Found</b>
schools	6.22	education, educational, schools
charter	4.56	Charter
benefit	2.07	benefit, benefits, benefitted, profit

The primary terms identified through the analyses were further defined by utilizing the fact analysis tool (see Appendix D). These terms were examined by looking through the lens of Justice. According to Rawls's *A Theory of Justice* (1971), justice provides an understanding of and willingness to act upon that which is right and in accordance with the law. Therefore, as the understanding of the types of schools and functions of schools were examined, the participants expressed through their interpretations that 'schools' were recognized at a frequency rate of 6.22%, or 15 words. The 15 words identified within this query were significant considering only one other word (charter) within the query was identified at a frequency above 10 words. Based on this interpretation, schools was the most important value of their conversation. This is important from the standpoint of justice, as Rawls (1971) reminds us that "justice represents the universal good for everyone involved while focusing on boundaries of the law" (p. 92). Based on this ethic, schools as organizations can't continue with a one size fit all mentality towards education. The one size fits all notion does not support justice. According to Matthew, one of the participants in this study, schools must serve all students regardless if they identify as "private schools, public schools, or public charter schools." Mark furthered this notion about schools by indicating that schools should "provide the same level of access regardless of the type of school that is being identified." Other legislative leaders refer to schools as "entities of opportunity whereas every student should have the opportunity to attend where he or she desires."

Using the same lens the second primary term, 'charters' was identified at a frequency rate of 4.56 %, or 11 words. This frequency level was second only to 'schools' within this word query which is significant because it certifies an interest in charter schools by the participants of the study, or specifically, charter schools. Based on this frequency rate the participants'



interpretation of charters was controversial because of the interpretation of the law. In accordance with general statutes, charter schools are public schools but based on G.S. 115C-238.29E, a charter school is exempt from statutes and rules applicable to a local board of education or local school administrative unit. This interpretation provided challenges to understanding how the charter commission would evaluate the performance of charters while using the same standards that currently apply to traditional public schools. With justice in mind this presents a challenge that is believed to be unequal. Matthew shares that “how education has been presented must change if public education in America is serious about inclusion of all students.” Another leader from the legislative floor provided this interpretation of the importance of charter schools:

So how we deliver public education in North Carolina. How do we narrow the gaps between Blacks and Whites, test scores? How do we move NC from being 46th in the nation to the top 10 or #1? How do we look at what we’re doing today and make those types of modifications that are necessary for tomorrow? This is done by lifting the cap to provide more students access to charter schools.

According to Micah, charters are an important part of his legislative agenda and it aligned with his party’s goal, which “was to remove the cap on charter schools in North Carolina once and for all.” Based on these remarks, participants and other members of the legislative body interpret ‘charter schools’ as an important part of the public education landscape. The noted narratives quantify the importance of charter schools but the interpretation of the law provides challenges for the participants. The lack of clarity about justice and the law provides a highlight on the third term identified through the interpretations of policy.

With a word frequency of 2.07%, the third term ‘benefit’ was highlighted as an important measure for the participants as they grappled with their interpretations of Senate Bill 8. The 2.07% frequency rate represents five instances where the word was used and each time it highlighted support for charter schools. More specifically, both Mark and Matthew’s use of the term was presented as a question seeing to understand “who is going to benefit” from charter schools. The analysis of the data did not reveal any instances where ‘benefits’ references traditional public schools or referred to charter schools as equals to traditional public schools. Due to the noted actions, members of the legislative body interpreted ‘benefits’ as a one-sided agenda by some members of the legislative body. The data suggest that there were benefits to charter schools and that those benefits could only grow if the caps on charter schools do not exist. This interpretation served as an ethical challenge to the notion that one system of schools is not beneficial for education growth and access for students in North Carolina.

Participant remarks from the data collected throughout the investigation illustrate their interpretation of policy. Mark expressed, “The one size fits all notion is a fantasy for a few.” Matthew, on the other hand, after asking who benefits from this bill, emphasized that the most important thing for him is for the bill to “provide more access to educational opportunities.” Micah expressed the importance of how the bill impacts parents which ties the benefit to choice. Micah asked, “What do parents think is the best educational environment for their child?” In response, he expressed that “the essence of charter schools,” lies with parents being able to provide what they believe is the best educational opportunity for their child.

Based on these interpretations there is a need for schools to provide better access for students. These interpretations do not factor in any variables that could or would present challenges to this perceived process for further development of charter schools or financial

impact on traditional public schools or the system of schools which is currently headed up by the North Carolina Department of Public Instruction. Although this interpretation of the bill showed differences in perceived feelings regarding the purpose of the bill, there was consensus about the bill providing a measure of justice for their constituents. This consensus was determined even though the bill presented limitations within the terminology. The focus of these limitations fell within the areas of racial isolation, legal protections of students and the impact on Local Educational Agencies (LEAs). They did not impact the participants' decision to support the bill. Even with these presumed challenges, some participants in this study felt that there was one simple measure that reigns over all other matters in this case and that was to "just remove the cap." Micah expressed that after speaking with constituents from the area represented by his seat and after speaking with many members of his chamber there was a consensus that

There are parents who choose to send their child to a private school. There are parents who choose to send their child to regular public school. And there are parents who choose to send their child to public charter school. And in my mind that group was limited by the cap that Senate Bill 8 released.

Based on the data findings Micah's interpretations of the policy were one-dimensional as they were designed to only tackle one part of the problem that exists with the legislation, which was to remove the cap. Mark provided support to Micah's interpretation by sharing that "we just want to lift the cap off of charter schools and that's it."

These data further illustrate that even though the participants thought it was important to 'just remove the cap,' many of their interpretations challenged the belief that this legislation would provide further development of public charter schools because of the terminology pertaining to racial isolation, legal protections of students, and financial impact on local public

school districts. This led the researcher to view their interpretations of the bill from the perspective of access without regard to any specifics that challenges access.

According to the data, their interpretation of the policy or legislation is directly driven by the ‘Republican Agenda.’ According to Matthew, the only groups of people who will benefit from this law is

the Republic Party! So you always take a look at who is going to benefit. The charter school or the kids—who is going to benefit? The kid isn’t going to benefit. Many people say the benefit is providing more access to educational opportunities. Will parents and students really get a benefit from this?

As we see in the Interpretations of Policy Trends (Table 3) references to the benefits (2.07%) were only highlighted during discussions pertaining to profits. In North Carolina, when profits drive the conversation it is typically accompanied by a conversation on equity. Therefore Matthew shared this interpretation of how profits and equality play into this bill. His deliberation on this matter led him to provide an example of a city where

On one side of town it is very prosperous, very wealthy. They have internet access; they’ve got computers, they’ve got all things that a young person could have. On the opposite side of town those things may not be there. So as a policy-maker, when addressing issues on funding, is interpreted differently. It may be 10 on the side with the noted accesses and two on the side with limited resources. That provides equality in its simplest terms.

Based on the interpretations highlighted through the data analysis, each participant recognizes the importance of making sure that all communities have the resources needed to solve problems

that exist and this notion supports their endeavors to remove the cap. This is without intentional actions around how profits will be accurately disbursed to ensure equality.

There were no references to benefits to educational advancement through academic variables for both school types. Therefore the participants interpreted the policy as one-sided. Based on the interpretations of the participants in this study, most legislatures struggled with the fact that there was limited value placed on educational options. They were all equally intrigued by an increase in schools but they struggled with the belief that one side of the political agenda was being thrust into a superior role through this legislation. They felt that they must always ask who is going to benefit from the legislation and how it will benefit them in the short and long term. As Matthew emphasized the feeling of a specific agenda being interpreted through this legislation, Micah shared,

. . . [I] looked at the issues, studied the bill, I asked for a fully detailed background, implications, and what the impact would be. And I think to myself before I vote. What will this bill do for the whole state of North Carolina? How will it impact the state of North Carolina? Will it be a positive way, a negative way? Secondly, then, how would it impact the district that I specifically represent? A third, how does it impact the majority or minority party that I'm a member of and the relationships with that caucus, and with members?

His decision was based on his interpretation of the bill and led him to ask the aforementioned questions to ensure that his interpretations were not impacted by a certain agenda. Based on the interpretations of some leaders, charter schools were part of the equation for which the cap that we have on charter schools was an artificial barrier that prevented other schools from opening; therefore, in an effort to provide justice the cap must be removed. Participants interpreted

change as a benefit to schools as they provided more flexibility in the educational process. The participants' interpretation of Senate Bill 8 plays an important part in understanding decision making. The next section takes a look at the data analysis results and provides an understanding of what the participants' perceptions were as it pertains to decision making and this case.

**4.2.2 Theme #2: Decision making via the ethic of care.** Understanding the leaders and their perceptions of decision making was an important piece of data analysis. The researcher sought to understand the participants and their perceptions about their decision to support the bill proposing the lifting of the cap on charter schools. Thus, the researcher asked a series of questions (Appendix E) pertaining to their decision to support the bill. Those questions served as the basis for data collection while providing a platform for understanding how participants' perceptions guided their decisions. This analysis continued with the utilization of the QSR NVivo 10 software program to further analyze the data using multiple windows. Three windows were used to input and code data. The third window provided the process of matrix coding, which is a form of word frequency query. Word frequency query was used to further examine the data sources.

