

Hypervigilant Enactment

**What the Covid years can tell us about datafication,
performativity and support for English learners around
high stakes tests in primary schools in England and
California**

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Declaration

I, Erin Simpson Bergel, confirm that the work presented in this thesis is my own. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

Abstract

Title: Hypervigilant Enactment: What the Covid years can tell us about datafication, performativity and support for English learners around high-stakes tests in primary schools in England and California

This research study outlines hypervigilant enactment, a form of policy enactment (Maguire et al., 2012) that was seen in the Covid years in England and California. This research utilised Foucauldian theories of power (Foucault, 1982) and Critical Race Theory (Gillborn and Ladson-Billings, 2019) to understand how teachers in England and California thought about data and performance during Covid, years where governments in both countries halted or fundamentally altered the regular standardised testing regimes that form the backbone of datafication and performativity in primary schools. This study particularly sought to understand the implications of this change on English learners as defined by the usage of labels EAL / EL. This research consisted of a qualitative study of 30 semi-structured interviews with teachers, school leaders, district administrators and policy specialists in both locations. Research questions for this research are:

1. Did Covid-related adjustments to high-stakes testing impact provision and supports for EAL / EL pupils in primary schools in England and California?
2. Did Covid-related adjustments to high-stakes testing result in changes to the datafication seen in primary schools in England and California?
3. How did teachers and school leaders enact policies related to Covid-era adjustments to high-stakes testing in primary schools in England and California?

This research found that even without a formal accountability system, accountability and the need for data was at the forefront of teachers' and school leaders' minds, with many of them choosing to "re-enact" accountability structures within their practices. Data was cited as a key need, with participants highlighting that there was little way for them to teach effectively without high-stakes testing data, which was presented as reliable and unbiased. English learners were effectively pushed to the sidelines by participants even as they acknowledged that EAL / EL

students were unable to access many of the supports put in place by schools. I argue that all these practices together make up a new type of policy enactment along the lines of pre-enactment (Braun and Maguire, 2020) which I call *hypervigilant enactment* wherein teachers and schools actively reconstruct their own accountability regimes which will have long-lasting repercussions for assessments and accountability going forward.

Impact Statement

This research will have considerable impact both within academia and outside academia. This research has potential to: build new areas for academic research; contribute to the body of knowledge that has come out of the Covid pandemic; and result in policy implications in two countries. This impact statement will highlight those effects and outline the steps that can be taken to increase the impact of this thesis.

This research will contribute to future research by adding a new policy enactment style, *hypervigilant enactment*, to the growing literature on forms of enactment. Policy enactment studies often focus on enactment styles and hypervigilant enactment offers a new way to analyse enactment in high-stakes neoliberal environments. My research on hypervigilant enactment brings my recent research from the Covid years into the policy enactment oeuvre, building upon previous work done pre-Covid. Hypervigilant enactment is not just relevant to the Covid years, rather it considers Covid as a lifted veil that shone a light on the practices of teachers and school leaders, particularly as they relate to high-stakes testing. Thus there is potential conceptual impact from this study.

This research will add to the body of knowledge concerning what occurred in primary schools during Covid. Through interviews at the school and local authority / district level, conducted during the pandemic period, this research adds more data to an understanding of what choices teachers and school leaders made in relation to the provision they offered to students. While all students are a focus of this research, particular attention is paid to students for whom English is an additional language. As the Covid pandemic created such a different policy environment for schools, there is much to learn about what occurred in schools. This research will have an empirical impact by helping to build out that body of knowledge in both England and California.

This research also has potential real-world impact due to its implications for policy development in both England and California. I would argue that hypervigilant enactment will continue to be seen in both teachers and school leaders, and will impact policy implementation and enactment in ways that will mean it will be hard to produce incremental change in practice in primary schools. Hypervigilant enactment instead calls for bold policy shifts coupled with an abundance of training for teachers in the field. The processes of datafication that have led to hypervigilant enactment

being shown have become so embedded they will be difficult to change without devoting serious attention to alleviating concerns over a long period of time. Thus, this research has implications for potential reform processes, because it emphasises how embedded current values have become.

I intend to publish this research as a series of articles in academic journals describing hypervigilant enactment and its effects on marginalised students and datafication.

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Acronyms, Abbreviations & Definitions

A-LEVEL – ADVANCED LEVELS

Advanced Level Qualifications are a UK subject-based qualification for students aged 16 and above.

BAME – BLACK, ASIAN AND MINORITY ETHNIC (ENGLAND)

Black, Asian and Minority Ethnic is used to refer to non-White people in official statistics in the UK; sometimes written as BME (Black and Minority Ethnic).

BIPOC – BLACK, INDIGENOUS, AND PEOPLE OF COLOR (CALIFORNIA)

Black, Indigenous and People of Color is used in California and throughout the USA to refer to non-White people in statistics and reports.

CAASPP – CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS

CAASPP exams are used throughout elementary, middle and high schools in California as their official state tests for accountability and reporting. Tests are always taken in English (subject) and Math with Science taken in the 5th and 8th grades and once in grades 10-12. More specifics can be found in Chapter One – Introduction or in Appendix A – CAASPP System of Assessments which includes a chart outlining all tests taken as part of the CAASPP system.

CDE – CALIFORNIA DEPARTMENT OF EDUCATION

California's State body for education and school management.

CRT – CRITICAL RACE THEORY

A widespread theory of which core elements highlight that race is a societal concept and that societies are structurally racist. Discussed in depth in Chapter 3.

DFE – DEPARTMENT FOR EDUCATION (ENGLAND)

England's body for education and schools management.

DOE – DEPARTMENT OF EDUCATION (UNITED STATES)

The United States' federal body for education and schools management; sometimes referred to as "the Fed" or "the Feds" in interviews.

EAL – ENGLISH AS AN ADDITIONAL LANGUAGE (ENGLAND)

The acronym used for children whose parents have indicated that they speak a language other than English at home upon their entry to school.

EL – ENGLISH LEARNER (CALIFORNIA)

The acronym used for children whose parents have indicated that they speak a language other than English at home upon their entry to school.

ELL – ENGLISH LANGUAGE LEARNER (FORMERLY USED IN CALIFORNIA)

An acronym previously used for children whose parents have indicated that they speak a language other than English at home upon their entry to school; now replaced by EL in California, but sometimes still used in other states and literature.

ELPAC – ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS FOR CALIFORNIA

The standardised assessment in California used to gauge English proficiency levels of EL students; taken yearly until proficiency is achieved.

ESL – ENGLISH AS A SECOND LANGUAGE (PREVIOUSLY USED IN ENGLAND & CALIFORNIA)

The acronym formerly used in England and California to denote students whose parents have indicated that they speak a language other than English at home; now commonly replaced with acronyms that acknowledge these students often speak more than two languages.

ESSA – EVERY STUDENT SUCCEEDS ACT (US EDUCATION LAW FROM 2015)

The law passed by US Congress in 2015 that replaced NCLB and reinforced its tenet of high-stakes testing as a measure of accountability.

EU – EUROPEAN UNION

EYFSP – EARLY YEARS FOUNDATION STAGE PROFILE (ENGLAND)

The EYFSP is intended to be used to make judgements about the attainment of students at the end of their reception year. Children are assessed against 17 early learning goals.

FSM – FREE SCHOOL MEALS

Free School Meals are offered as an entitlement to children in England and California whose parents meet certain socioeconomic and poverty thresholds. FSM is often used as a proxy measure for students from low-income backgrounds.

GCSE – GENERAL CERTIFICATE OF SECONDARY EDUCATION (ENGLAND)

GCSEs are taken as a subject-specific academic qualification at the end of Key Stage 4.

IELTS – INTERNATIONAL ENGLISH LANGUAGE TESTING SYSTEM

The IELTS is an internationally accepted language test used to meet study, migration and work requirements related to knowledge of the English language.

IFEP – INITIAL FLUENT ENGLISH PROFICIENT (CALIFORNIA)

The acronym used for children who are labelled as EL upon arrival to school but pass the ELPAC on their first attempt; students are tracked using this label for the rest of their time in K-12 education.

IQ – INTELLIGENCE QUOTIENT

A controversial measure of innate intelligence discussed more in depth in Chapter 3.

KS1 – KEY STAGE 1 (ENGLAND)

The first two years of primary education (Years 1 – 2) (Ages 5 – 7)

KS2 – KEY STAGE 2 (ENGLAND)

The second stage of primary education (Years 3 – 6) (Ages 7 – 11)

KS3 – KEY STAGE 3 (ENGLAND)

The first three years of secondary education (Years 7 – 9) (Ages 11 – 14)

KS4 – KEY STAGE 4 (ENGLAND)

The final two years of secondary education ending with most students sitting the GCSEs (Years 10 – 11) (Ages 14 – 16)

L1 – FIRST LANGUAGE

Used in linguistics and language education to denote an individual's first language, usually the language a child's parents speak at home.

L2 – SECOND LANGUAGE

Used in linguistics and language education to denote an additional language learned by an individual. Not considered a "native" language, usually considered to be "learned"; might be an individual's second language, might be an individual's third or fourth language.

LA – LOCAL AUTHORITY (ENGLAND)

Local bodies in England, often councils who perform many administrative functions, most importantly in this instance they are responsible for maintained state schools in their area.

LCP – LEARNING CONTINUITY PLAN (CALIFORNIA)

The CDE asked districts to create LCPs during the Covid years to ensure formal plans existed to address potential learning gaps, students with additional learning needs, budget shortfalls, distance learning plans, mental and physical health support and more. LCPs were required to be submitted by 30 Oct 2020.

NCLB – NO CHILD LEFT BEHIND ACT (US EDUCATION LAW FROM 2001)

The law passed by US Congress in 2001 that enshrined standardised testing and performance-based accountability into law. NCLB has taken on a legendary status among teachers and is still referred to often, even though the law was replaced by the ESSA in 2015.

OFSTED – OFFICE FOR STANDARDS IN EDUCATION, CHILDREN’S SERVICES AND SKILLS (ENGLAND)

Ofsted is responsible for inspecting educational institutions including schools and nurseries. Ofsted provides a rating for schools that is then used in accountability measures and “league tables”.

ONS – OFFICE OF NATIONAL STATISTICS (ENGLAND)

The national statistics body that manages population statistics and the census.

PBA – PERFORMANCE-BASED ACCOUNTABILITY

A system of accountability that links performance (often on standardised testing) to rewards; the most common type of accountability used in schools.

PISA – PROGRAMME FOR INTERNATIONAL STUDENT ASSESSMENT (FROM THE OECD)

PISA is an international high-stakes standardised test taken by 15-year-olds in countries that are members of the OECD; used to rank education systems by country.

PUPIL PREMIUM (ENGLAND)

Pupil premium is shorthand used to denote children who receive ‘pupil premium’ funding which is intended to be used to support disadvantaged students in state schools. Students are eligible to receive pupil premium funding if they are currently or were previously (within 6 years) eligible for FSM or are currently or were previously (within 6 years) looked-after by local authorities; funding can be up to £2530 and is paid to either the school or local authority (Moss, 2020).

RBA – RECEPTION BASELINE ASSESSMENT (ENGLAND)

A recently introduced assessment taken by 5-year-olds upon arrival to reception (their first year of school) in order to provide a “baseline” score against which their scores in the KS2 SATs can be benchmarked to understand the “progress” made over time.

RCT – RANDOMISED CONTROLLED TRIAL

Specific types of research studies that measure the effectiveness of a new intervention; considered to be the gold standard in the “hard sciences” but not without controversy in education; increasingly popular with policymakers particularly in the US.

RFEP – RECLASSIFIED FLUENT ENGLISH PROFICIENT (CALIFORNIA)

The acronym used for children who are labelled as EL upon arrival to school but have passed the ELPAC; if the ELPAC is passed on the first attempt then IFEP is used instead; students are tracked using this label for the rest of their time in K-12 education.

SATs – STANDARD ASSESSMENT TESTS (ENGLAND)

Tests given at the end of KS1 and KS2 used to provide feedback on schools for accountability purposes. The SATs include tests in reading, mathematics and grammar, spelling and punctuation. KS1 SATs are scheduled to become optional from AY 2023-24. KS2 SATs results are often shared with secondary schools as a proxy for student achievement.

SEF – SELF-EVALUATION FORM (ENGLAND)

A form submitted to Ofsted by a Headteacher or childcare centre leader detailing the school’s understanding of how successfully they met the Ofsted requirements; not in use post the 2019 Ofsted framework update.

SEND – SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (ENGLAND)

A label used for children aged from birth to twenty-five who are in need of additional educational support; a legal term requiring certain provisions according to law; previously SEN (Special Educational Needs) and sometimes still used interchangeably.

SENDCo / SENCo – SPECIAL EDUCATIONAL NEEDS COORDINATOR (ENGLAND)

A member of school staff with a remit for looking after SEND pupils; schools are legally required to have a designated SENCo; often still referred to as a SENCo though some areas use SENDCo.

SLA – SECOND LANGUAGE ACQUISITION

Refers to the process through which learners learn a second language.

SLT – SENIOR LEADERSHIP TEAM (ENGLAND)

Used in England to refer to a small group that makes decisions for the school, usually including the Headteacher, any Deputy or Assistant Headteachers, as well as sometimes year leads and / or subject leads.

UK – UNITED KINGDOM

US – UNITED STATES

Chapter One – Introduction

1.1 - Introduction

In the United States and the United Kingdom, neoliberal education policies have been in full force for over thirty years. With neoliberalism in education comes high-stakes testing, accountability and performativity (Grimmett, 2018). These facets of neoliberalism have been analysed from a variety of angles over the past thirty years. Arguments in favour of neoliberalism have been made, as have strong counter narratives seeking to reject high-stakes testing and accountability, and its effects. Arguments against also question the place of neoliberalism in diverse and inclusive societies. While neoliberal policies have been in place for many years and have been studied extensively, the Covid pandemic (which began in early 2020 and lasted through 2022 with effects still ongoing at time of writing) brought so much change into the education sphere in such a short time. Because of this level of change, Covid was able to serve as a lens into the inner workings of neoliberalism and accountability in both locations. This thesis explores how many of neoliberalism's surface level tenets and caveats were stripped away, revealing deeper theoretical and practical components of how neoliberal accountability works in education.

This research study seeks to understand the world of testing, accountability, performativity and data in primary schools in the United States and the United Kingdom, with the goal of having an impact on the high-stakes testing regime. Covid serves to open a door and shine a light on the inner workings of these worlds that was not available to us before 2020. Specifically, this study delves into the ways that the unyielding neoliberal push for data and student progress impacted decision making in primary schools in England and California during the crisis. It has a particular focus on bilingual pupils, as denoted by their inclusion in EAL (English-as-an-additional-language) and EL (English-learner) categorizations.

This research seeks to address the following research questions:

1. Did Covid-related adjustments to high-stakes testing impact provision and supports for EAL / EL pupils in primary schools in England and California?

2. Did Covid-related adjustments to high-stakes testing result in changes to the datafication seen in primary schools in England and California?
3. How did teachers and school leaders enact policies related to Covid-era adjustments to high-stakes testing in primary schools in England and California?

In this introductory chapter, I will set out the context and key tenets of the thesis. First, I will lay out the rationale for this study including the personal and theoretical factors that led to its development and modification during the Covid pandemic. Then I will discuss the geographical contexts chosen and outline why a comparative education study was appropriate. I will walk through background and demographic information in each location and discuss the similarities and differences that make this a viable comparative study. Included in that will be details on the accountability testing histories of each location and governmental reactions and responses to Covid. This chapter will also address neoliberalism and the performance-based accountability (PBA) culture present in both locations that affect teaching around standardised testing. Doing so will require some background on accountability, assessment and data in large- and small-scale contexts which will be postulated. In this chapter I will also provide a brief overview of the methods used and outline the chapters in the rest of the thesis.

1.2 - Initial Thinking

When this research was originally designed, the world had never heard of Covid. This study intended to look at how EAL / EL pupils fared in teaching around standardised testing with a goal of highlighting how these students were impacted by policies designed to be meritocratic, and by high-stakes classroom environments that resulted in a lack of provisions for their needs. The ideas behind it were borne out of work I did after my master's degree when I was recruited to help redesign Advanced Placement tests in the US (a test similar to A-Levels in England). The experience informed many opinions I had of high-stakes testing and particularly of their lack of accountability towards, and indeed consideration of, students most impacted by these tests. I recall once being asked to make a three-minute decision on which languages to offer supplementary test materials in and, when I asked for

more time, being told to just pick some; surely any few would be better than nothing and that I should be pleased to have the question be considered at all. The absence of even the appearance of care towards students never sat right with me and I left shortly after that conversation with the intent of undertaking research which would highlight injustices borne by students for whom English was an additional language in the world of high-stakes testing. I felt strongly that the tests in question should be the Year Six Standard Assessment Tests (SATs) in England and the 5th grade California Assessment of Student Performance and Progress (CAASPP) in California as these marked the transition from primary to secondary schooling. Year Six students and 5th grade students are typically aged ten to eleven, and though these assessments are intended to be solely for school-based accountability purposes, the opportunities for end-of-school analysis had long meant that these tests had taken on an outsized importance in students' primary school careers and therefore were the perfect nexus to understand how EAL / EL students might be disproportionately affected.

In both England and California, end-of-year assessments such as the Year Six SATs and the 5th grade California Assessment of Student Performance and Progress (henceforth referred to as SATs and the CAASPP respectively) are a means of creating teacher and school accountability in the neoliberal education systems of the US and the UK¹. Though these tests are taken in the language of instruction – English – there are questions around how much consideration is given to how students for whom English is an additional language are impacted by their lack of language knowledge on these tests (Bradbury, 2019a). I would argue that, due to nuances in the process of classification, how these students are characterised as 'lacking' within policy affects the attainment outcomes that are considered plausible for them. In California I believe there are also concerns about the additional testing burden that falls on students classified as English learners. This research will aim to create a greater understanding of these issues and how these might go on to affect students for whom English is an additional language.

¹ The nations of the UK have different education systems due to the system of devolved governments resulting in the UK's Department for Education being solely responsible for education in England. The US states also have independent control of their education systems through their state Departments of Education who receive some funding for key priorities from the federal US Department of Education.

The Covid pandemic was a key element in policy development between March 2020 and January 2022 and served as a focal point for many shifts in social policies. In the education sector concerns were raised about students' continued ability to progress and how best to modify curricula and assessments to support students and teachers through an extremely difficult time. By utilising Covid as a lens, this research hopes to get at the underlying assumptions and thought processes undertaken by schools, teachers and district leadership when considering how they collect data and measure progress in primary schools. Covid served to *make the familiar strange* and problematise many of the mechanisms we take for granted in schooling now.

When the Covid pandemic hit in March 2020, England quickly cancelled the Year Six SATs and, in California, while schools were still required to complete assessments such as the CAASPP, schools were granted waivers to reporting results to the state and federal departments of education, effectively reducing the accountability impact of these tests to zero. At least in theory. My research was due to kick-off with interviews and observational research in January 2021, however at that time the Omicron variant of Covid was spreading fast and England's Department for Education (DfE) and the US Department of Education (DoE) adopted the same strategies as the prior year, resulting in a downgrading of standardised testing and accountability measures, reportedly to support teachers in their focus on other more pressing student needs. Whereas my original research questions sought to understand the impact of these tests on EAL / EL students, after this policy change my new research questions aimed to understand the impact of not having these tests. What additional time was available to teachers? What additional resources could be provided? For years research and public reporting has conveyed that teachers, school leaders, district leaders and local authority managers were anti-assessment and wanted to highlight what they could do with the extra classroom time if they were not required to run standardised testing for accountability purposes (Richardson, 2015; Strauss, 2015; Weale, 2019). My research would therefore take advantage of the fact that this time was suddenly available to teachers to learn how they were using it now that it was on offer.

It is important to acknowledge that the Covid pandemic was an unanticipated event that came with great costs to health and life – the UK had the highest death rate in Europe and in the US political turmoil marred an already confusing system of policies and healthcare resulting in, above all, an intense focus on personal responsibility as a way to manage the pandemic. None of this created an ideal situation for teachers and schools. They were unable to respond to policy shifts in ways that reflected the full breadth of ideas and possibilities available to them in more normal times. When teachers and schools were discussing their desire to do away with high-stakes testing in schools, it is unimaginable that the Covid pandemic was the situation they expected to find themselves in when undertaking that shift. There was no time for school leadership teams (SLTs) to strategise and plan for the shifts in performance-based accountability and no clarity for schools on how long these Covid-driven alterations might last. Nevertheless, the choices made by teachers and SLTs, and the processes by which they made those choices, shine a light on their priorities and allow for a much closer look at the values, choices and operations of neoliberal education systems. It is these choices, and the potential impacts of them, that will be analysed in this thesis.

1.3 - Context for this Study

Large-scale assessments and standardised testing have come under criticism from a wide range of stakeholders including students, parents, academics and politicians for decades. Some arguments are made that, 'many standardized testing practices violate the basic civil rights of students and teachers' (Stein, 2016, p.2) by forcing them to showcase their knowledge at a particular point in time in a particular style. Stein argues that this results in a system that fundamentally does not educate all students in the best way for them. Students are not usually shown flexibility or given consideration for particular accommodations even when undertaking high-stakes exams that have deep and long-lasting implications for their educational careers. For policy-makers however, standardised assessments are often highlighted as the only way to ensure that education is equitable across broadly different groups of students. When they are operating from a 'large scale' viewpoint, flexibility and accommodations are not often viewed as feasible to provide for

students. As a former assessment professional working on national US assessments, it was clear to me that even with the requirements of these 'scalar politics' (Papanastasiou, 2019, p.41) the core purpose and mechanisms of high-stakes standardised testing must be re-evaluated. Papanastasiou argues successfully that standardised tests are the best way to efficiently gauge attainment across a large group of people – such as all students in the United States. However, Papanastasiou does not take into account the testing regime as it exists today, built on historical concerns around race and class, that often results in prejudice being encoded into the system against specific students. Standardised tests remain a point-in-time assessment, taken in high-stakes environments that often are at the end of a period of high-stakes instruction. That instructional provision is impacted by 'educational triage' (Gillborn and Youdell, 2000) so teachers can focus on the students who are believed to have the most potential for improvement. Increasing amounts of data are collected in a process known as datafication in order to understand which students would be best served by this triage and ensure that progress is being made. The tests that are needed to collect this data are often positioned in opposition to the summative high-stakes testing described above, even though they are not fundamentally very different (Richardson, 2022).

While the standardised testing debate churns on, even less focus is paid to the provisions provided (or not) to EAL / EL students. Bradbury problematises the entire concept of these labels by critiquing how the pathologisation of EAL students is 'made normal through policy documentation which lists how they should be supported' (2019a, p.3). This critique continues to be on the side lines of research in this area, however, and does not focus on the lived impact of high-stakes testing provision on EAL / EL students. By making this concept a key focus area in the research, this study will expand upon and evolve scholarship in the study of both EAL / EL students and high-stakes testing.

As PBA testing is driven by governments and implemented as policy, this study will necessarily have a policy angle. To do so, this study draws on the theory of policy sociology popularised by Stephen Ball (1990) which develops the idea of policy analysis as a method of social justice. Policy sociology is commonly used as an analytical framework in sociological and educational studies of policy in the UK

and will be the core theoretical framework used in this study. In the US, educational policy research draws more heavily from political science rather than from sociology, resulting in a dominant theoretical framework of policy implementation (see for example, Dunn (2018)). Policy implementation takes a structuralist approach to policy analysis by focusing on the institutions and structures responsible for policy execution (Jann and Wegrich, 2007). In policy implementation studies, it is understood that policies will be implemented as written. In contrast, policy sociology considers policy as a process where enactment by ‘on-the-ground’ policy implementors is fundamental to the reality of the policy. As this study is concerned with on-the-ground policy enactors such as teachers and SLTs, policy sociology will be used throughout, even though it is not the mainstream policy analysis theory in the US. Policy sociology will be explored in more detail in the theoretical framework and literature review in Chapter Two.