Perceptions of Decision Making trends (see Table 4) provide an illustration of the primary words identified through the frequency queries. This snapshot of the words identified the highest frequency of words which served as a foundation for understanding Perceptions of Decision Making trends throughout the extensive analysis of the theme. These words were identified through word frequency query as a part of the phenomenological data analysis process. Based on the analysis of the series of questions and responses, three primary terms of (a) schools, (b) charter, and (c) public derived from a word frequency query of more than 20,000 words. These terms were further examined by looking through the lens of Care. According to Tronto

the Ethic of Care is defined as the willingness to “care about,” “take care,” “care giving,” and “care receiving” during the decision making process. The Ethic of Care focuses on the relationship not excluding empathy and caring about or taking care of those with whom decisions are being made. Due to the complexity of this process the fact analysis (see Appendix D) was used as a guide for the researcher to resist bias throughout this process. The identified words serve as the foundation for understanding the participants’ perceptions of their Decision Making regarding the case being studied.

Table 4

*Perceptions of Decision Making Trends*

<b>Primary Word</b>	<b>Frequency/Percentage</b>	<b>Similar Words Found</b>
schools	3.21	educate, educated, educating, education, educational, educationally, educator, educators, school, schooling, schools, schools, schools, training
charter	2.32	charter, chartered, charters, engaged, engagement
public	1.15	promote, promotion, public, publications, publicly, issues

The first section displays the primary words driving the participants’ narratives about their perceptions of their decisions in this case. The last section highlights similar or supporting words that were identified through the analysis. The middle section highlights the words frequency rate based on words from the interview question responses. The three words illustrated in the primary word column of the table are supported by narratives about what participants were thinking when they made their decision about the case. Based on the data presented, the three words (a) schools, (b) charter, and (c) public present a telling story.

Though the terms were identified through word frequency queries, the narratives that support these terms were identified by the researcher utilizing the fact analysis tool (see Appendix D) as a guide to suspend personal experience, judgment, and beliefs during the entire data analysis process. The terms and narratives identified within this section help to recognize the perceptions of the participants' decisions and what variables were integral in their decision to support the bill. The narratives maintain that the focus of their decision is within "boundaries of the law" and focuses on "relationships and empathy," which are identified through the ethic of care.

With the largest number of word occurrences, 'schools' was identified as the primary term guiding the participants' decisions in this case. Based on a frequency rate of 3.12%, or 910 words identified during the word query, 'schools' was perceived to be the main object referenced during the decision making process to determine if the proposed legislation should be supported or not. During the second senate reading of the proposed bill, the clerk clarified the purpose as:

An act to increase the educational opportunities for the children of North Carolina by removing the cap on charter schools and by creating a new Public Charter Schools commission, to approve and monitor charter schools and by strengthening the standards for granting and retaining a charter for a charter school, and by authorizing local boards of education to convert schools to charter schools without forming a non-profit corporation and by clarifying the funding formulas for charter schools.

Based on this narrative and the high word frequency rate, the participants' perceptions about 'schools' during their decision making process is perceived to have been very significant. Micah supported this reading by sharing that in his opinion the main point of the bill was about schools. He states that



the main purpose of Senate Bill 8 was to visit and understand the limit of 100 charter schools and why more charter schools should or should not be allowed in the state. Over time charters became popular and the 100 cap meant that there were some charters that could not be opened because of the cap.

Matthew followed by sharing his belief that the way “we deliver public education in America is to change the one-size fits all outlook of schools.” Mark concluded by stating that schools were at the top of his list so supporting this bill was important to him because, “I had campaigned on that!”

As the researcher moves on to the words with the second and third highest frequency rates the focus shifts from schools in general to the two types of schools discussed in this study. The researcher finds the results of the considerable differences in frequency percentage between the second primary word, charter (2.32%), and third primary word, public (1.15%) identified during the analysis. As reflected in the word frequency percentages the actual word count difference was significantly different for charters (605 words) and public (337 words). The data do not indicate that any one particular type of school was favored during floor debates or in closed session but the tipped scale towards charter does present a perception that favors ‘charter’ over ‘public’ schools when examining frequencies. During discussions about charter versus public schools there were perceived variations in their responses. One leader from the North Carolina House of Representatives expressed,

[I] think this bill is demoralizing for the public schools that are traditional schools in North Carolina because they see what you are doing as an attack on what they’re doing as hardworking teachers, administrators, and all the people who work in the public schools.

This statement aligns uncertainty with the perception that charter schools are not public schools, while in the same breathe aligns charter schools with the bill and created a separation through the relationship.

Charters or charter schools appeared 268 more times or at a frequency rate of 1.17% points higher than ‘public’ schools. Based on this analysis the perception that charter schools were discussed more frequently than public schools during the decision making process is possible. Based on the frequency rate, it can be perceived that leaders’ decisions may have favored ‘charters’ at a higher rate than ‘public’ schools. It is also important to note that as a rebuttal to the perceived notion that participants’ decisions favored charter schools, it is possible that participants in this study perceived charter schools and public schools to be one and the same. Therefore, the findings present an argument that the participants were considerate of both charter and public schools because according to their general interpretations of the law both are public schools.

As indicated above, in comparison to charters during the discussions public schools were mentioned at a rate of 1.15%, which is significantly lower when compared to either ‘charters’ or ‘schools’ in general. When public schools were mentioned there was a significant number of words used that relate to the word “issues.” Although ‘issues’ was recognized at a word frequency rate of 0.39%, it represented 236 words. Words such as consequences, outcomes, and results all seem to be associated with public schools rather than charters. Mark shared his concern with public schools by indicating that “the approval of this bill will force traditional public schools to look at the results and focus on alternative methods to engage families.” Matthew furthered this perception of public schools as he referenced “his long standing issue with public schools believing that this one size fits all approach to education being best for all

families,” whereas Micah maintained his stance that “some good charters that could have been opened but couldn’t because of the cap.” This emphasized one of the major issues that the old law presented for charter schools. Each participant made references to the need for charter school’s presence due to families concerns with academic outcomes in public schools. These frequency rates provide a belief that the leaders’ decisions were based more frequently on their view or understanding of what is needed for charter schools success than they were for public schools success.

These findings are interesting because both are identified as a part of the public school structure, but legislative leaders perceive them differently. These findings also present an argument that the leaders were conscious of the impact of both charter and traditional public schools when their decision to support the legislation was rendered. These perceptions are not generated without some skepticism. A leader from the North Carolina House of Representatives presented her perceptions of the bill, which shows a sense of unevenness about the decision highlighted in this case:

Members this particular bill is opposed by 83 school board across North Carolina. A great majority of them. That was the last count. If there is any doubt that they have analyzed the effects of this bill on public education in North Carolina, do not be in doubt. Do not be in doubt. We heard this morning in Finance what it would do to the public schools in Durham County. This bill is divisive because it stirs up a competition for money, competition for quality is a good thing—I thought that’s what charters were about—but this stirs up a big competition for money among the public schools that are traditional public schools and the charters. And we have some great public schools in North Carolina.

This leader expresses the interest of traditional public school officials, which presents the opposed argument from that, which is realized through the analysis. The data clearly show a separation of perceptions as they relate to traditional public versus public charter schools. This belief leads to the assumption that the participants in this study were more concerned about charter schools as they rendered the decision to support the legislation becoming law. This analysis of the issue of the leaders' perceptions about charter versus traditional public schools draws on the focus of statements of power, which were presented by hooks (1990) through the ethic of critique which examines decision makers' expressions of power when making laws. Those powers sometimes become less about the piece of legislation proposed and more about the perspective of the group who that participant represents. Micah provided an explanation, stating,

. . . I'm a member of and in relationship with a particular caucus and its members. The fact that sometimes bills get tied together—I'll support your bill today; you'll hopefully support mine tomorrow.

This statement of power allows the perception of a participant's position on the bill to be questioned and whether his willingness to self-critique would emanate. Matthew provided a different perspective by stating who will benefit.

The kid is going to benefit. They're going to benefit by receiving more access to educational opportunities. Their parents will benefit because they have choices and options now. Not only for what public school options provide, but they may have public charter options that might be a better fit for their kids.

Mark provided a more neutral approach and maintained that he wanted to express fairness during all deliberations regardless of how he may be perceived or how his decisions may be perceived. He expressed,

I don't have any other reason to be here but to care and to make sure that I have provided a equality in my decisions which impact my constituents. Whenever I explained the voucher bill or the Charter School bill, I explained it as a matter of fairness. My decisions are from an ethical place rather than within my party lines.

These instances illustrate how perceptions impact outcomes. In matters where there is a lack of critique, statements of power manage to impact the delivery of bills in a major way. The impact of these actions could potentially impact the participants' perceptions drastically.

**4.2.3 Theme #3: The policy and equity disconnect in decision making.** During the data analysis of theme #2 Decision Making via the Ethic of Care, the analysis revealed disconnects between policy and ethics as it related to decision making. Based on the analysis, a low frequency of essential words within this query provided insight into the participant's struggles to incorporate the law while staying true to his ethical beliefs as decisions were considered and rendered. This additional review provided a deeper understanding of the leaders and their perceptions of decision making and how their decisions are connected to equity, fairness, and accountability, but directed by law. According to North Carolina General Statute the primary responsibility of members of the General Assembly (Senators and members of the House of Representatives) is to establish rules and regulations as a means to provide governance for the conduct of the people of the state. Enacting laws to guide duties and procedures, while prescribing the consequences of certain activities by all members of the State, fulfills this responsibility. Understanding this charge allowed the researcher to look deeper into the Decision Making practices of the study's participants.

The researcher sought to understand the participants and their perceptions about their decision to support Senate Bill 8, which lifted the cap on charter schools. Because of the

uniqueness of this theme, the researcher reviewed the initial intent of Senate Bill 8, which was to provide increased choice and learning opportunities, encourage creative teaching methods, share best practices with traditional public schools, and offer new professional opportunities for educators. One important measure that must be noted is that this law provided charter schools with a broad exemption from statutes and rules applicable to traditional school units. Utilizing the same process as used within other themes the researcher asked a series of questions (Appendix E) pertaining to the participants' decision to support the bill. Word frequency query was used to further examine the data sources. Upon the completion of the analysis pertaining to the participants' Perceptions of Decision Making, the analysis revealed disconnects regarding the law and how their decisions were rendered.

Disconnects within decision making trends (see Table 5) provide an illustration of the primary words identified through the frequency queries. This snapshot of the words identified the highest frequency of words, which served as a foundation for understanding the participants' perceptions as their Decision Making trends relate to the law. These words were also identified through word frequency query as a part of the phenomenological data analysis process. Based on the analysis of the series of questions and responses, three terms (a) equity, (b) ethics, and (c) accountability derived from the same frequency query that generated the words in perceptions of decision making trends (see Table 4).

These terms were further examined by looking through the lenses of Care. According to Tronto, the Ethic of Care is defined as the willingness to "care about," "take care," "care giving," and "care receiving" during the decision making process. The Ethic of Care focuses on the relationship not excluding empathy and caring about or taking care of those with whom decisions are being made. Due to the complexity of this process the fact analysis (Appendix D) was used

as a guide for the researcher to resist bias throughout this process. The identified words serve as the foundation for understanding the participants' perceptions of their Decision Making regarding the case being studied.

Table 5

*Disconnects within Decision Making Trends*

<b>Primary Word</b>	<b>Frequency/Percentage</b>	<b>Similar Words Found</b>
Equity	.67	equity, fairly, fairness, equal, adequate, balance, balanced, balances, equal, equalities, equality, equally, equitable, equitably, equation, level, levels
Ethics	.35	ethic, ethical, ethics
Accountability	.9	accountability, accountable, control,

Through the participants' narratives the researcher provides validation of the participants' concern for equity, fairness, and accountability and then presents what data reveals from the frequency analysis where their language and actions present a different picture. The terms and narratives identified within this section help to recognize the perceptions of the participants' decisions and what variables were integral in their decision to support the bill as it relates to equity and fairness. The narratives maintain that the focus of their decision is within "boundaries of the law" and focuses on "relationships and empathy," which are identified through the ethic of care. Through this analysis, there were words identified that were not high on the word frequency list. The word frequency queries also revealed some telling revelations regarding participant perceptions guiding their decisions. As the researcher looked closer at the boundaries of the law, and critical evaluation of the law, several words resonated as important even though they yielded low frequency rates from the queries. Each of the following words represents less than 1.0 percentage point of responses. Equity, ethics, and accountability were words that

reoccurred within the data set. Equity is identified by Adams (1965) as an avenue to examine the existence of fairness by decision makers from the decision maker's perspective. Based on this analysis equity is an important factor in decision making. Although the participants used 'equity' at a low frequency of 0.67%, the actual word count was significant at 227 words. Based on the narratives, an understanding of the participants' perceptions of their decisions is identified. Mark shares that through this legislation, "[I] have only one thing on my mind, equal opportunity and equal accesses." He continues by stating, "we have to get in the middle of where [education] is sustainable, where we create the opportunity and where we create access"; this access is outside of the traditional norms of education. Matthew added that the goal in providing equity "is [to] make sure that all communities have the resources that they need to solve the problems that exist." He adds that the problem here is equal access to education, "so as a policy-maker, when we are addressing issues of [education] we have to focus on where the students are coming from." Micah finishes by adding that

equity says to me that you adopt laws that impact citizens in a manner that all citizens are treated fairly and equal, regardless of their situation in life , where they come from, their race, their status, their religion—anything about them should be irrelevant in terms of equal administration of the law.

Equity is further defined through the review of literature as an identifier of fairness. According to a policy brief by Organization for Economic Co-Operation and Development (2008) fairness is a major dimension for enacting policy within educational systems. Participants displayed an understanding of this through equity as a portion of this low frequency word was supported by the word 'fairness' at 0.22%, or 148 words, which allows equity to take place. Although the frequency of the word fairness was low, participants like Mark shared his



perceptions by stating, “I don’t have any other reason to be there but to care and to make sure that I have equity and to be fair, because fairness is everything.” Just as it was indicated with Mark, Matthew expressed strong perceptions about fairness as it relates to decision making. Matthew states, “[legislators] have to be comprehensive enough, level-headed enough, fair enough to make the appropriate decisions,” regardless of external or internal factors that may exist. Although there was apparent cohesiveness about how fairness is perceived, Micah provides a challenge to the perceptions outlined by both Mark and Matthew. Micah shares that fairness varies from person to person and that fairness is not a legal term.

The next low frequency word is ‘ethics,’ which represented 90 words, and a 0.35% frequency rate. It is important to note that although ethics has a low frequency rate, Northouse (2007) suggests that ethics provides systems of rules and principles that help to streamline right and wrong when making decisions. Matthew shares that ethics for him, is essentially what drives him to be transparent in his voting record. He specifically states that for him ethics is “what you do when no one else is looking.” He adds that from a legislative perspective, ethics is “being consistent in everything you do.” Mark’s remarks were similar as he shared that “he believes you have to be very upfront about what your intentions are and to understand that you are doing it for the best interest of the people.” This is what makes your act ethical. Micah shares that based on the position that leaders are elected to serve in, they are bound by ethical standards by the ethics commission, but outside of the commission leaders should “treat people in an equitable manner, react with sound ethics and allow these feelings to impact every single piece of legislation.”

According to hooks (1990), the Ethic of Critique provides a focus on laws from a critical frame by taking into consideration one’s reactions towards race, class, gender, and identity.

Therefore, in an effort to provide care during the decision making process it is imperative to critique not only the process but also the laws that are determined due to the process that is used to generate the law. Care becomes an essential part of the decision making process when leaders show accountability for their constituents by critiquing their decisions prior to pushing policy to be signed into law. That said, the last low frequency word identified within this theme is “accountability,” and based on the frequency rate of 0.9% (56 words), it is apparent that there was a lack of critique guiding this decision. According to Tronto (2002), care doesn’t exist without critique, as it demands that leaders “deal with the hard questions regarding social class, race, gender and other areas of difference, such as: Who makes the laws? Who benefits from the law, rule of policy?” (p. 6).

This disconnect resonates because of the difference that became apparent through the data analysis. According to the analysis the term ‘school’ was referenced at a frequency rate of 3.21% in comparison to the dismal 0.9% representing ‘accountability’ even though one of the primary responsibilities of legislators is to be accountable to all constituents of the state. Shapiro and Stefkovich (2001) remind us that a part of accountability exists when “leaders review and approach policies and laws for the benefit of all constituents” (p. 47). During the second reading of the proposed Senate Bill 8 the president of the Senate expressed his support for this bill by emphasizing the need to be held accountable to those students and families who needed another option for public schooling. He shared that by supporting this bill and requiring charter schools to participate in the state’s accountability program and be subjected to the same required testing as other public schools, care is expressed. But according to the General Statute (G.S. 115C-238.29E (f)) charter schools are exempt from statutes and rules applicable to a local board of education or local school administrative unit. This provides a major disconnect as it charges that

although charter schools are categorized as public schools, this law allows provisions for charter schools to operate under separate provisions. This provision emphasizes disconnect, and indicates a lack of critique by the decision makers in this case. Each participant in this case supported the need for accountability through critique. Micah shared that a level of critique is important and should be a part of the process to ensure that “all laws are fair and apply equally to all citizens.” Matthew expressed that making decisions based on facts that are in front of you is important, but it is also important to be considerate of the broad perspective of your decision to ensure that a level of satisfaction from the entire community exists, and Mark shared that accountability speaks to the heart of why he ran for office. He vividly expressed that “equal opportunity and equal access is something that we (legislators) have to be careful in terms of what that means,” and the only way to ensure that you are careful is to “critique all decisions with community in mind.”

The fact that this frequency rate is so low is telling, considering how the roles of the participants are to make decisions that represent their constituents’ best interest. The focus of the decision to support Senate Bill 8 leaned more towards an allowance for charter school growth than equal measures of accountability. Therefore, a high level of accountability should be expected from the participants, but as one can see from this frequency rate, that was not the case.