In the UK, policy enactment (Maguire et al., 2012) developed out of policy sociology, in order to delve deeper into how policies are actually used on the ground. Policy enactment takes a poststructuralist approach which draws on Foucauldian theories of power and knowledge to understand the actions of individual teachers and school leaders. By utilising a post-structuralist policy enactment framework, this study will provide greater clarity on the gaps between policy-as-text and policy-in-practice – core elements of policy sociology (Ball, 1990). It will also compare two different educational contexts across majority English-speaking countries with educational systems reliant on high-stakes testing to understand potential differences in policy enactment based on location.

Much of the scholarship in the field of policy enactment studies focuses on one specific policy context. Through its comparative approach, this study aims to identify cross-contextual factors that influence policy enactment in the areas of high-stakes testing and provision for EAL / EL students. As both California and England struggle with an abundance of testing and labelling in their schooling systems (Mazenod et al., 2019; Stein, 2016), this research will seek to critically review these policies by highlighting similar effects in separate contexts. Policy enactment studies done in single case study contexts are frequently unable to provide any cross-contextual insights. By attempting to provide some overarching themes that hold true

across different policy contexts, this research will allow for a wider understanding of the influences on policy enactors.

Given the focus on EAL / EL pupils, it will also use a framework created by Bradbury (2019a) which combines policy sociology with critical race theory (CRT) in linguistic contexts, as well as theories of interdisciplinarity and deficit narratives (see Chapter Three). This framework seeks to consider which questions related to race and linguistic equality should be asked at each stage of the policy cycle. By utilising Bradbury's framework in a new context, this research helps to refine and develop this framework as a means for assessing educational policy around provisions for testing more broadly. These theories and frameworks will be described in more depth in the following chapter. Overall, this study will seek to provide additional context and understanding of the relationship between policy enactment and provisions designed to support students in standardised assessments, specifically those for whom English is an additional language. By using Covid as a lens, this study will be able to better understand the nuances of this relationship – particularly how the relationship is impacted when the education world is operating under extreme stress.

This research will also be social constructionist in epistemological context as social constructionism requires that research into these contexts and fields be continual and evolving in order to describe and develop truths as 'prevailing discourses are always under implicit threat from alternatives, which can dislodge them from their position as truth' (Burr, 2003, p.80).

1.3.1 - Why Compare?

Comparative education aims to make the familiar strange (Broadfoot, 2000) by allowing for 'a greater understanding of the interrelationship of educational variables through the analysis of similar and different educational outcomes of national case studies' (Broadfoot, 1977, p.133). Traditionally, comparative education focuses on national education systems, documenting the differences and similarities between contexts. Analysis is then undertaken on what underlying factors resulted in these characteristic differences with a goal of finding 'what works' across locations (Broadfoot, 2000, p.366). It is believed in comparative education that if something

can be shown to work in multiple locations, then it should work anywhere and can be treated, as much as is possible in education, as a constant.

In contrast with more traditional approaches, contemporary approaches to comparative education view it not as a 'discipline' (Broadfoot, 1977) but rather as a tool. Comparative studies can cross disciplines and bridge focuses by providing a toolkit for data collection that allows for a broader analysis of the data found. Tools and theories prevalent in one context can be transposed into another location and utilised there in the hopes that one can learn about both the locational context and the tool itself. This research will take up that more contemporary approach by utilising comparative education as a tool. By analysing locations in both England and California, this research will take advantage of the wide range of theories and tools available in both arenas in order to use them to show how neoliberalism and its effects create a homogenising effect around the world. A main focus of this research, therefore, will be on analysing the two contexts together as opposed to directly comparing the areas. Each location will be used to shed light on the policy enactment processes around high-stakes testing.

Though this research will use this definition of comparative education tools as a baseline, this research is not focused on determining "what works" but rather on understanding "what is happening". Particularly in the US research context, "what works" has been co-opted by policy makers and "for hire" research with an aim to twist the goals of research into one that exclusively seeks to 'facilitate national economic growth' (Hammersley, 2005, p.319). "What works" research questions seek to find answers that cut across contexts and disciplines, often with a focus on medically based "experiments" or randomised controlled trials (RCTs) to 'produce answers' (Slavin, 2004, p.27) for interested politicians, parents and students about best practice in education. I would argue that "what works" research, instead of cutting across contexts, is often devoid of the context that makes its results understandable. RCTs seek to show how best to teach students and structure schools outside of context, in a world where context does not matter. I seek to instead focus on context to show how two contexts, through their similarities, can help us see "what is happening". Through a comparison between each context, this research shows how even though each region chosen has specific policy nuances,

the underlying values of a neoliberal education system smooth out surface irregularities with the force of a strong spring tide, resulting in similar effects for teachers and students even across regions.

1.4 - Introduction to the Locations, Concepts and Theories of this Research

This thesis has multiple interlocking elements, from two locational contexts (England and California), to two core bodies of work in the theoretical framework (Foucauldian theories and CRT-based theories), and two key areas of research (EAL / EL student provision and, unexpectedly, datafication and performativity).

Underpinning all of this are neoliberal policies, performance-based accountability and the datafication of the teaching profession. This introduction will next aim to set the scene for the research by outlining neoliberalism, performance-based accountability assessments and data in general. Then I will walk through the specific demographic and policy contexts in each location. Finally, I will frame the theories, core concepts and labels that will be important in this work.

This comparative study focuses on the two contexts of California and England which provide strong comparative locations due to the overarching similarities in their neoliberal, accountability-focused education systems (Knight, 2006). The UK and the US are often chosen as comparable cases (Gillborn, 2014; Gillborn et al., 2018; Menken et al., 2014) due to both their historical relationship and modern-day similarities in their official language, overall school structure and political contexts. This study has an intense focus on context; the specifics of the Californian and English educational context are crucial to my interest in looking deeper than the surface level in order to show that the core elements of both educational systems are similar enough to result in similar effects. These similarities in context will be discussed later on in this introduction.

To start however, we will review the policy contexts in relation to neoliberalism and accountability. Neoliberal policies underpin the collection of high-stakes assessment data and have influenced the creation of labels such as EAL / EL. They are the core theoretical basis for education policies in both contexts. The differences in the development of neoliberalism and assessment policies should allow for an investigation into 'the influences of nationalism, national character and political

theory on educational systems’ (Blake, 1982, p.5) and ‘provide overwhelming evidence of the importance of culture’ (Broadfoot, 2000, p.362) in the development of education policy. Then, this chapter moves into a discussion of their similarities to show the way that neoliberalism has become such a ‘powerful trend’ (Gillborn, 2014, p.27) in education that it transcends borders and culture.

Despite their similarities and common language of English, there are some differences in terminology between the UK and the US. TABLE 1 outlines some key terms that will be utilised throughout the following chapters.

US Terminology	UK Terminology	Definition
Public School	State School	A government-funded school with no admissions requirements other than location.
Elementary School	Primary School	A school for children from 5-11. Some children in the UK begin when they are 4 years old.
School District	Local Authority	A local body for managing state education in a specific area.

Table 1 – Terminology & Definitions

1.5 - Neoliberalism

This section will outline how neoliberalism affects the education and policy systems in both locations. Neoliberalism can be generally defined as ‘an economic as well as a social project aimed at extracting profit by eradicating public space’ (Atasay and Delevan, 2012). Neoliberalism came to prominence in the late 1970s as a ‘new social order’ (Duménil and Lévy, 2005) which created new rules for the functioning of capitalism that aimed to push back against the welfare state of the Post-World War II era. Neoliberalism is often characterised by ‘market fundamentalism and privatization of the welfare state and other forms of communality’ (Atasay and Delevan, 2012) in order to re-establish the dominance of income, wealth and property as social security. This has resulted in the dominance of an idea that ‘the market symbolises rationality’ (Munchk, 2005) above all else. Left to its own devices, neoliberalism claims the capitalist market can resolve all issues and concerns in society as competition and rational thinking will result in all individuals experiencing the benefits of the market. As the capitalist market is seen

as fundamentally rational, government intervention becomes 'worse than useless' (Lapavitsas, 2005) and any intervention is viewed as harmful to the natural functioning of the market. These ideas were repeated and expanded in the discourse of Margaret Thatcher and Ronald Reagan and the policies implemented by their governments in the UK and the US respectively during the 1980s. Over time, neoliberalism has moved from a system of economic thought into a more widespread social agenda that argues that 'the reason that we have poverty, unemployment and periodic economic crises in the modern world is because markets have been constrained by labour unions, the state, and a host of social practices rooted in culture' (Shaikh, 2005, p.41). In this argument, it is possible to begin to see the tendrils of thought that have embedded themselves in most aspects of social policy in the UK and the US. As neoliberalism is an economic school of thought that appeals to common sense, it has become particularly pervasive in politics with parties on both the left and the right espousing the benefits of a neoliberal system. Neoliberal policies have therefore fed globalisation and new imperialist rhetorics and have become entrenched throughout the world, further hindering any ability to remove them from societies as now, in order to challenge neoliberalism, one needs to devise a 'global democratic alternative to capitalism' (Colás, 2005).

1.5.1 - Neoliberalism and Educational Accountability

Since the 1980s, education systems in the US and the UK have been similarly dominated by neoliberal ideologies. Neoliberalism can be described as a 'hegemonic discourse that redefines political debate and sets new agendas' (Williams, 2015, p.105). Springer agrees that neoliberalism is not just a 'form or particular set of policies' (2015, p.6) but instead encompasses themes such as the supremacy of a free market, consumer choice in public services and deregulation and privatisation (Furlong, 2013) which results in an unending drive for profit even in the public sector. This can be seen quite clearly in education where free market principles have upended public sector education systems by encouraging choice and rational decision making in the 'market' of education (Ball, 2012). A neoliberal education system, therefore, emphasises the key principles of privatisation of education services, educational choice for parents and the accountability of schools to these

principles (Adams, 2014). The effects of neoliberalism can be seen across the school system from privatised state schools known as academies in the UK or charter schools in the US, to league tables, scorecards and the increasing use of data to allow parents to make “informed” choices about where to send their children and to continually track student progress. These neoliberal principles are not unique to the US or the UK and can be seen in Australia (Buchanan and McPherson, 2019), across the EU (Cullen, 2017), in Canada (Grimmett, 2018) and in non-Anglophone spaces such as Taiwan (Nguyen, 2022) and Chile (Santori, 2018).

While all elements of a neoliberal system deserve critique, for this work the importance of the principle of efficiency – both financial and functional – and its resulting accountability effects will be the core focus. In terms of financial efficiency, just as in the global financial system, in schools where money is expended, money must be counted. Under neoliberalism’s market principles, it is important that the state is seen to be getting good ‘value for money’. Therefore, ‘educational institutions must make themselves auditable’ (Connell, 2009, p.218) so that the government and the public have a clear understanding of the value of what they’re “paying for”. Governments continually make the argument that, as taxes on the public are used to fund education services, it is important that the public is informed about how that money is spent. The government in a sense is accountable to the public for the use of their money, even as schools are accountable to the government for their use of the money. Extra services in education are increasingly cut as the government must prove the value of every pound or dollar spent, resulting in an increasing functional efficiency of schooling. All educational services become narrowed as time itself becomes a commodity (Pinto and Blue, 2021) and schools ‘cut back on recreational and creative activities’ (Neumann et al., 2020, p.707). This culture of audits and accountability has resulted in league tables and performance data, designed to give parents and governments the ability to make rational informed choices about which schools to send their children to. Under neoliberalism, ‘choosers have the right’ to this kind of performance data (Creagh, 2016, p.280). More specific effects of accountability culture, performance data and datafication will be discussed later in this chapter as well as in the following literature review chapter.

1.5.2 - Neoliberal Meritocracy

Neoliberalism is also characterised by an overarching ‘belief in a system of meritocracy’ (Pratt, 2016, p.902) that influences the large-scale culture of assessment and accountability. As described earlier, neoliberalism functions by believing in the rationality of individuals and the market. The market is understood to be inherently “fair” to all players, as long as an individual makes rational, informed choices and then delivers on those choices through their actions. Meritocracy continues this train of thought and ‘plays a seductive role’ (Owens and de St. Croix, 2020, p.404) by appealing to neoliberalism’s “common sense” mantras. It ‘connects to the elements of good sense that people have’ (Apple, 2013, p.212-3) by appealing to ideas of fairness and rationality.

By definition, meritocracy ‘entails the idea that whatever your social position at birth, society ought to offer enough opportunity and mobility for ‘talent’ to combine with ‘effort’ in order to ‘rise to the top’” (Littler, 2017). In a meritocracy, social mobility is available to all; as long as individuals put in the effort and have a little bit of talent, success is available to them. It normalises competition by promising that equal opportunities are available to all and that those who are hardworking and talented will be successful. The term meritocracy was popularised by Michael Young who wrote the satirical *The Rise of Meritocracy* to critically evaluate ideas put forward by the Labour government in the UK at the time. His position was that over time a meritocracy would result in merely a different iteration of age-old class and social mobility issues in the UK and that it should not be touted as a cure-all for society. However, the term was taken up by his contemporaries who used it enthusiastically without listening to Young’s warnings on the future of meritocracy and it was not long before the vision of meritocracy as a ‘dynamic engine’ for social mobility was born (Littler, 2017). Crucially, however, in the 1960s the UK was experiencing a strong ‘welfare state’ where the government provided a safety net in terms of social support, economic support, healthcare and more. As Littler argues, ‘putting a competitive vision of meritocracy into play is not hugely conspicuous or controversial at a time when there is a strong social safety net’ (p.40) as there is little risk of the poor falling further into poverty.

Since the 1960s the rise of neoliberalism has fundamentally altered the conception of meritocracy. Littler (2017) outlines five key problems with meritocracy as it is understood today. First, meritocracy endorses a 'competitive, linear, hierarchical system' in which some 'rise to the top' and others, by definition do not. A system that requires some members of society to "fall behind" is hardly one to endorse enthusiastically. Secondly, meritocracy's focus on the equation of talent plus effort equals success assumes that 'talent and intelligence are innate'. This assumption gives rise to essentialised conceptions of intelligence and ability that have been shown to be problematic (Bradbury, 2021). Third, the modern understanding of meritocracy ignores the fact that for some, climbing the ladder is more difficult than others. Meritocracy requires an assumption that there is a "level playing field" in society and a lack of focus on issues of racism, sexism and classism. Critiques of the idea of a "level playing field" where all are equals have been widespread in recent years, including in the entire field of Critical Race Theory (discussed more in depth in Chapter Three). Fourth, Littler argues that meritocracy is uncritical of the type of success it promotes, and fifth is an argument that meritocracy often functions as an 'ideological myth' which obscures the reality of the system. Overall, while theoretically meritocracy might make sense as a way to distribute success in ways unaffected by class or race, that does not appear to be what happens in practice.

In education, the first three critiques by Littler play out in a variety of ways. Children are frequently tested in attempts to determine their innate abilities so that these can be combined with measurements of their effort to determine their success. Schools can then be held to account for their progress against expected measures of their success. As a result, some children are deemed to be of lower ability and therefore are given lower expectations of success. Schools can work to provide opportunity to 'make up the difference' and allow children to showcase their effort (Bradbury, 2021). These designations, however, often ignore circumstances in society that might have impacted these measurements.

Meritocracy also serves to devolve 'responsibility and accountability from the state to the individual and the community' (Williams, 2015, p.108). The state views schools as solely responsible for students' success, but schools view this as a

domain of individual teachers and teachers go further still, putting responsibility for success on the students themselves. The culture of data collection and high-stakes tests is designed to reinforce these ideas by creating measures of success taken by the students themselves. Individuals are held responsible for the results, for example through not displaying a growth mindset or putting in the appropriate amount of effort. Focusing on meritocracy, then, can prevent a discussion on structural factors that might result in poor results for one group or another and ensures that the state does not need to work to solve these sorts of problems. A lack of effort or talent are the only possible explanations for lesser amounts of success in results. This belief lends itself to an alteration of ideas of equity and inclusion as, since concepts such as racism, sexism and classism are not relevant to success, equity and inclusion become preoccupied with focusing on utilitarian models of equal opportunity rather than structural inequality (Vargas-Tamez, 2019). If equal opportunities are consistently available, then it follows that good teaching becomes a simple matter of 'standardized, research-based instruction' (Reeves, 2018, p.23) and that that is best measured by large-scale standardised assessments which can efficiently collect data. When efficiency of data collection is what matters, standardised assessments are the most commonly selected mechanism to measure this. This specific element of neoliberalism will be discussed more extensively in the following chapters.

Neoliberal Teaching and Performativity

Neoliberalism also prompts new conversations around professionalism and performativity – 'as neoliberal subjects we are constantly incited to invest in ourselves, work on ourselves and improve ourselves – drive up our numbers, our performance, our outputs – both in our personal lives and our work lives' (Ball, 2015a, p.299). Here we see the marrying of principles of efficiency with a focus on personal responsibility as opposed to responsibility of the state; neoliberal subjects are responsible for their own conduct in their professional careers and constant improvements are a key part of that. Neoliberal subjects can be characterised as always looking to make progress in their professional and personal lives and we see across neoliberal societies continual pushes to improve oneself. Neoliberal subjects must be 'entrepreneurial individuals' (Bradbury et al., 2013, p.249); after all,

meritocracy has taught them that they are exclusively the product of their own hard work and therefore a decline in hard work would reflect poorly on them. In teaching, specifically, neoliberalism has resulted in a shift in emphasis from 'practice that is effective to practice that has the *hallmark* of effectiveness' (Pratt, 2016, p.896). Neoliberal effects on teaching can be seen in both the US and the UK through the increasing emphasis on accountability, marketisation and audit culture.

Neoliberalism also results in an increase of performativity, where it is more important to be seen to be doing the right thing than to be doing it. An increasing focus on data to measure performance feeds into a cycle of performative actions that leads to a culture of datafication. Datafication comes about when education is transformed into quantifiable information that can be used to calculate results about students (Williamson, 2017, p.9). Both factors affect the understanding of good teaching in neoliberal societies. Good teaching becomes about collecting data and showing progress to corroborate neoliberal meritocratic ideas rather than about 'supporting students as learners, encouraging curiosity [and] challenging them' (Richardson, 2022, p.49). All these factors affect provision for students and the experience of teachers in the system.

Neoliberalism, Race and Class

The intense effects of neoliberalism on school culture and morale are not the only effects of neoliberalism: it also has key effects for students. In this work, neoliberalism's effects on students in relation to language, race and class will be highlighted. In education policy, neoliberalism often appears 'colour-blind or neutral and meritocratic' but in actuality is consistently discriminating against already minoritized groups (Bradbury, 2019a). The underlying neoliberal agenda works 'through colour-blind language that dismisses the saliency of race-specific analyses' (Gillborn, 2014, p.27). In other words, through the discourse of meritocracy, neoliberalism concludes that structural inequalities around race or class could not be in effect. Talent and effort are the only things that matter. The results of these analyses can be seen throughout the policy sphere including prominently in US criminal justice policy (Alexander, 2012). In education specifically, these colour-blind discourses contribute to the 'myth of meritocracy' (Cuba et al., 2018) by ignoring

structural factors at play in students' success. Both the mainstream neoliberal education policies in the US and the UK 'look to education as a gatekeeper to social mobility' (Pratt, 2016, p.12) but without regard for the structural realities underpinning that. Though the phrase *colour-blind* tends to refer to race and ethnicity-based discourses, similar effects can be seen in class and socioeconomic structural hierarchies as well.

Class status, particularly in the UK, is frequently seen to be a much more 'substantial' category to study than race, ethnicity and linguistic background in a neoliberal society, (Modood, 2004, p.88) as class is a key factor in social mobility. Social mobility is central to the conceptions of public education in both the US and the UK and forms a key tenet of the neoliberal meritocracy discourse. Research suggests class has an impact on expectations: in her article 'Stereotyped at Seven?', Campbell shows a direct impact of class on teacher perceptions and, consequently, educational attainment in teacher assessments. Campbell shows that low-income pupils are consistently 'under-rated' by their teachers (2015, p.536). Similarly, a study conducted by Bradbury in 2013 found this same effect in early years classrooms in London, where lower class pupils were consistently rated as less competent than their more middle-class or middle-class 'appearing' peers.

As Blackledge describes it, 'equality of opportunity for all masks an ideological drive towards homogeneity, a drive which potentially marginalizes or excludes those who either refuse, or are unwilling, to conform' (2000, p.28). Neoliberalism's focus on 'equality of opportunity for all' (Blackledge, 2000) results in questions around how best to support and encourage diversity in educational attainment. Archer, DeWitt and Wong (2014) posit that part of why policymakers believe that equity of opportunity is enough is because of a 'poverty of aspiration'. In other words, different rates of achievement and participation are due to a lack of aspiration on the part of working-class and minority ethnic groups. This poverty of aspirations discourse allows policymakers to deflect blame for lower educational attainment away from themselves. By shifting responsibility to individual students or families, policymakers can continue to default to a neoliberal position espousing equity of opportunity even when the desired social mobility outcomes are not achieved.

It is difficult to discuss issues of neoliberalism in isolation from race and class. Too often these identity categories are treated as silos with each aspect of identity considered on an individual level. However, to counteract this isolationism, the concept of intersectionality was introduced by Kimberlé Crenshaw in the late 1980s in order to understand the unique experience of Black women in legal cases. As she explained, 'because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated' (1989, p.140). Though her conclusions initially focused on the field of law, intersectionality is a broadly useful idea – with many important applications in education policy and this work specifically. This thesis will utilise intersectionality to analyse EAL / EL status with race and class. After all, 'language barriers present another structural problem that often limits opportunities' (Crenshaw, 1991, p.1249). It is important therefore that any review of EAL / EL provision acknowledges the fact that many of those pupils will additionally be “raced” in the policy discourse and studies will therefore need

‘an understanding of how certain dominant discourses operate as regimes of truth [allowing] for a greater understanding of how everyday discourses and practices in schools systematically disadvantage minoritised pupils’ (Bradbury, 2013, p.39).

Intersectionality therefore will be used to critique the neoliberal discourses of meritocracy and social mobility at play in relevant education policies. Intersectionality in particular, as well as race and class, will be discussed more in depth in Chapter Three.

1.5.3 - Covid & Neoliberalism

Traditionally in education, testing discourses bridge ‘a neo-liberal, free-market concern, for the making of comparisons between schools and teachers... and the neo-conservative distrust both of teachers and of new teacher-based forms of assessment’ (Ball, 1990, p.52). After all, a neoliberal ideology ‘seems sensible to many people because it connects to the elements of good sense that people have’ (Apple, 2013, p.212-3). In the beginning of the Covid pandemic, there was hope from

some that those neoliberal ideas were shifting. Researchers and media spoke promisingly about the pending cataclysmic shift in education where it was believed that accountability, educational assessments and even neoliberalism itself could be thrown out in the near future (Saad-Filho, 2020). In England, for example, headteachers were calling for a review of the tests at the end of Key Stage 2 (KS2), arguing that they could not provide valid or reliable data due to the extreme disruption of schooling that was taking place in the 19-20 and 20-21 academic years. In research conducted by Moss et al. (2020) teachers indicated that they believed that this disruption was the ideal opportunity to shift the education system away from accountability and back towards 'a duty of care'. Saad-Filho commented similarly, stating that 'neoliberal proclamations about the imperative of 'fiscal austerity' and the limitations of public policy vanished faster than one could spell 'bankruptcy' (2020, p.477). He argued this indicated how governments were suddenly happy to spend more money, a sign of a shift away from neoliberalism. Though neoliberalism has long been a durable ideology typically suffering only from 'revisions' after a crisis (Bradbury et al., 2013, p.248), the current instability of the world was believed to be so great that a true shift in educational priorities could be on the horizon.