**4.2.4 Theme #4: Principles for equality.** Based on the data collected, participants were consistent in their understanding of equality. Through the principles of equality, themes, statements, and descriptions, Colaizzi’s (1978) phenomenological data analysis was used to organize and understand the data through a pattern matching technique as outlined in Chapter 3. During this analysis the researcher reviewed the patterns and concepts that derived from the data collected. From this analysis, two concepts emerged as the most essential when deliberating to

understand the principals of equality that were essential to this study: (a) decisions, and (b) community(ies). These concepts were identified through word queries of the theme principles of equality. These three terms derived from the principles of the equality theme. The purpose of these principles is to understand the participants' ideology as it pertains to equality during the decision making process. The principle of equality provides a snapshot of the primary words driving these principles. These high frequency words were identified through word frequency queries as a part of the phenomenological data analysis process. The fact analysis (Appendix D) was used as a guide for the researcher to resist bias throughout this process. The identified words serve as the foundation for determining the ideology of the participants as principles of which supports equality in decision making. The next section provides a snapshot of the words and frequency percentages guiding how participants view policy as it relates to the decision to support this bill 8.

Based on the data collected, the following references were found to be essential principles necessary to provide equality when making decisions. From the data presented, 91 references were made regarding the use of equality when making decisions about the case being discussed. Of those 91 references about the *decisions* rendered in this case, *rights* and *fairness* emerged as primary words driving participants' thinking. *Rights* appeared with the most frequency at 10.99% (54 words), expressing a clear understanding of the rights of the persons affected by the decision. According to the ethic of justice, rights are essential for understanding the paradigms necessary for accepting laws. Therefore the rights of the participants making decisions in this case are an important piece of the process when making decisions. In instances where rights were discussed, data revealed that participants referred to their constituents and furthered their obligation to the rights of their constituent base. Mark shared that one of his

primary focuses center around the rights of his constituents, sharing “I owe that to my constituents because I am their voice.” This narrative was used in a manner that supports the participant’s willingness to support rules that favor the constituents in that particular area. Matthew presented a different perspective, expressing that rights lie within the leaders’ perspectives about the rules that are in place. He states, “two senators can read the same bill with the same words and have two different perspectives on it based on their experiences which guide their perspective.” Micah expresses his perspective about rights and the perceived role that they play in the decision making process: “. . . however you make decisions, you want to be ethical, you want to make sure that what you do provides equity and applicable to everybody.”

The next principle indicated was *fairness*, which represented 3.98% (22 words) and illustrated the core of what the study participants expressed as an important principle of equality. Based on the presence of decisions as highlighted by Rawls (1971), one of the most important points of decision making lies within ones willingness to be fair. According to the participants of this study, fairness was what they hoped would drive the decisions of all legislators. Matthew offered these sentiments:

. . . as legislators. Their attempts must include a willingness to be fair decision makers.

We all must be able to comprehensive enough, be level headed enough, and fair enough to make the appropriate decisions.

The analysis also identified additional words with low word frequency readings, and these words may be perceived as negative. Words such as ‘exact’ or ‘limitations’ represented a low frequency rate (0.18% and 0.14%, or twice) during the descriptions of decisions. Based on the frequency it is perceived that these words provided a sense of disconnect that does not align

with their principles of equity; therefore, they did not drive their decisions pertaining to the case being studied.

The second principle of equity identified by the participants was *community*, which focused primarily on *schools*, and *standards*. *Schools* represented the highest frequency with 4.18% (21 words) which presented a factor of importance emphasizing prosperity beginning with school communities. Schools also represent what is at stake within this principle. Matthew was the first to support the notion of schools as a community driver when he mentioned that “public schools are doing an excellent job in terms of educating our kids.” He went on to share that he felt the most important role of school is to “educate children by any means possible? This is the only way to equity can be delivered is when schools are the community are working together to ensure student success.” Mark also expressed the importance between the community and schools by sharing this about equality in decision making: “Sometimes you have to make decisions whether or not you are going to follow the complete guidance of the community,” which you were elected to serve. This helps to eliminate bias within sector, community, or schools. *Standards* yielded the second highest representation with 4.12% (18 words) expressing the importance of community when discussing equality. Matthew furthered the principles of community when he stated,

One side of town—a community is very prosperous, very wealthy. They have internet access; they’ve got computers; they’ve got all those things that a young person could have. On the other side of town those things may not be there. So as a policy-maker, when we are addressing issues of funding, equity for me may be 10 over here and 2 over there.

This belief serves as one of the driving principles when examining the details of a bill. Equity is shown by one's ability to understand the differences in communities and to be bold enough to make decisions that allow equality to exist even if it has the potential to present societal backlash. Mark shared that one extremely important principle of equality includes the ability of the leaders to, "take the emotional out of decision making and just put the professional in it."

In one breath the discussion is centered on the type of school, whether that school identifies as a traditional public or a charter public school. Essentially it is important to understand how decisions are gathered in an effort to support both types of schools. The need to understand the standards that support school needs are imperative. This finding placed an emphasis on what is being provided to those being impacted by a decision and the level of equality that exists within the specific environment. On February 16, 2011, the Senate Committee highlighting a needed change presented a daily bulletin. The recommendation spoke to the need for the bill being examined to increase educational opportunities for children of North Carolina by removing the cap on charter schools. In this situation the impact falls in the arena of public education. Based on the data, participants maintained a similar belief that what was being provided with this decision presented a level of equality. *Equal* is expressed and presented at a frequency rate of 3.95% (35 words) illustrating its importance. This word provides insight into the principles that the three research participations value as they define equality in decision making. Mark further highlights his beliefs through the following quote where he furthered the principle of equality by sharing,

. . . just as long as we all have the same opportunities and we have the same access, define that as equity. I define equity by equal access. I'm not talking about special rights

or special privileges, I'm talking about making sure that Ms. Jones and Mrs. Jones have the same access, and if that's not the case, then it is an inequity and that is an injustice.

The researcher sought to investigate the participants' understanding about how equality should be defined by leaders serving in their capacity. When asked the question, "In your role as a legislator how would you define equity?" each leader provided a distinct response, around showing rights, standards, fairness, and other principles as essential components to identifying the role that equality plays in decision making. Matthew spoke of fairness when he shared that

Equity in the simplest terms is making sure that all communities have the resources that they need to solve the problems that exist. That's equal based on where the students are coming from.

Micah described equality a standard based on the adoption of laws. This caused him to focus more on what is provided through the decisions that leads to rights for constituents by stating,

I think of equity in terms of adopting laws—that's what a legislature does is adopting the laws that impact the lives of citizens. Equity says to me that you do so in a manner that all citizens are treated fairly and equal, regardless of their station in life, where they came from, their race, their status, the religion—anything about them should be irrelevant in terms of equal administration of the law.

When identifying the principles of equality, Adams (1965) reminded us that the notion of equality must provide a concept of fair balance between the leaders and constituents who elected them to office, and that these principles should be reflected within their decisions. The findings indicate that each of the principles were essential to identifying the principles that are needed to show fairness. Each of the participants showed a need to express fairness as legislators.



### 4.3 Summary

Based on the three principles outlined, causal links were not determined between each of the 5-point predicted patterns within each of the three themes. Causal links had to be established within each of the three empirical themes in order for the Y phenomenon to be established. The A causal link between the perspectives of right, rules, and fairness could be established and linked to the ethics of justice, ethic of care, and ethic of profession, but through the data analysis it was determined that the ethic of critique was only identified as a connector through identified disconnects. The disconnect focuses primarily on the evaluation of the laws surrounding race, gender, class, or other identifiers. Therefore, a causal link between the predicted pattern and the empirical theme could not be determined.

## CHAPTER 5

### Discussion, Recommendations, and Conclusions

#### 5.1 Introduction

The purpose of the study was to explore leader perspectives on equity and ethical decision-making by reviewing a case by the North Carolina Educational Sub-Committees “Conference Committee.” This study contributes the research on leaders in the 21st century by examining the extent to which legislative leaders use equality and ethical decision making as tenants for sound decision making. This study was significant because it furthered the understanding of the role of decision making as an essential component for leaders in all capacities. This chapter provides a summary and results of the findings. The summary describes how equality impacted the participants’ perceptions and interpretations of the proposed legislation. Additionally, this chapter summarizes factors that influence the perspectives of the study participants and how their perspectives impact ethical decision making. The strengths and limitations of this study are addressed. Lastly, this chapter provides recommendations for further research and the study’s conclusions.

#### 5.2 Explanation of the Data Analysis

After the themes were introduced they were presented using the analytic technique known as ‘explanation building’ (Yin, 2009, p. 141). Explanation building is a special type of pattern matching that compared the findings of the empirical themes with the established predicted patterns. Explanation building presented a more difficult procedure by inhibiting the analysis in order to build an explanation about the case (Yin, 2009). Based on the data analysis, there were four major themes identified and further analyzed. The predicted patterns derived from the four ethical paradigms and Equity Theory, which were introduced, discussed, and

qualified during the review of literature. The empirical themes identified through the research analysis were examined through the explanation as a means to answering the said research questions. The introduction and review of these themes begins by Interpreting Policy via the Ethic of Justice, which first introduces the theme and outlines what the research presents as the participants' direct interpretations of their responses regarding this study.