However, in 2023 neoliberal ideas are still permeating politics in both countries, and accountability and assessment continue to dominate discussions about education. Indeed, a new cost of living crisis coming to a head in 2023 is deepening many governments' commitment to free-market principles. Governments appear poised to return to austerity in the UK and, in the US, xenophobia (a common "side effect" of neoliberalism) is rampant (Collins, 2022; Elliot, 2022). That being said, elections loom in both countries and the Anglophone Western world appears caught between falling deeper into neoliberal patterns or climbing out to a perspective more steeped in social justice and equality. This work will discuss theories and ideas on why neoliberalism has lasted this far and attempt to make some predictions about what could happen next in relation to the durability of neoliberal ideas and practices.

1.5.4 - Do We Still Live in a Neoliberal Society?

While it was initially hoped by some that Covid could result in a breakdown of neoliberalism (Saad-Filho, 2020), the power of neoliberal thinking has held true even in this fundamental shift of how countries consider policy. Instead, it appears that neoliberalism continues to be at its most powerful in a crisis (Lipman, 2013) as it advocates common sense thinking, the effective use of public spending, small-state governance and individual freedom. Neoliberalism appears to sit outside and above political divisions. Both mainstream progressives and mainstream conservatives look to neoliberal practices as solutions; it is more than any one set of policies (Springer, 2015). As I shall argue throughout this thesis, neoliberalism and meritocracy are false promises for populations at large. Neoliberalism has no place for equality – be it linguistic, racial, class, ethnic or any other kind – as ‘policies to reduce inequality and provide advantages to minority groups... hinder the workings of the market’s invisible hand’ (Fainstein, 2015, p.191).

1.6 - Accountability and Assessment

A key feature of a neoliberal education system is the ‘devolution of responsibility and accountability from the state to the individual and the community’ (Williams, 2015, p.108). This culture of accountability can be theorised through Foucault’s concepts of governmentality and performativity – concepts that will be discussed in more depth in the theoretical framework in Chapter Two. In the meantime, it is important to note that governmentality theorises ‘national and local political control’ (Perryman et al., 2017, p.746) through technologies that ‘affirm governmental rationality’ and utilise measuring and quantifying techniques to evaluate and manage individuals and populations (Atkinson, 2015, p.38). Accountability mechanisms encourage schools and individuals to police and govern themselves in order to achieve greater success in the neoliberal education market. As accountability and assessment are so important in this thesis, it makes sense to examine them above and beyond the previous discussion on neoliberalism.

Accountability is inherently tied to the notion of ‘value for money’ (Wyse and Torrance, 2009, p.215), another key feature of neoliberal education policies. In education, accountability culture manifests itself as a perennial drive towards

quantifying the gains of students and the value added by teachers and schools. This information can then be publicised so that governments are understood to be adding value in financially efficient ways. Schools are beholden to parents and communities as well as the government themselves and are called upon yearly to prove that they have improved the students who used their services. Particularly in England and in the US, this accountability manifests itself as “performance-based accountability (PBA)” which has as its key elements (1) frequent testing tied to tightly controlled curriculums, (2) school results benchmarked to expected standards of student progress with actual student progress seen as an objective measure of quality and (3) an inspection system designed to confirm results and pass judgement with enforcement mechanisms available as necessary (Moss, 2022). In this way, students are continuously tracked to confirm that schools and teachers are providing good value for money and efficiently adding value to their student-products in a theory heavily built on economic metaphors. PBA also results in league tables and the publication of data to ensure that parents feel they have choice in where they send their students to school. School data is analysed and ranked, often with helpful colour-coding, to ensure that all parties are clear on which schools are “succeeding” and which are “failing”. These league tables and data are intended to show the government where their money is being put to best use, but they also provide parents with a ‘simple but crude’ way to directly compare schools (Ball, 1990, p.68), which has become a key element of parental choice – a principle of neoliberal education systems.

This increasing turn to accountability has influenced a ‘new drive toward national standards and ... national testing’ (Stein, 2016, p.7). In England, schooling ‘has long been a site of assessments for the purposes of accountability’ (Bradbury, 2014, p.622). These assessments, taken at fixed points during the year and over the course of a schooling experience, are believed to allow students to be marked objectively. This belief in the objectivity of tests calls back to notions of meritocracy where student ability is seen to be ‘fixed, generalized and measurable’ (Gillborn and Youdell, 2000, p.142). This allows teachers and schools to be measured on the value they have added to a child in order to produce a league table-like measurement. In the US, yearly assessments for accountability purposes were built

into the infamous No Child Left Behind Act and its successors which ‘cut across’ federal legislation party lines (Menken, 2005, p.22). Globally, discourses of assessment and accountability have developed through the administration of international large-scale assessments such as PISA which are designed to provide comparative accountability on a national education system level (Caro et al., 2014). These tests can also be argued to demonstrate the low levels of trust the government has in teachers and schools. Richardson (2022) argues for this idea, stating that ‘the erosion of confidence and trust in the professional judgement of teachers since the early 1990s has presented a perfect opportunity to introduce a range of accountability measures’ (p.41). As the system stands now, it does not reflect lived educational experiences which are not necessarily a ‘linear progression’.

For more than twenty years, accountability regimes and their markers of standardised assessments have been core elements of the education system in the US and in England. Accountability’s insidious rhetoric comes with a veneer of inclusion as it promises to focus on ensuring teachers support *all* students (Lipman, 2013) by using high-stakes testing data to select the students most in need of support. Ultimately what research suggests happens is that classroom provision shifts to those most likely to make gains, not necessarily to those most in need. Accountability also results in standardisation of what happens in the classroom - a standardisation that does not benefit all students equally. The effects of a PBA assessment system will continue to be discussed throughout this thesis.

1.6.1 - Summative versus Formative Data

From the standpoint of neoliberalism, the purpose of high-stakes assessments is to gain an understanding of individual student or school quality, which can then be used in combination with other student scores to build a hierarchical picture of the market. However, assessments are often discussed in more ambiguous terms as high-stakes assessments are not the only kind out there. Assessments are often described as either summative or formative, with summative assessments tending to be quantitative exams and qualification focused. Formative assessments on the other hand are focused on feeding evidence of student progress back to teachers in a teaching and learning cycle. High-stakes assessments, such as

the ones that are the focus of this research, are overwhelmingly summative in nature. Richardson describes the discourse surrounding formative and summative assessment as a 'prize fight', with formative assessments 'great for enhancing learning, but allegedly unscientific and managed by teachers (who are apparently all biased)' in one corner, and summative assessments 'the standardised, externally set and marked tests' which are 'narrow in scope, but they are fair and therefore preferable' (2022, p.31) in the other. In reality, both forms of assessment are useful for education systems, though in accountability measures only the summative exams count.

Data from formative assessments is considerably more prized in the classroom as it is believed to be more "useful". It is believed to be able to show progress in increments that are useful to planning teaching towards summative final exams. This thesis will argue however, that these distinctions are increasingly not being made in the classroom, with definitions of formative and summative slipping and melding into each other. It is likely that focusing on binary terms such as formative and summative 'renders any discourse simplistic and limited' (Richardson, 2022, p.31), however, for the participants in this study, those distinctions were very prevalent in their discourses. Their ability to blend the two together as benefited them, I therefore argue, becomes part of their underlying policy enactment style.

1.7 - Students for whom English is an Additional Language

When it comes to students classified as EAL (in England) or EL (in California) teachers are often required to be accountable for these students in more ways – and through more high-stakes tests - than students not categorized as such. Not only are these students required to participate in all the same standard assessments as their peers, teachers are also held accountable for these students' knowledge of English – creating a form of governmentality specifically for these students. Theories of governmentality will be discussed more in Chapter Two, but for now it is important to note that teachers and schools create a further sense of governance over these students' lives.

Both nations require pupils to learn English through the standard course of their primary and secondary education. The development of English proficiency

takes time; Strand and Lindorff have noted that though time-to-English proficiency is dependent on length of time in mainstream schooling - by the end of primary school (approximately age eleven) only 45% of EAL pupils were no longer considered to be acquiring English (2020). Crucially, while learning English, these students are also expected to learn appropriate year-level content and participate meaningfully in accountability assessments. Learning English is considered an additional activity sitting alongside their standard schooling. While some districts and schools have EAL / EL specific personnel who support classroom teachers with their EAL / EL pupils, many classroom teachers are required to take on these duties in addition to their regular classroom teaching.

Accountability assessments taken by all students at the end of the year must also be taken by EAL / EL pupils. However, the assessments employed by the Department for Education (DfE) in England and the California Department for Education (CDE) were developed for “native” English speakers and often use turns of phrase that are uncommon in primary level English-proficiency teaching. This raises important questions about the assessments’ reliability and validity as measurements of non-native English speakers. This remains ‘a common thread between the countries’ as there are issues of validity that arise when EAL / EL students are ‘included into assessments intended for English monolinguals without appropriate differentiation’ (Menken et al., 2014, p.588). However, instead of being framed as an issue with the construction and design of the assessments themselves, the neoliberal education sphere views lower achievement of EAL students on these standardised tests as a deficit carried by the student themselves. This theme will run throughout further context sections and the remainder of this work.

1.7.1 – The EAL / EL Groups

It is important to note that the labels used throughout this research are not neutral, nor do they exist in a vacuum (Zetter, 2007). In England, the Department for Education uses the label EAL or English-as-an-Additional-Language for ‘anyone who has been exposed to a language other than English during early childhood and continues to be exposed to this language in the home or the community’ (Bell Foundation, 2023). Upon a child’s arrival at school, all parents must indicate what

language is spoken at home. If this is a language other than English, that student is then assigned the EAL label. Once assigned, that pupil will maintain their label throughout their primary school career. Incidentally, this results in pupils who are “fluent” in English still carrying the EAL designation. As parents are not asked to provide any measure of fluency, nor are students tested for such, the system’s inability to provide information on English fluency becomes a key flaw in the classification. English fluency is a strong marker of KS2 attainment (Demie, 2016), but the EAL label, usually used as a proxy for this, is not a valid measurement of English proficiency. The EAL label therefore becomes a useful factor mainly in explaining *within-group* variability (Strand et al., 2015, p.7) – for example if one wanted to use EAL status as a way to further breakdown results by race - but not one that is very useful in analysing *between group* variations. As can be seen then, as a label, EAL is not particularly useful when considering pupil attainment, as the within group variation is so strong there is no way to “approximate” student progress using the variable (Strand and Lindorff, 2020). It is also not possible to use the label as an explanatory rationale for results in accountability assessments as the label does not tell us anything other than whether parents wish to declare that they speak a language other than English at home.

In California, students are classified as English learners (EL) if ‘they speak a language other than English at home and score below a proficiency threshold on the California English Language Development Text’ (Hill, 2018). Similarly to England, parents are asked to note if students speak a language other than English at home on a school entry survey which will allocate that child to the EL category. Most of these EL students were born in the United States and though they most likely speak Spanish at home, they also are likely to have had exposure to English before entering school (Flores et al., 2020). EL status is intended to be temporary with students gaining proficiency in English and then being shifted to the Reclassified Fluent English Proficient (RFEP) category or Initial Fluent English Proficient (IFEP) if a student passes a proficiency exam upon first administration. To be reclassified as IFEP/ RFEP students must ‘demonstrate English language proficiency on assessments administered only to EL students’ (Hill, 2018). Although they have proven their English proficiency, these students are still tracked with a label

throughout their entire time in state education. While the Californian system results in a more accurate label than the English system, the extreme measurement and tracking of the labels means that students are constantly surveyed; after all, any classification system that renders its subject visible also makes surveillance easier (Bowker and Star, 1999). In California, students are never allowed to leave their EL classification behind fully; a best case scenario involves them gaining the RFEP label, allowing them to be constantly singled out and their “difference from the norm” to always be relevant to their education.

These labels of EAL and EL are widely used across policies and are frequently provided as a variable when assessing and analysing standardised assessment results as ‘bureaucracies need labels to identify categories of clients in order to implement and manage policies designed for them’ (Zetter, 2007, p.184). Without a label, it is not possible to ensure that policies to support these students will exist, as it is the label itself which makes these students visible to policymakers. The EAL label has long been contested and, when it was introduced in the early 1990s, it was considered to be a more progressive option than previous selections, acknowledging that EAL children might have many additional language resources to draw upon (Leung, 2016). In California, EL is a new iteration of a frequently adjusted label that has over time ranged from ESL (English-as-a-Second-Language) to ELL (English language learner) (Webster and Lu, 2012). Over time, the labels have picked up associations or codings in classrooms and policies as they ‘develop their own rationale and legitimacy and become a convenient and accepted shorthand’ (Zetter, 2007, p.180). For example, children with EAL are ‘disproportionately labelled as ‘low ability’” in classrooms (Bradbury, 2021, p.62) and labels such as EL have been shown to have a strong negative impact on students’ perceptions of themselves (Flores et al., 2015). Labels also reinforce ‘deficit’ and ‘vulnerable’ characterisations of these students that carry throughout their educational careers (Reay, 2020).