### **5.3 Presentation of Causal Links**

This study focused on factors that influence elected leaders' perspectives about ethics and equity when making decisions. The methodology was qualitative and the guiding questions centered on the perceptions, interpretations, and perspectives of participants from the two elected bodies, which govern the North Carolina legislative Cabinet. The data were collected through a triangulated formation that included historical analysis, written documents, and artifacts. After the data were collected and analyzed themes emerged, evidence in the data revealed that there were four main themes: Interpreting Policy via the Ethic of Justice, Decision Making via the Ethic of Care, Policy and Equity Disconnect in Decision Making, and Principles of Equality. A discussion of the interpretations, the principles necessary for equality, and perceptions of decision making of the findings relative to the research questions is presented.

This portion of the analysis provides a snapshot of the empirical themes and an explanation of the causal links to the predicted pattern. Yin (2009) described causal links as insights into social science theory that explored the social science proposition, in an attempt to answer the indicated research questions. These causal links were a key element of explanation building and essential to 'explaining the phenomenon. The phenomenon was identified by a presumed set of causal links, which guided how the perspectives of the participants constitute Ethical Theory through the four ethical paradigms and Equity Theory that provide systems of

principles and rules that are essential for decision making. Together, these theories formed the predicted pattern that explained the “how” phenomenon in this case.

The researcher first verified the existence of each of the four empirical themes and discussed their causal link to the predicted patterns. The single 5-point predicted pattern as seen in the outcome configuration of predicted patterns is practical and observed in a case where the outcome is present. According to *Ethical Leadership and Decision Making in Education* (Shapiro & Stefkovich, 2001), ethic of justice, ethic of care, the ethic of critique, and the ethic of profession provided a paradigm for understanding essential components that leaders should exhibit when making decisions. In addition to these components the tenants of Equity Theory must be present within this pattern as it provides a concept of fair balance between leaders and constituents, which should be reflected in their decisions. This theory provides the challenge to ensure a strong and productive relationship is achieved through trust and loyalty. Paired with the four ethical paradigms, Equity Theory is central to this investigation as it assisted the researcher with understanding fairness throughout the decision making process. The premise of this study was not to focus on the different types of leaders. Therefore “leaders” in this study are identified by their title “legislator,” which was defined in Chapter 1 of this study.

Through the use of the pattern-matching concept the results of each theme determined through the data analysis process is revealed. The results presented are based on the establishment of the “how” phenomenon, which is explained when causal links are established between the predicted pattern and empirical theme. Each of the four major “empirical” themes: (a) Interpreting Policy via the Ethic of Justice, (b) Decision Making via the Ethic of Care, (c) Policy and Equity Disconnect in Decision Making, and (d) Principles of Equality were examined to determine if there were causal links to predicted patterns.

**5.3.1 Interpreting policy via the ethic of justice.** The participants' interpretations of policy within this bill were identified as a dominant theme in this investigation. It was identified as a dominant theme due to the participants' interpretations of high frequency words supporting justice through policy. Although there was a high frequency of words identified through the analysis, these words did not provide a paradigm for understanding each of the four essential components as determined by *Ethical Leadership and Decision Making in Education* (Shapiro & Stefkovich 2001). Therefore through this investigation it was determined that a causal link could not be determined between the participants' interpretations and the predicted patterns. The leaders' interpretations about ethics and equality were influenced by the ethic of justice when rendering decisions but the analysis did not reveal and existence of the ethic of care, the ethic of critique, or the ethic of profession. Based on the investigative rule each ethic must be determined within the theme for a causal link to be determined.

The ethic of justice paradigm describes "justice" as doing what is right versus that which is thought of as wrong. Justice focuses on rights and laws. Based on data related to these leaders' interpretations of the charter school bill, the researcher concludes that each participant understood his or her responsibility to examine and consider how his or her constituents would be impacted by this legislation. In an effort to maintain justice within their decision-making there were challenges revealed within this bill. The data revealed limitations within their actions to express a sense of care for all constituents. This was demonstrated through their comments about providing access to students though numerous interpretations, which highlighted a separation between charter and traditional public schools. These findings are consistent with the two main principles for justice espoused by Rawls (1971). His first principle states that persons should have equal rights to primary and extensive basic liberties and that those liberties should

be similar to the liberties of others, and the second principle posits that inequalities should be arranged by social and economic priorities. Finally, the participants' perspectives on justice through equal rights seemed to be guided by the need to provide access by removing the cap but fell short of critical assessment as it related to measures of accountability within the charter school bill.

Frequency analysis data illustrate that the participants in this study concerned themselves with the concepts *schools*, *charter*, and *benefit* throughout their language. As the participants wrestled with the decision to lift the cap on charter schools in North Carolina, they analyzed its potential impact on various entities, institutions, and people. Through the analysis of the primary terms, participants took the position that 'schools' traditionally referred to public schools in a general sense, while the term 'charters' were referred to differently and not even categorized as one and the same. This notion alone was controversial as the law states that charter schools are indeed public schools. This notion provided a challenge to understand how the charter commission would evaluate the performance of charters and using the same standards that currently apply to traditional public schools if there was no expectation for them to be equal. The third term 'benefit' highlighted support of charter schools. The analysis of the data did not reveal any instances where 'benefits' references traditional public schools. The final term identified in the analysis was 'change,' which in most instances referred to the type of change that was needed in public school education. The analysis revealed a perceived bias that charter schools would provide the 'change' that students need and is the best alternative to traditional public schools. There were numerous references made to charter schools being the change that was needed for students to have the type of educational access that would enhance their educational experiences, whereas there were limited instances where change was referenced as a

highlight for traditional public schools. Yet the review of literature revealed that there was no organized study completed to support the need to raise the cap. The support for the increase came directly from members of the legislative body who indicated that of the 100 school slots and 96 active schools, several counties combined shows where as many as 2,000 students are on waiting list. Many legislators supported this number as belief that access and choice is being limited for students and families.

The fact that participants frequently used these particular concepts far more than any other concepts demonstrates their extreme concern with interpreting policy in a just manner. Consistent with Bowen (2006), these participants' interpreted laws established by the categorical imperative that "[transcend] cultural bias, religion, socioeconomic status, and paucity of philosophical training" (p. 342) in that it allowed the participants as elected leaders the freedom to make decisions based on moral worth and validity without precautions. Therefore an element of ethical decision making was apparent and identified through acts by the participants to express a value through the ethic of justice. There were challenges understanding some of the language surrounding performance evaluation, which proved to impact their decision to support the bill. This value within the ethic of justice did not hinder the decision of the legislators to support the bill because they felt both public schools, traditional and charter would benefit from this bill. Based on the narratives of each participant, equity played an essential role in their decision to support removing the cap and changing the law to support charter school growth in North Carolina.

**5.3.2 Decision making via the ethic of care.** The participants' perceptions of decision making within this bill was identified as the second dominate theme in this investigation. It was identified as a dominant theme due to the participants' perceptions about their decision to

support the bill and suggest it to become law. This dominant theme was identified due to a high frequency of words supporting the participants understanding of the Ethic of Care. There was a high frequency of words identified through the analysis but these words did not provide a paradigm for understanding each of the four essential components as determined by *Ethical Leadership and Decision making in Education* (Shapiro & Stefkovich, 2001). Therefore each of the ethics could be identified within their decision but the Ethic of Care was prevalent and proved to be an essential part of their decision making process in this case. Therefore through this investigation it was determined that a causal link could not be determined between the participants' interpretations and the predicted patterns. The Ethic of Care influenced the leaders' decisions in drafting and supporting this legislation, but the analysis did not reveal an existence of the ethic of justice, the ethic of critique, or the ethic of profession. Based on the investigative rule, each ethic must be determined within the theme for a causal link to be determined.

Perceptions of decision making were a dominant theme identified by each participant in the study. It was dominant because each participant's perceptions served as a mitigating factor in the decision to support Senate Bill 8. The perceptions of each participant were evaluated based on the Ethic of Care after it was determined that care was essential for each participant when making decisions. For these participants, care is defined by their willingness to express compassion in one or more forms. According to the frequency rates of the primary words identified, each participant's perceptions played a role in expressing care during the decision making process. Each participant's perceptions about 'schools' in general was supported at a high rate. They all expressed the importance of educating students from all walks of life and that this bill would provide an opportunity to expand these opportunities by expanding the number of charter schools that currently exist. In the evaluation of their perceptions of the next two primary



words, there were obvious differences in how ‘charter’ and ‘public’ schools were viewed. Through the narratives the level of care regarding charter(s) was expressed more frequently than expressions of care for public schools. This perception existed within the narratives of each participant. The most interesting concept identified through the analysis of the participants’ narratives was their lack of focus on relationships, which is an important factor within the Ethic of Care. According to the bill both charter and traditional ‘public’ schools are indeed public schools. Oftentimes the term issues were associated with ‘public’ school due to the expressions that public schools are one-dimensional in their approach towards educating kids and this “one size fits all approach to education” does not express care for all students.

Based on the findings a causal link does exist between the perceptions of the participants’ decision making and the perceptions of the literature where the predicted patterns were derived. The elevated frequency identified in their decisions were directly related to right and fairness, which directly corresponds with the participants’ perceptions about charter schools and the impact that charter schools could have on the community as a whole. Their concern surrounding the perception that public schools are one-dimensional showed an equal level of care for public schools. Their perceptions of both the legislation and the community were that equality was not based on likability but based on the ability and willingness to provide access to different forms of education. Based on their perception of their decision, what they achieved in supporting this bill was an opportunity to provide unlimited access to schools that can potentially meet the needs of all students.

Based on the narratives and the data presented in this study, elements of ethical decision making was determined through the participants’ perceptions of about schools in general. Their decision emphasizes care as an essential component for rendering ethical decisions. It was

through the Ethic of Care that equity was realized. Based on the findings the researcher believes that the participants' expression of care supports a drive to practice ethical decision making.

**5.3.3 Policy and equity disconnect in decision making.** Even though it was determined that ethical decision making was established as a supportive expression within this investigation the researcher identifies disconnects around policy and ethics. Therefore through a reanalysis of the high frequency words, insight into the participants' struggle to balance law and ethics was revealed. This reanalysis led to the third dominant theme, which looks into disconnects between ethics and policy (equity). This disconnect was identified as a dominant theme due to the participants' perceptions of how their decisions were connected to equity, fairness, and accountability, but they were directed by law which can sometimes be questionable. Due to this disconnect the researcher sought to understand the participants' perceptions about their decision to support the bill by further examining the impact of the law on their decision to support the proposed legislation.

Because the Ethic of Care was used to evaluate the base for the participants' decision making under the original theme, the researcher determined that maintaining that same course of action would provide validity within the study. There was a low frequency of words identified through the reanalysis. To maintain validity, the four essential components as determined by *Ethical Leadership and Decision Making in Education* (Shapiro & Stefkovich, 2001) could not be considered. In an effort to stay consistent, the Ethic of Care was the only component used within this investigation; therefore, it was not possible for a causal link to be determined. The participants' actions in making decisions and their battle to incorporate measures of the law into their decisions were discussed. Based on the investigative rule each ethic must be determined

within the theme for a causal link to be determined. Therefore, causal links between the predicted and empirical themes were not determined.

According to the narratives, the participants maintain that their focus when making decisions were within the boundaries of the law and focused on relationships and empathy, but they also indicated that this presented a sense of a lack of care. Each participant expressed challenges with making decisions surrounding law versus standards of a community. They felt this was due to a lack of a critical evaluation of the law. As the researcher looked closer at the boundaries of the law, and provided a critical evaluation of the law, the low frequency words, which represented less than 1% of the words represented, became apparent in this evaluation. The words equity, ethics, and fairness reoccurred within the data set at an alarming rate. Equity was a word identified by Adams (1965) as an average to examine the existence of fairness by decision makers from the decision maker's perspective. That being said, equity had a limited influence in the participants' (legislators') ability to practice ethical decision making. Although equity is identified as an essential factor when making ethical decisions, this was not considered a priority during the decision to support the legislation highlighted in this study. As for the participants' perspectives about the elements of ethical decision making, based on their actual word count (227) equity was significant. The 227 count presents a perception that equity was perceived by the participants to be essential, even though it did not qualify during the analysis as a high frequency word. That being said, equity is believed to have influenced the decision by these participants to support the legislation. This is apparent because the participants identified fairness as an important factor for policymakers when addressing matters where law challenges one's ethics during the decision making process.

**5.3.4 Principles of equality.** The participants' principles of equality within this bill were identified as the fourth and final major theme in this investigation. The two high frequency words identified within these principles were decisions and community. Within the review of the two words a paradigm for understanding each of the four essential components as determined by *Ethical Leadership and Decision Making in Education* (Shapiro & Stefkovich, 2001) was established. Therefore, through this investigation it was determined that a causal link could be determined between the participants' interpretations and the predicted patterns guiding these principles. The leaders' interpretations about equity were realized by the participants' connection to each of the ethics when making decisions. The existence of the Ethic of Care, Ethic of Justice, the Ethic of Critique, and the ethic of Profession were all identified through the analysis of the participants' principles as they pertain to their decision to support the legislation and the communities being impacted by their decision. Based on the investigative rule a causal link was determined within this theme.

Through the phenomenological investigation known as explanation building the participants' perceptions of Senate Bill 8 provided a variation of dimensions to equality. To examine this issue, the researcher reviewed this phenomenon through the eyes of the three participants who were identified as leaders in this study. The analysis of the data informed us that the participants' dimensions of equality were driven by the rights of their constituents within varying communities, the rules that were in place that helped to support their decision, and their interpretation of fairness. These dimensions were combined to help make the decision to support the legislation that has become law. Although there is an alignment of the predicted patterns, which include the four ethical patterns and equity theory. A causal link, determines how the participants' perspectives constitute elements of ethical decision making. Within the narratives,

the participants shared that their primary focus centered on the rights of their constituents and their receiving the opportunities that support every child's rights to a quality education.

To summarize this point, the data demonstrated that although the elevated frequency rates related to the legislation was fair and provided justice, there was still a level of uncertainty surrounding standards which are driven by law. Therefore, based on law, the participants were just in their decision to support Senate Bill 8. Based on the dimensions examined within this study, access to charter schools serves as the "how" when the leaders perspectives of ethical decision making and the perceived ability of the participants to practice ethical decision making.

#### **5.4 Delimitations and Limitations of the Study**

The delimitations of this study can be identified in the evidence of the data, which was based in the interviews of the three participants. Delimitations can also be identified within the multiple data points used within the data collection process. A variety of sources were utilized through a method of triangulation in this study. Although there were multiple methods used to study a single problem, the methodological triangulation process provided a major strength. That strength derived from the interviews where the evidence of values from the three participants led to perceptions of equity and ethical decision making. The evidence of values identified through the pattern matching method created credible strength in the data that supported the three dominant themes associated with the study.

The limitations of this study can be found in lack of research studies conducted on legislative elected officials, and legislation outlining ethics and equity within decision making processes and legislation concerning charter school growth. There are also limitations found within the number of studies conducted on elected officials who have served in public or private education leadership roles. The limitations also include studies conducted on standards

necessary for measuring equity and their ethical decision making in particular. Gender was not identified as a factor in this study although the literature review shows where gender plays a role in how decisions are made. Due to the fact that the interview participants in this study were all men, this limitation could be identified as a data deficiency, due to the lack of a woman's perception. Furthermore, race did not emerge as a factor in this study. Another limitation of this study was the fact that this is a single case study of one legislative issue that emerged into legislation. Another limitation of the study included the researcher's lack of knowledge about other states, original legislation, and whether there were parallels to the original North Carolina Charter School legislation. This lack of knowledge provided the researcher the opportunity to learn about history of the Charter School legislation, which provided governance of the approval process, which limited the number of approved charter schools to 100 for the entire state. But this information only allowed a one-dimensional approach to analyzing the case.

### **5.5 Recommendations for Further Research, Policy, Leadership and Practice**

This investigation was local, limiting it in scope to North Carolina and its results should not be generalized to other contexts or jurisdictions; however, the findings suggest that research on equity and ethical decision making as it pertains to charter school legislation that impacts traditional public schools is more complex and should be investigated further. It is also needed specifically around charter school legislation as a measure of school reform. The researcher hopes this study will be used by legislatures in North Carolina and other states as a reference prior to their process of writing and proposing policy to expand access to charter schools. It is also recommended that legislators will use this study as a guide for level setting prior to engaging in ethical decision making and equity in education and other legislation. Lastly, the

researcher hopes this study will serve as a foundation for further investigation into the impact that ethics and equality plays in making decisions about policy.

**5.5.1 Research recommendations.** In this study the results rendered four major themes, but subsequent studies would not necessarily render the same results. The researcher believes it would be interesting for future researchers if research could identify similar interpretations of policy. These interpretations could focus on the impacts of the interpretations and how constituents perceive the legislation. The researcher also recommend further research be conducted in states where charter school legislation (School Reform) are in the beginning stages of being addressed. With the growth of school reform being delivered via legislative changes in support of charter schools, the researcher believes a longitudinal study on leaders (boards of directors/governors) who provide oversight to charter schools should be examined. The researcher recommends that further research be conducted to understand accountability structures that govern the actions of charter school leaders. Finally, the researcher would recommend a review of the statutes and rules that govern charter schools be reviewed to ensure that they are aligned with those that govern traditional public schools.

**5.5.2 Policy recommendations.** The researcher believes that this qualitative study can be replicated to identify elected leaders' perspectives of the bill in comparison to how the law defines public schools. The researcher believes that legislators will learn to better understand the impact of their decisions on legislation and how important it is for legislation to be examined more deeply to truly understand the impact it could have on their voting constituency. The researcher also recommends that the legal impacts of the decisions should be examined further, as this study revealed that there are potential financial implications that accompany leaders' decisions in this case.