In a study conducted by Flores, Phuong and Venegas (2020), the researchers found that there was a ‘misalignment’ between the static categories used in the US and the actual lived experiences of the ‘fluid bilingualism’ students used. The researchers found that teachers navigated this dichotomy by assuming deficit on the

part of students even where none was evident in data measures. A student called Amanda, for example, was seen as only ‘technically an EL’ as she demonstrated strong knowledge in both English and Spanish. That being said, ‘her fourth-grade English teacher noted that because of Amanda’s EL status she was not expected to end the school year at the same reading level as students’ who were not designated as ELs. These characterisations and expectations were common across labels in their study and will be discussed more in depth in Chapter Three – as will the deficit discourses underlying these concerns.

Both EAL in England and EL in California are at least partially defined by methods that are hard to verify. In both locations, a key factor in students acquiring the label of EAL / EL is a parent or guardian checking a box indicating that their child speaks a language other than English at home. This layer of flexibility means that as a result EAL / EL students are both “seen” and unseen” in the data. Acquiring an EAL / EL label means that that student is inherently ‘seen’ as they are tracked and monitored through the data and highlighted as a group for teachers and analysts to look out for. However, these students can often be ‘unseen’ as well. In England there is no official relationship between the EAL label and fluency in English. This means that students who are be fluent in English may be “reimagined” by the label into pupils without fluency. Vice versa, students who need support in English learning may be unseen through the variability of the accuracy of the initial label.

Overall both labels are widely contested, deeply political and are often used to measure variables they are not designed to measure. However, as the labels EAL and EL are utilised so widely, particularly in a policy and school context, it was deemed appropriate to continue using them in this research. Therefore, this research will use the labels EAL and EL as they are defined above and in official policy in California and England. When interviewing teachers and school staff the need to speak in a language that was universally understood was important. This research also focused on policy and its enactments by those in and near classrooms and, as the policy utilises the flawed labels, the labels will continue to be utilised here even though the perpetuation of label usage by policymakers can ensure the longevity of a contested term. This research will also sometimes use both labels together – EAL / EL – to denote situations where larger comparisons are being made between

students denoted by the labels in both England and California.

1.8 - Locational Context: England

1.8.1 - Demographics

While the ideological context in both locations is steeped in similar strains of neoliberalism, it is useful to discuss location-specific elements separately. Therefore, I will next outline the locational context of England and then move on to California. In the United Kingdom, the regulation of education and the National Curriculum has historically happened centrally at Westminster (Taylor, 1995). However, with the devolution of education powers to Scotland, Wales and Northern Ireland in 1999, each devolved nation holds much larger control over education within their borders (Wyse and Torrance, 2009). For this reason, this research has specifically focused on England, the largest and most ethnically diverse of the four nations. In England and Wales, the Office of National Statistics estimates that at the latest census in 2021, 81% of the population was White, 4.2% Black, 9.6% Asian, 3% Multiracial and 2.1% other as shown in TABLE 2. England does not have a significant Latino population (indeed this term is rarely used in UK-wide population statistics) and therefore this population is not counted separately. In England, migrants represent approximately 17% of the population – less than in California (ETHNIC GROUP, ENGLAND AND WALES: CENSUS 2021, 2023). Of the languages spoken in England and Wales, only 12% of the population reported speaking a language other than English, with the most popular languages reported as Polish (1.03%), Romanian (0.79%), Panjabi (0.49%), Urdu (0.45%) Portuguese (0.38%), Spanish (0.36%) and Arabic (0.34%) (ONS, 2023B) as shown in TABLE 3. These new figures represent an increase in the population that spoke a language other than English, up from 7% in 2013. More European languages are also represented in the 2021 census results than in 2013, which included Bengali and Gujarati in the top seven languages spoken in England. In England, just over 19% of primary school students are EAL learners (Strand and Lindorff, 2021).

Demographics England & Wales (2023)	
White	81%
Black	4.2%

Asian*	9.6%
Multiracial	3%
Other**	2.1%

Table 2 – Most Recent Demographic Information for England

*INCLUDES EAST ASIAN, SOUTH ASIAN INCLUDING INDIAN & PAKISTANI, AND PACIFIC ISLANDER ETHNIC GROUPS

**INCLUDES LATINO ETHNIC GROUPS

Most common languages – England (2023)	
Polish	1.03%
Romanian	0.79%
Panjabi	0.49%
Urdu	0.45%
Portuguese	0.38%
Spanish	0.36%
Arabic	0.34%

Table 3 – Most Common Languages Other Than English Spoken in England

1.8.2 - National Curriculum & Assessments

Before 1988, there was no national curriculum or national testing system in primary schools in England. That changed in 1988 as with an ‘increasing link being made between education and economic needs’ (Wyse and Torrance, 2009, p.215), the Thatcher government determined that a standardised national curriculum was needed to ensure the quality and stability of British education. With the creation of the national curriculum came the development of specific assessments to ensure that the curriculum was being followed; ‘the notion of ‘accountability’ emerged particularly in relation to *value for money*’ (ibid, p.215) a key value for the government at the time. Testing in every subject was deemed impractical, and so testing in the core subjects of English, maths and science became the focus. Testing has been shown to lead to a narrowing of the curriculum, resulting in non-testing subjects being moved into ‘inferior’ or ‘low-status’ subjects (Paechter, 2000), resulting in a link between the selection of subjects for assessment, the narrowing of the curriculum, and the increase in accountability.

In English primary schools, aggregate test results are made public for the end of year tests for 11-year-olds as those tests (known as the SATs) are a key test for which schools are held accountable (Pratt, 2016, p.891). Successive governments have repeatedly emphasised the need for ‘progress’ to be made between the end of Key Stage One (KS1) at 6-7 years old and the end of Key Stage Two (KS2) at 10-11

years old. The full system of statutory testing in primary schools is outlined in TABLE 4.

Tests in English Primary Schools during 2019-2022
Reception – Baseline Assessment*
Year 1 – Phonics Screening
Year 2 – KS1 SATs**
Year 3
Year 4 – Multiplication Tables Check***
Year 5
Year 6 – KS2 SATs

Table 4 – Tests Taken Before Age Eleven in England

*The Reception Baseline Assessment (RBA) was intended to be introduced in September 2020, but due to Covid was delayed until September 2021.

**The DfE has made the KS1 SATs non-statutory from the 2022-2023 school year.

***The Multiplication Tables Check was introduced in September 2021 after Covid delays.

This system of tests is expected to ‘validly and reliably’ (Pratt, 2016, p.892) represent the teaching available in classrooms. Though traditionally these assessments have represented the bulk of performance data used by Ofsted, from 2019 the new Ofsted framework takes additional variables into account as well (Ofsted, 2019a). Though this new framework intends to take a more holistic, less data-focused approach to inspection, there is some evidence that this might not be the case, particularly after the suicide of a headteacher after receiving an Ofsted judgement of ‘inadequate’- the lowest judgement possible (Weale, 2023). The 2021-22 school year is the first year in which many of these tests and Ofsted inspections have returned post-Covid, a situation which will be discussed more in depth in undertaking the research sections in Chapter Four.

This culture of assessment, accountability, inspection and fear will be a key element in the research – with a particular focus from participants on data and progress. Many participants had direct teaching responsibility for a high-stakes testing year and felt the impact of these tests on their lives each day, even during the period in which these tests and inspections were ostensibly cancelled.

1.8.3 - EAL Students

Historically, English language teaching in the UK has been about functional improvements with the key educational issue being proficiency in English for all immigrants as quickly and efficiently as possible (Leung, 2016). When the National Curriculum was revamped in 2014, alterations were made to the discourses surrounding EAL students. The new curriculum framework aimed to be less prescriptive and purports to contain only 'what' teachers should teach rather than 'how' they should teach it (Flynn and Curdt-Christiansen, 2018, p.414). The pre-2010 National Curriculum contained many appendix documents concerning teaching practices for EAL pupils which were lost in the new curriculum. Pre-2010 discourses focused on support provided for EAL pupils, whereas post-2010 discourse shifted to 'managing' EAL pupils through assessment attainment at the end of KS2 and KS4. This discursive shift reflects growing trends in the prestige of multilingual education in England and an emphasis on colour-blindness and meritocracy in line with neoliberal education principles. Flynn & Curdt-Christiansen claim that by focusing on an overarching 'equality' of provision, the curriculum does not offer appropriate support to EAL pupils. Instead, the focus is on making sure that provision is similar across all pupils regardless of their specific educational needs. Their analysis clearly supports a common thread in recent educational policies in the US and the UK of equality across provision.

In neoliberal systems funding is a key lever used by governments, making it another policy mechanism impacting provision for EAL students. In England, 'provision for EAL teaching and learning support ... are decided at a local rather than a national level' (Flynn and Curdt-Christiansen, 2018, p.414) resulting in variation in funding levels. This variation in funding amounts can disproportionately impact EAL pupils, as increased funding has been shown to directly increase achievement (Battisti et al., 2009; Condrón and Roscigno, 2003). Monetary issues, alongside a continued focus on accountability, play a key role in the current English policy context. These days, much of the funding allocated for EAL pupils is actually contained within other funding, meaning that schools are no longer accountable for direct funds spent on EAL learners (Anderson et al., 2017). Predictably, this results in those funds being syphoned off to the neediest students of the moment. While there are obvious common-sense benefits to having the ability to move money

around as needed, this can frequently mean that EAL learners are lost in the policy context. After all, if there is not any money for EAL learners then they are not being accounted for and are likely to become ‘invisible’ to the system (Moss, 2022).

In England there are no specific tests for EAL pupils and, as discussed above, no measures of accountability that are just for them. In addition, groups such as the Bell Foundation, who are known for lobbying, researching and supporting this group of pupils are smaller and less prominent than similar groups in California. Once again, the prevailing discourse seen around EAL students is around swift development of English proficiency. This represents one of the largest differences between the two locational contexts as will be outlined more clearly below.

1.9 - Locational Context: California

1.9.1 - Demographics

Similarly to the education situation in the devolved nations of the UK, individual states in the US cannot be looked at collectively when discussing education, as education remains the purview of state and local government bodies. California, as the most populous state with 39 million people in mid-2018 (compared to England’s 56 million), will serve as the comparative state for this research (QuickFacts: California, 2022). California’s economy is on-par with England (\$2.7 trillion versus \$2.6 trillion) – providing another similarity (Staff, 2018). However, there are major demographic differences: in 2020, California’s population was 40% Latino, 35% White, 16% Asian American, 6.5% African American and 2.5% Other (TABLE 5) (QuickFacts: California, 2022). 27% of Californians are immigrants with most coming from Mexico, the Philippines, China, Vietnam, India, El Salvador and Korea (Perez et al., 2023). When it comes to languages spoken in California, more than 40% of state school pupils speak languages other than English at home (Hill et al., 2019). The most common languages spoken by EL students are Spanish (83% of students), Vietnamese (2%), Mandarin (1.6%), Arabic (1%), Filipino (1%) and Cantonese (1%) (Hill, 2018). Proportionally therefore, many more students in California are English learners than in England.