The researcher believes recommendations should be made to place more focus on the constituents during the decision making process. How do they view the leader's level of accountability in this decision? How does the leader's lack of accountability or connectedness to constituents impact their decisions? Elected leaders at all levels should be guided by their ethics whether they are care, critique, justice, or profession. Interestingly, the ethic of critique was limited in the actions of the elected leaders in this study, and it is likely that critique along with other ethics would be absent in other studies, especially those of political nature as this study concludes. Additional research is necessary on the ethical decision making of leaders elected to serve in state legislative positions.

**5.5.3 Leadership recommendations.** Based on the findings of this study, there is a need to evaluate theories that assess cultural perceptions. Although the study provides evidence that the decisions rendered by legislative leaders were ethical in accordance to the law. The results indicate that interpretations of dated laws present a challenge with identifying care and justice within those decisions. By utilizing the practice of capacity building within leadership there is an opportunity for measures to be established that could emphasize the value of equity within decision making. The researcher recommends that practices be established to allow students the opportunity to further engage cultural actions of leaders within all industries. This practice will allow multi-level capacity building and a deeper understanding of theory development.

**5.5.4 Practice recommendations.** Based on findings in this study, the researcher believes there is a need for legislative leaders to implement the ethic of profession as a foundation for practice when making decisions. Another recommendation is to consider the potential impact that this practice could have on their ability to remain within the law but also have the latitude to base both justice and care in their decision making process. The set of



ethical paradigms as presented by Shapiro and Stefkovich (2001) should be established as a point of reference to all decision makers prior to their appointment to levels where their decisions impact the lives of constituents in any state. Lastly, based on this study, the researcher recommends that legislative leaders examine the laws driving their decisions through lenses of the ethic of critique to increase the probability that the impact of their decisions aligns with the base of the constituents which allows their decisions to be based on equity.

## **5.6 Conclusions**

The second decade of the 21st century provided an unprecedented shift in education reform and its impact on American education. The first decade presented a shift from the reform measures of corporate testing and standards measures, which proved to be a lackluster approach to reform (Hutson, 2010), to a more progressive approach that would impact all public schools. This resurging approach is known to most as the charter school reform measure, which is essential to providing choice for students who cannot succeed in traditional public school environments (Fedewa, 2005). The charter school approach opened the door for one of the most widely supported reform efforts in many years. With the endorsement of policymakers, politicians, special interest groups, for-profit educational groups, educators, and parents from every political and ideological spectrum imaginable, a major shift was in the process of taking flight.

Many states across the country have adopted charter school legislation, which laid the groundwork for increased interest and a steady increase in the number of states providing charter school as an option for public education. Most puzzling about these increases are the lack of critical analysis by way of community debates on charter schools and their impacts, despite a growing body of research that shows limited differences in academic improvement between

‘public’ charter and ‘traditional public’ schools (Associated Press, 2007; Dillon, 2005). In North Carolina, the debate is not over whether charter schools are relevant to public education, but at what magnitude and cost? Unlike most states, North Carolina realized the importance of charter schools during the latter part of the 20th century when House Bill 955 was signed into law and became the Charter School Act. There were many standards written into the bill but the most mitigating standard was the limit of 100 charter schools operating in the state in any given year.

This research informs the assumptions harbored by legislative leaders who participated in the study and all other decision that the decision to lift the cap on charter schools by signing Senate Bill 8 into law provides questionable decision making practices. Moreover, the analysis debunks a key underlying tenant that legislative leaders’ decisions were guided by ethical mandates essential to decision makers. Finally, this study provided examples that challenged the core premise that charter school expansion beyond 100 in the state was essential for student access to a quality education. The fact that varying degrees of management oversight around funding distribution, hiring practices, and other practices exist for traditional public schools but don’t exist at the same level for charter schools poses questions for this legislation. Additionally, the lack of accountability policies has created a maze of confusion and contradictory demands that often lead to multi-leveled struggles in organizational structures. With the decision to sign this bill into law, the multi-leveled struggles within the charter school structures have forced tremendous conflicts within the charter school reform debate.

The first area of conflict in the charter school structure lies within the legislature’s interpretations of the law. The conflict centered on the notion that charter schools would operate under the same guidelines as traditional public schools, but the law allows a separate system for charter schools even though they are publicly funded. Under this prevision, charter school

boards of directors are operated by private boards rather than elected boards. These actions present questions about legislators' willingness to evaluate their decisions more critically, and their willingness to act upon what is just, as they pondered the decision to support the bill presented in this case study. The data analysis supports their interpretations that schools benefiting were important factors in their decision but it does not take into account their interpretations for the original law or their interpretations of the other variables of the new law.

Another area of conflict lies within the accountability measures that were not addressed prior to making the decision to make Senate Bill 8 into law. Measures like management oversight procedures and expectations were not vetted and considered prior to making the final decision on this bill. After the bill was signed into law in 2011, 33 new charter schools were approved to open during the 2012-2013 year. This brought the total number of charter schools in the state to 132, which is staggering considering the North Carolina Office of Charter Schools consists of only three full-time consultants. These consultants have the responsibility of ensuring that these schools uphold every aspect of the law. Moreover, with more than 40 schools per consultant, is this truly possible? The researcher reiterated the point that, prior to and after the bill became law local jurisdictions were not provided any leverage in the decision to open new charters. It is impossible to make decisions for your constituency if you do not have their input prior to rendering decisions. These actions further the need to question the intent of elected leaders and their willingness to practice ethical decision making utilizing the tenants identified in this study.

In the end, this research enabled the researcher explore provisions that are essential for providing ethical decision making and the rich complexity of the role that our legislative leaders play when elected to represent a constituency as decision makers. Furthermore, the participants

of this study focus on providing access to charter school education drove their consciousness surrounding the possibilities and constraints that relates to the number of charter schools allowed to be established. That said, the researcher could conclusively state that while the intent behind the decision to support Senate Bill 8 could be questioned, this research has revealed through the perceptions of the participants that their primary goal in making the decision was to provide access to more charter schools. Moreover, their decision to support this bill exposed disconnects in three primary areas of ethical decision making. Thus, a clear need exists to ensure that equity, ethics, and fairness are essential tenants that are examined prior to making decisions that impact constituents.

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*Appendix A*Name  
Address

July 20, 2013

The Honorable Rick James  
c/o North Carolina State Senate  
Wilson County

Dear Attorney James:

By way of introduction, my name is Moses Fox, III a resident of Charlotte, Mecklenburg County, North Carolina House District 92. Although I am not a member of your voting district I am a resident of this great state who has an admired appreciation for the leadership that you provide to the state by way of the position you have been elected to serve.

I am a doctoral student at North Carolina Agricultural & Technical State University within the School of Education, Leadership Studies Program. I am presently working on my dissertation and I would appreciate your assistance. I recently received approval for my first three chapters, and now I am ready to continue with the rest of the study. My dissertation is titled: *A Case Study on Ethical Decision Making by Legislative Leaders and their Motion to Approve the North Carolina Charter School Bill of 2011*. I find this research exciting, fun, important and cutting edge!

I would like to request your assistance in my research efforts by providing me some of your time so that I may explain my study to you and perhaps finish my qualitative research study (which includes interviews, historical analysis, written documents, etc.). I will contact you via phone in a few days to confirm if you have interest in participating in my study. If you would like to contact me immediately, please do not hesitate. I can be reached directly at home or through my email. Thank you very much.

Sincerely,

Moses Fox, III

*Appendix B***INFORMED CONSENT TO PARTICIPATE  
IN A RESEARCH INTERVIEW**

Study Title: A Case Study on Ethical Decision Making by Legislative Leaders and their Motion to Approve the North Carolina Charter School Bill of 2011

Principle Investigator: Moses Fox, III

Faculty Advisor: Forrest Toms, Ph.D. – Leadership Studies Department

**Purpose of the Research**

You are being asked to be interviewed in a research study about decision making process of legislators leaders in North Carolina. The purpose of this research is to explore leader perspectives on equity and ethical decision making by reviewing a case by the North Carolina Educational Sub-Committees. You have been asked because you have been elected to serve in a leadership capacity by registered voters in the state of North Carolina. You have also served as a member of either the education or finance standing committees during the 2011-2012 Legislative Sessions. Finally, you served on the special conference committee for education during the 2011-2012 Legislative Session.

**Procedures**

If you decide to volunteer, you will be asked to participate in an interview which will take approximately 1 hour. It will be appreciated if you were available to interview at your office at the North Carolina Legislative building at a date and time that is most convenient for you. If you are able to participant, could you meet between August 2, 2013 – August 23, 2013?

You will be asked several questions about equity, ethics and decision making. With your permission, I will audio record the interviews in order to accurately capture what is said. The recordings will be transcribed, but your name will not be included in the transcriptions. The recording and transcription will be kept on a password-protected USB drive and safely stored at my permanent residence.

The recordings will be transcribed within 96 hours of the interview. The audio recordings will be properly disposed immediately after transcriptions have been completed. The transcribed data will be kept 3 years. On January 1, 2016, the USB Device and all other data will be properly disposed via shredder.

**Risks**

I do not anticipate any risks from your participation in this research.