Demographics California (2022)		Demographics England & Wales (2023)	
White	35%	White	81%
African American	6.5%	Black	34.2%
Asian American*	16%	Asian*	9.6%
Latino	40%	Multiracial	3%
Other	2.5%	Other**	2.1%

TABLE 5 – MOST RECENT DEMOGRAPHIC INFORMATION FOR CALIFORNIA AND ENGLAND

*INCLUDES EAST ASIAN, SOUTH ASIAN INCLUDING INDIAN & PAKISTANI, AND PACIFIC ISLANDER ETHNIC GROUPS

**INCLUDES LATINO ETHNIC GROUPS

Most common languages – California (2018)		Most common languages – England (2023)	
Spanish	28.8%	Polish	1.03%
Chinese	3.2%	Romanian	0.79%
Tagalog	2.2%	Panjabi	0.49%
Vietnamese	1.5%	Urdu	0.45%
Korean	1%	Portuguese	0.38%
Persian	0.5%	Spanish	0.36%
		Arabic	0.34%

TABLE 6 – MOST COMMON LANGUAGES OTHER THAN ENGLISH SPOKEN IN CALIFORNIA AND ENGLAND

1.9.2 - Curriculum & Assessments

Public education in the US has always been financially tied to neighbourhood, city and state taxes instead of the federal government – a decision that has resulted in the lack of a national curriculum. In popular discourse the Common Core, a set of standards that most states have voluntarily agreed to adhere to (Lavenia et al., 2015), is considered akin to a National Curriculum, but the phrase *voluntarily agreed* is key to describing its difference. The federal government’s main educational power is derived through funding provided to states and schools. Through carefully controlled top-up funding, the US Department of Education can devise and enact accountability measures and force states to adhere to them. This strategy was used in the adoption of the Common Core State Standards as the federal government utilised its influence to sway states to sign up to the curriculum. *Race to the Top*, an Obama-era initiative, provided funding for states that voluntarily agreed to adopt the interstate standards and, holding true to the power of cash in the neoliberal era, states rushed to adopt the new standards. California adopted the standards a few months after their creation in 2010, and they remain a core part of the state standards today.

The end-of-year achievement test in California is known as the California Assessment of Student Performance and Progress (CAASPP). These computer-based tests are taken each spring by most students. In grades 3 - 8 (ages 8 – 14) as well as in grade 11 (ages 16-17) students take the English and Mathematics CAASPPs. In the 5th (ages 10-11), 8th (ages 13-14) and 10th (ages 15-16) grades, students take an additional Science CAASPP (California Assessment of Student Performance and Progress (CAASPP) System, 2022). In addition to CAASPP tests, EL students must take a yearly English-language proficiency test until they pass and are re-classified as RFEP. These tests are outlined in TABLE 7 for easier comparison with their English counterparts. Yearly test scores, broken down by district, school, and a range of additional categories (i.e., race, gender, ethnicity, EL status) are provided online in a color-coded dashboard known as the California School Dashboard (Education, 2022). This data can be viewed by anyone – parent, policymaker, academic – and makes up the bulk of California’s accountability system for schools, as required under the Elementary and Secondary Schools Act. This dashboard serves as both a report on assessment outcomes and a league table as it is easy to sort through and determine the “top schools” in an area.

Tests in California Elementary Schools during 2019-2022	Tests in English Primary Schools during 2019-2022
Non-Compulsory Pre-Kindergarten	Reception – Baseline Assessment
Kindergarten – ELPAC*	Year 1 – Phonics Screening
1st Grade – ELPAC*	Year 2 – KS1 SATs
2nd Grade – ELPAC*	Year 3
3rd Grade – CAASPP English; CAASPP Math; ELPAC*	Year 4 – Multiplication Tables Check
4th Grade – CAASPP English; CAASPP Math; ELPAC*	Year 5
5th Grade – CAASPP English; CAASPP Math; CAASPP Science (CAST); ELPAC*	Year 6 – KS2 SATs

Table 7 – Tests Taken Before Age Eleven in England and California

*THE ELPAC OR ENGLISH LANGUAGE PROFICIENCY FOR CALIFORNIA IS TAKEN BY EL STUDENTS ON THE FIRST YEAR THEY ARRIVE INTO THE PUBLIC SCHOOL SYSTEM IN CALIFORNIA – FOR MANY THIS IS KINDERGARTEN. THE ELPAC IS THEN TAKEN EACH SUCCESSIVE YEAR UNTIL A STUDENT “TESTS OUT” AND PASSES THE EXAM. FURTHER DISCUSSION OF THIS TEST IS OUTLINED BELOW.

1.9.3 - EL Students

Until the 1960s, state governments and the US Supreme Court debated if students should be allowed to be publicly educated in languages other than English. For the purposes of this discussion, it is notable that these rulings applied exclusively to those of European background wanting schooling in European languages; parents wishing their children to have instruction in an African, Asian or Native language have historically never been allowed to educate their children thusly in the United States (Bartolomé, 2006). Eventually, it was decided that under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974, 'school districts must identify potential English learner students, assess English language proficiency on an annual basis, and continue to monitor former English learner students for at least two years after English proficiency is established' (Barrow and Markman-Pithers, 2016, p.160). However, in keeping with the US federal governments' hands-off approach to education, these statutes do not indicate how children should be educated or what they should be taught, just that they *must be*. Therefore, education for ELs in the US continues to mean programs to develop proficiency in English as efficiently as possible – aligning with EAL provision in England.

In the United States, as the 'English language proficiency assessment is not mandated for [non-ELs]...[ELs] and the people who educate them must carry the burden of additional assessments' (Menken, 2005, p.24-5). Whilst it might seem obvious that pupils who arrive at school proficient in English should not need to take an English language proficiency test, the burden on students of this additional assessment is unclear. It is important to problematise the idea that this additional assessment is neutral on students. As with all standardised assessment, the ELPAC requires students to step out of the classroom for several weeks and devote their time to being measured and defined rather than participating in classroom learning. Even in discourses of backlash against standardised assessments, little attention is paid to the fact that EL pupils must take more tests than other students. Their increased share of the testing burden may have an effect on the ways these students learn, and the way teachers manage provision for them.

Moreover, in the United States, as ELs progress in English proficiency, 'high-performing [EL]s exit the [EL] subgroup and are then no longer classified as [EL]s in performance data' (Menken, 2005, p.32). Since only the lower performing students stay in the group, progress data for this group will always track low. In California, while those proficient ELs are reclassified IFEP / RFEP and are still tracked in data, they are no longer members of the EL group. In contrast to England there are no high-performing English speakers present in the EL data. This results in the label of EL functioning as a proxy for "low attaining" - a characterisation that is not problematised in policy and teaching strategies. The assumption of low attainment for these students has connotations for how these students are conceptualised by teachers and the progress that they are "allowed" to make.

Since the passage of the infamous No Child Left Behind Act (NCLB) in 2004, it has been mandatory to include ELs in all high-stakes testing (Abedi et al., 2004). Some believe that through EL inclusion in assessment and accountability mechanisms, policymakers will be able to improve the quality of educational opportunities available for them and provide necessary resources (Menken, 2005) for instruction. In this discourse, their inclusion in these assessments makes them visible and 'normalised in policy discourse' (Zetter, 2007, p.188). In counter narratives however, 'policy on school testing which references the ... challenges of teaching "disadvantaged" populations, reproduces the minoritised and poor students of the city as deficient and "difficult" subjects' (Bradbury, 2019a, p.8). As the label is contested, it instead can serve as a reinforcing reminder of the label's association. By calling them out specifically in policy these students are reproduced as deficit. These narratives and discourses that underlie education policy affecting EL students and the tensions between them will be looked at further over the course of this research.

1.10 - The Context of Covid

While this research was conceptualised beforehand, the Covid pandemic has since played a key role in altering the state of the world and the policy contexts of both England and California.

In England, primary schools closed on March 18, 2020 until the end of the academic year with some exceptions: vulnerable children, children of key workers and some year groups at various points. Though schools reopened at the start of the 2020-21 academic year, a further lockdown followed in January 2021 where students were again sent home. For two years statutory testing was largely cancelled in primary schools. The cancellation of high-stakes exams took different forms. The Phonics Screening Check was given to Year Two pupils in Autumn 2021 instead of the end of their Year One as is standard. For academic year 2020-21, the KS1 and KS2 SATs were not cancelled until January 2021 with teachers and schools given little notice and preparation time for the announcement. Additionally, the government allocated over £1 billion to a “catch-up” fund designed to help schools ensure their pupil progress measures would not feel the effects of the disruption. However, ‘this [placed] the onus on those schools where pupils might have fallen furthest behind to catch up fastest’ (Moss, 2022). The notion of catch-up funding was itself contentious, with many arguing that instead of focusing on direct support for students the focus on “catching up” erroneously emphasized notions of attainment and progress (Moss et al., 2021). Later analysis found that much of this money was never actually seen by schools as will be discussed more in Chapter Four and that the funding has overall had little impact (Moss et al., 2021).

In California, while schools closed earlier than in England on March 10 2020, when schools reopened at the start of the 2020-21 academic year further closures were left to the discretion of districts and schools themselves, with many opting to stay open. As statutory tests are run as a condition of receiving funding from the federal Department of Education (DoE), it was not possible for California to make the decision to cancel tests unilaterally. Instead, what transpired was that the federal DoE agreed to temporarily separate testing from accountability measures; end-of-year high-stakes testing was required to be run, but states were promised that the results would not “count” either for or against them. In other words, California was required to submit data from end-of-year assessments to the DoE, but they were not technically allowed to include that data in progress measures and as part of their programs of accountability for schools. Schools could not be given ratings or allocated funding and support on the results of these tests. This does of course beg

the question of why this information was still needed as, theoretically, these exams are exclusively undertaken for the purposes of accountability (Greenhow et al., 2021). As a result, California allowed school districts to choose if they would like to run the CAASPP tests or provide results from another similar test.

The only exception to this pattern of requiring tests with no attached accountability measures was the ELPAC exam for English learner proficiency – this test was required to be completed and submitted as would be normal in a non-Covid year with students moving in and out of the EL label as a result (Hill et al., 2021). Whereas policy discourse in the UK centred on catch-up funding, in the US debates were more closely focused on individualised notions of health and “getting back to normal” (Ladson-Billings, 2021). The federal DoE provided no overarching ‘catch-up’ funding as a result, though some individual schools and states were seen to have focused their money on tutoring and intervention strategies (St. George, 2023).

These immediate Covid-related policy contexts were in play throughout the course of this research and affected the questions asked and responses given by participants. In addition to this there were also wider elements of a context of Covid that were relevant to the research. Debates about the purpose of education were at the forefront in both locations with questions being asked about integration and meritocracy (Castillo et al., 2021), the importance of future digitisation (Zancajo et al., 2022) and how to more meaningfully include culturally relevant pedagogy (Ladson-Billings, 2021) among others. Long term, the effects of Covid on education are still unknown and currently, particularly in the UK, those effects are compounded by concerns about the war in Ukraine and the Cost-of-Living crisis.

That being said, there is some emerging research on the impact of Covid, and, most importantly for this study, results from the first round of high-stakes accountability tests in post-Covid, “normal” circumstances have been released. In England, results in the Phonics Check in Year 1, the KS1 SATs and the KS2 SATs all declined in 2022 – with the one exception of reading scores in the KS2 SATs which increased one percentage point from 73% of pupils meeting the national standard in 2019 to 74% in 2022 (Weale, 2022). In California, scores on the CAASPP also declined, with the Public Policy Institute of California describing them as a ‘six-year setback’ (California, 2022). There are some indications of positive

trends, such as on the National Assessment of Educational Progress, an additional test administered by the federal DoE. This assessment measures a representative sample of 4th, 8th and 10th graders across the country in order to rank state education systems against each other and has no accountability measures tied to it. Results from the administration of this exam in 2022 found that English learners in the eighth grade had increased their scores in reading by four points (Shoichet, 2023). Shoichet posits that results might have increased due to new teaching strategies that better suit EL pupils, that they might be part of a trend that was already present before the pandemic, or that a decline in the number of students being reclassified during the pandemic is artificially inflating the results. Data-sets such as these are being widely discussed in the news media and among teachers, parents and policymakers as plans for the “post-Covid” era are being made. This research aims to take a critical stance towards the usefulness of these results and data points, however their importance to participants in the research was clear throughout the interviews.