**Benefits**

There are no direct benefits to participants in this research. As the primary investigator, I hope to gain a deeper understanding of how equity and ethical decision making can be addressed by elected leaders. Additionally, I am hopeful this research study will contribute to theory building around ethics, equity and decision making by elected leaders.

*Cont.*

### **Confidentiality**

All information collected in this study will be kept completely confidential to the extent permitted by law. Your responses to interview questions will be kept confidential. At no time will your actual identity be revealed. You will be assigned a random numerical code. The key linking the code to your name will be kept in a locked file cabinet at my primary residence, and no one else will have access to it. The code key will be destroyed along with all other data collected during the interview on January 1, 2016. The data you give me will be used for my dissertation entitled, *A Case Study on Ethical Decision Making by Legislative Leaders and their Motion to Approve the North Carolina Charter School Bill of 2011*, which is one of the requirements for graduation. The information may be used as the basis for articles or presentations in the future. I won't use your name or information that would identify you in audio recordings, publications, or presentations.

### **Participation/Withdrawal**

Your participation is completely voluntary, and you may withdraw from the study at any time without penalty. You may also skip any question during the interview, but continue to participate in the rest of the study.

### **Contact**

If you have questions or concerns about this research, please contact Moses Fox, III, (phone) and/or (email) You may also contact the faculty member supervising this work: Dr. Forrest Toms, Associate Professor, Leadership Studies Department, (phone) and/or (email).

If you have any study-related concerns or any questions about your rights as a research study participant, you may contact the Office of Research Compliance and Ethics at North Carolina A&T State University at (336) 334-7995.

### **Statement of Consent**

I have read the above information and have received answers to all my questions. I am at least 18 years old and voluntarily consent to take part in this research study and to have this interview audio recorded.

Participant's Name (Printed): \_\_\_\_\_

Participant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## *Appendix C*

### **Pattern Matching Concept Instrument - (PMCI) for Categorical Analysis Monitoring: A process for analyzing empirical themes.**

#### **Desired Outcomes**

Pattern Matching Concept Instrument - (PMCI) for Categorical Analysis Monitoring: A process for analyzing empirically based patterns through a pattern matching analytic technique.

Predicted patterns are traditionally related to dependent or independent variables identified within a study. This analytic technique of pattern matching does not specify dependent or independent variables as a means to establishing or matching patterns. The established patterns seek to explain a phenomenon; the effort is to establish causal links between predicted and empirical patterns. Predicted themes serve as the explanation for stipulating presumed causal links, which in essence provides guidance to understanding the phenomenon of “how and why” (Yin, 2009). The current study will explore the phenomenon of “how” as a means to answering the said research questions.

The predicted patterns are identified through a pattern matching process which consists of configurational theories (Hak & Dul, 2009). Configurational theories identify, through individual theories or components of theories, a number of conditions that must be presented for a pattern to be formulated. The configuration of the theories in this instrument consists of five conditions; ethic(s) of care, critique, justice, profession and equity theory. Each condition is identified as a separate element that when combined specify a single five point pattern (Predicted Pattern). This predicted pattern is specified and tested as the necessary proposition for identifying an empirical pattern.

#### **Dimensions of Predicted Patterns**

Each dimension of analysis is reviewed using the following interrelated theoretical prospective: Equity theory provides an experimental sample of patterns that contribute to an equitable approach for measuring cases of ethical complexity.

- I. Ethic of Justice.** Supports equality, balances rights of the leaders with individual rights
- II. Ethic of Care.** Supports the existence of feelings and individual relationships
- III. Ethic of Critique.** Challenges laws and questions the status quo, while considering both the good and bad aspects of a community
- IV. Ethic of Profession.** Examines clashes between personal and professional codes
- V. Equity Theory.** Examines the process of providing access and services

The established predicted pattern seeks to explain a phenomenon; the effort is to establish causal links between predicted and empirical patterns.

<b>I</b>	<b>Ethic of Justice</b>
Supports equality, balances rights of the leaders with individual rights	
I-EI 1. This ethic of justice seeks to understand two concepts, “commitment to human freedom” which is derived through rights and laws and “procedures for making decisions that respect equal sovereignty of the people.”	
1.1 Determines what is the legal course of action?	
<ul style="list-style-type: none"> <li>- Rights and laws</li> <li>- Rules and regulations</li> </ul>	
1.2 Determines what is fair?	
<ul style="list-style-type: none"> <li>- Policies</li> <li>- Fairness</li> </ul>	
Causal Links: (Empirical)	

<b>II</b>	<b>Ethic of Care</b>
Supports the existence of feelings and individual relationships	
II-EI 2. This ethic of care seeks to understand how care contributes to decision making closely examining regard for emotion, self and others.	
2.1 Determines how can we promote a nurturing, positive climate?	
<ul style="list-style-type: none"> <li>- Personal Connections</li> <li>- Compassion</li> </ul>	
2.2 Determines what will be the effects of the decisions I made as a leader?	
<ul style="list-style-type: none"> <li>- Nurturing</li> <li>- hierarchal</li> </ul>	
Casual Links: (Empirical)	

<b>III</b>	<b>Ethic of Critique</b>
Challenges laws and questions the status quo, while considering both the good and bad aspects of a community	
III-EI 3. This ethic of Critique seeks to understand the laws themselves and the process that determines if the laws are just.	
3.1 Examines how were rules made?	
<ul style="list-style-type: none"> <li>- Power and influence</li> <li>- Social class inequalities</li> <li>- Gender inequalities disabilities</li> <li>- Ethnic and racial differences</li> <li>- Religious differences</li> <li>- Community Standards</li> </ul>	
3.2 Identifies who the community is and shows how it is examined by the leader?	
Casual Links: (Empirical)	
<b>IV</b>	<b>Ethic of Profession</b>

	Examines clashes between personal and professional codes
IV-EI 1.	This ethic of profession seeks to articulate a leader's individual personal and professional code of ethics by addressing the following questions.
4.1	Determines what is in the best interest of the community?
4.2	Determines what is in accordance with personal expectations?
4.3	Determines what is in accordance with professional norms?
	<ul style="list-style-type: none"> <li>- Respect your personal ethical codes</li> <li>- Respect your professional ethical codes</li> <li>- Adhere to professional association standards</li> <li>- Respect best interest of the community</li> <li>- Dealing honestly with others</li> <li>- Treat others as you would like to be treated</li> </ul>
Casual Links: (Empirical)	

<b>V</b>	<b>Equity Theory</b>
	Examines the process of providing access and services (Nieto & Bode, 2008).
V-EI 1.	Equity theory provides the challenge to ensure a strong and productive relationship is achieved through trust and loyalty.
5.1	Provides an understanding of fairness to constituents?
5.2	What is an equal distribution of services?
5.3	Provides an understanding of balance to all?
Casual Links: (Empirical)	

*Appendix D*

<i>Fact Analysis Rubric</i>				
	Ethic of Justice	Ethic of Care	Ethic of Critique	Ethic of Profession
Historical Analysis	Focus on the boundaries of the law. Justice represents the universal good or the good for everyone evolved. (Rawls, 1971)	Does the data show a focus on caring about, taking care of, giving care or receiving care? (Tronto, 1993)	Focus on critical evaluation of laws or politics. Does the data possess a level of consideration for different issues surrounding race, class, gender, and identity? (hooks, 1990).	Focus on the presence of individual statements pertaining to one's code of ethics, ethics of community and standards for the community (Shapiro & Stefkovich, 2001).
Written Documents				
Interviews	Focus on the law, regulations, and policies. They place the focus on fairness and equity.	Is there a degree of concern for their constituents? Is there a level of empathy displayed by the participant?	Focus on statements of power? Focus on the participants expressions of power in his or her role to make laws?	Focus on statements pertaining to best interest of community.

## Appendix E

Interview Question Table of Specifics	Theoretical Variables		
	Equity	Ethical	Decision Making Process
1. How would you define the connection between ethics and equity? Is that connection essential when making decisions? How?	X	X	X
2. Describe how you worked through addressing one legislative challenge. What were the leadership implications of this challenge and how did you approach the challenge from a leadership perspective?	X	X	X
3. In your role as a legislature in the NC <House / Senate> how would you define equality?	X		
4. What role does equity play when making decisions on bills?	X		
5. What role does fairness play into your decision on controversial bills?	X		X
6. As an elected leader in the state of North Carolina how would you define ethics and how does your definition support your decision making practice? (Definition of ethics)		X	X
7. As a legislative leader, do you believe that you allow your personal “customs,” “conduct,” or “character” to affect your ability to provide ethical decisions? How? (Please explain)		X	X
8. When debating a controversial bill what factors guide your decision?		X	X
9. Thinking back to Senate Bill 8 (Charter School Bill)—What was the decision making proves that you used to address this challenge?			X
10. Were there ethical issues associated with this challenge and if so, how were they addressed?			X
11. When making decisions to support or not to support legislation, do you consider who will benefit from this policy or law? Please explain?	X	X	X
12. Will you provide me with a list of books, magazines, articles or any other artifact that speaks to your insight on equity, ethics, and decision making?	X	X	X