This research made updates in light of the cancellation of the SATs in England and the separation of testing from accountability in California. While this research was originally intended to focus on the effects of those tests on EAL / EL students, a pivot was made to a “negative” representation where key questions focused on the effects of *not* having those tests on EAL / EL students. The original interview schedule included questions around how teachers thought about the policies in place and what they could make room for if the tests were abolished; the updated schedule asked teachers how they learnt about the updates to the tests – a potentially unique opportunity to discuss policy enactment “live in action” – and what they were making room for now that the tests were not in place. This change meant that instead of researching ‘normal times’ the study took the opportunity of unusual circumstances to explore an entirely unique period in education. These changes will be discussed more in Chapter Four.

1.11 - Conclusion

This chapter has outlined the key contexts at play in this research. This research has two locational contexts – California and England – which each bring their unique educational systems and structures to the research being conducted.

This research also focuses on EAL / EL students who add another layer of context to what is being discussed. This chapter walked through key terms, core testing and accountability structures and how EAL / EL students are conceptualised within them in a neoliberal education system. This research also was affected by the Covid pandemic which cascaded through the world from early 2020 to early 2022 and will have lasting effects on education and policy development. The following chapter will discuss how the importance of context drove the theoretical framework of this research.

1.12 - Structure of this Thesis

This research hopes to fundamentally alter the debate about next steps in standardised testing and datafication and ask the question: where do we go from here? In this section I will outline the chapters in the thesis and the structure within which I will lay out this argument.

In Chapter Two, I undertake a review of the theoretical literature related to Foucauldian theories of power and governmentality. This chapter combines theory and a literature review as a practical way to ground this study in related works. Foucault's theories of power are used to analyse structures, accountability and performativity in schools through a lens which focuses on concepts such as the panopticon's relation to Ofsted. This chapter also covers policy sociology and policy enactment - a key tool kit used in this study to understand the interactions and narratives that school leadership and teachers use to navigate policy. Additionally, this chapter will cover concepts of performativity and datafication, which will be core ideas throughout this research, setting the scene for participants responses. This chapter ends by highlighting elements of that tool kit that will be key to the data analysis for this study.

Chapter Three continues the theoretical literature with a focus on race and language-based theories. The chapter starts by analysing Critical Race Theory which will function as the underlying theory in this section. Similarly to Chapter Two, this chapter combines theory and literature in order to look holistically at the theories and how they are utilised on the ground. Critical Race approaches lead into specifically language-based approaches such as raciolinguistics. Additional literature

on EAL / EL pupils follows, including undertaking a review of linguistics-based research and psychology-embedded work. This chapter ends by bringing together Foucauldian and Critical Race Theory conceptions of power and, using tools from policy enactment, builds out an analysis tool kit for undertaking the research. This chapter also address Covid-era literature and sets out the current prevailing discourses around Covid and education.

In Chapter Four, I reoutline my research questions and dive into the research method and methodology that was used in this research. I discuss my epistemological standpoint and the positionality that was important as I took up this study before moving on to discuss sampling and analysis methods. My participants will be outlined to put their responses and this research into context. This chapter covers goals and expectations as well as “what actually happened” while conducting research to provide a clear picture of how the research progressed. This will involve addressing necessary Covid updates as well as unanticipated access issues relating to digital protection. This chapter also covers ethical considerations and data protection in both locational contexts.

Chapter Five is the first chapter on results and analysis and focuses on EAL / EL pupils. As has been noted, participants were not particularly interested in discussing the effects of Covid on their EAL / EL students and, as such, these results are largely confined to one chapter. Indeed, this chapter heavily focuses on the ‘silences’ used by participants to cover their lack of notable engagement with pupils in this group during Covid. This chapter will address these data points through the lens of Critical Race Theory and the race and language-based approaches set out in Chapter Three.

Chapter Six analyses data from participants on datafication and performativity. In this chapter, participants discuss their experiences collecting data on their students during Covid and how the lack of standardised testing in the form of the SATs or the CAASPP affected their experiences during the Covid years. Participants’ overwhelming focus on data will be analysed for its effects on students and the data collection process itself. This chapter also looks at the need felt by participants to show student progress and begins to outline the steps taken by

participants in pursuit of showing progress. Results are analysed using performativity and datafication with a particular emphasis on Foucauldian theories of power.

In Chapter Seven, I discuss the effects that data and progress concerns have on accountability, datafication and interactions with Ofsted and the state department of education in California. Data from Chapter Six is built upon to begin to understand the “why” behind participants’ actions. From the data, I posit a new form of policy enactment that I call “hypervigilant enactment”, wherein teachers and school leaders remain so scarred from accountability inspections that, even while accountability has ostensibly been removed, they are unable to accept this change and build out their own accountability structures for use. This chapter begins to understand hypervigilant enactment in practice in England and California and the differences between them.

Finally, in Chapter Eight, I provide conclusions and takeaways with a goal of providing a framework to continue to ask questions around testing and accountability in both contexts. This chapter wraps up and restates the arguments made in this work by arguing that hypervigilant enactment plays a key role in the actions of participants in both contexts and will remain a core policy enactment style even after Covid. This chapter describes implications for policy and practice moving forward in both contexts utilising hypervigilant enactment. Additionally, this chapter will discuss limitations with the research and future areas that could be expanded upon. Finally, this chapter will address my contribution to knowledge from empirical, methodological and theoretical standpoints.

Chapter Two – Power, Policy & Data

2.1 - Introduction to Theory & Literature

The previous chapter outlined the contexts in which this research was undertaken – both locationally and ideologically. It outlined how the primary schooling systems worked in both England and California which included references to the specific high-stakes tests that are taken in each region. It also touched on a few of the theories that will be used throughout this work. This chapter and the following chapter will go into much greater depth on the theoretical framework that will be used throughout this piece of research. They will also discuss relevant literature in each of these sections. This combined theory and literature approach has been taken in order to make clear how the major theories underpinning this work – from policy sociology and CRT – relate to the real-world educational context.

First, this chapter will discuss theories of power, governmentality and performativity from a Foucauldian standpoint. Foucault's key theories and concepts will be discussed through the lens of post-structuralism. Here, literature related to and building on Foucault's theories will also be discussed. Next, this chapter will walk through the field of policy sociology before narrowing in on policy enactment. This research will largely utilise a policy enactment framework to understand how teachers and school leaders think about policies in their classrooms and school contexts. Then, I will move on to teacher's professional identities more broadly, seeking to outline a theory of teacher identity that forms the basis of their enactments as discussed earlier. Finally, this section will conclude with an analysis of datafication and the prevalence of data in accountability regimes in the US and the UK. Additional relevant literature in the area will be discussed in a final section on related literature and finding the gaps. Combining the theory and literature review in this chapter allows for a more in-depth grounding of the theory to the field in this instance. Linking the two allows me to show just how literature is being used to support theoretical developments in the field.

2.2 - Power/Knowledge, Governance & Agency

First, I will explore Foucault's theories of power/knowledge, governmentality and the panopticon – his conceptual devices to understand the ways that power functions in everyday life. I will discuss how these concepts are played out in education and the impact they have on this study. Then I will move into a discussion of agency.

For this work, the role of power in the creation of 'policy processes' is the most important element of Foucault's writings. Foucault, a key philosopher and theorist in sociology, has always set out to critically analyse traditional theories and conceptualisations of how schools work. Foucault argues that 'the school is quintessentially a disciplinary institution' (Ball, 2017, p.3) and the manifestation of power in that discipline is critical to understanding how schools, and school-based policies, work. For Foucault, power is 'the ability of a dominant group to focus and to shape both the actions of social agents and the subsequent trajectories of those actions' (Hardy, 2019, p.12). Foucault argues that power is always bound up in the structures of governments and schools – people naturally form a hierarchy that, over time, imbues their actions and speech (or discourses) with meaning. As such, his theories are often associated with structuralism, 'the idea that the world as we see it is a result of hidden structures' (Burr, 2003, p.11), though he veered away from that in his later writings. Foucauldian power manifests itself in many ways, through micro-actions and sweeping forms of control and domination, but most importantly through knowledge. In his theories, 'knowledge can never be free from ideology, because all knowledge is biased, incomplete and linked to the interests of specific groups of people' (Mac Naughton, 2005, p.22). Power is not just about physical domination and structural hierarchies – it is also about the creation and availability of knowledge.

For Foucault, power is much more than domination; he goes to great lengths to craft a concept of power that is not merely repressive or violent or hierarchical, but instead is something that permeates all aspects of life and can have positive implications for individuals even as it acts in forms of control (Marshall, 1989). Foucault is decidedly uninterested in 'who' or 'what' questions about power, i.e., those more classical understandings of power in which an analysis of who has it and what do they do with it are the deepest that one can get in analysing power relations.

Instead, Foucault is concerned about how it is exercised, and in particular how it is exercised in 'the extremities' of the political system. According to Foucault, 'the exercise of power is not simply a relationship between partners, individual or collective; it is a way in which certain actions modify others'. In other words, 'power exists only when it is put into action' (Foucault, 1982, p.788). Analysis of power is therefore best framed through questions around how individuals exercise power through their interactions with others and what that can tell us about humanity, political systems and the effectiveness of social actions.

Intricately linked to Foucault's ideas of power are his conceptions of knowledge. In Foucault's writings he outlines that 'a body of knowledge is a system of social control to the extent that discipline (knowledge) makes discipline (control) possible' (Marshall, 1989, p.107). Foucault describes two different types of discipline where the first is a type of knowledge. Much like how we utilise discipline in an educational setting to mean a stream or body of knowledge such as the discipline of geography or physics, Foucault uses the term to describe types of knowledge. He also uses the term to discuss control, the more common form of discipline that everyone is familiar with, particularly in a school setting. Overall, then, knowledge is the type of awareness and learning that allows control to be exercised. For Foucault then, power and knowledge are always linked (and often written as a singular concept power/knowledge). Knowledge is what allows one to take action to control another and the action itself is the power. One cannot exist without the other. It is important to note that for Foucault, power/knowledge can be exhibited without conscious thought or exercise by an individual – indeed many individuals are entirely unaware of the elements of power that they wield and, as such, cannot be held individually responsible for the ways that power/knowledge manifest in society. It is also critical to his concepts to highlight that 'power does not act upon beliefs, but upon actions and can always be resisted' (Marshall, 1989, p.105). These resistances are what make up the translations and interpretations of policy enactment theory – the myriad ways in which individuals make sense of power/knowledge in their professional lives are what also constitute policy actions.

So far, we have largely been discussing power/knowledge as existing in situations where one individual, whether knowingly or not, uses power/knowledge to

control the actions of another individual. Foucault, however, develops this idea further using the device of a panopticon. The panopticon, as described by Gallagher (2010) 'literally means "all-seeing"' and refers to a design for a prison wherein a ring of cells circles a watch-tower where a single guard can observe all prisoners at once. The design's intention was such that 'unable to discern when they were being watched and when they were not, the inmates in the cells would begin to behave as though they were being watched all the time' (p.262-3). Foucault uses the device of the panopticon to describe how, over time, individuals begin to self-regulate. The controlling power is detached from an individual and instead ascribed to larger structures and systems. Unable to determine if their behaviour is being monitored or not, people begin to act under the controls prescribed by the relevant structures even when they are unaware if they are being surveyed.

Though Foucault discusses the panopticon in relation to many social structures and systems, its implications for school systems are clear. While students are obviously constrained by panoptic power/knowledge – schooling devices such as timetables, uniform policies and disciplinary measures come to mind (Hope, 2013) – this research will focus more on the surveillance of teachers and schools at large. It will build upon research done by Perryman (2009) and Perryman et al. (2018) highlighting the role of Ofsted – England's governing body for schools – as a panoptic power in English education. In her study of failing schools in England, Perryman (2009) described how teachers in schools that were at risk of failing inspection needed to constantly act as though they were being inspected. This was the only way that they felt they could stave off the potential for a failing mark. Courtney further argued that the era of panopticism was passing in favour of a 'post-panoptic' age in which rather than a 'panoptic performativity' where 'everyone [knows] 'the rules of the game' in order to play it', a 'post-panoptic regime [is one where] the fabrication must be continually destabilised to betray the players' ignorance of the rules and the artifice of their performed identity' (2016, p.634). In their later work, Perryman et al. (2018) further described a 'post-panoptic' era where, while Ofsted remained a 'significant influence' on teacher and school behaviour, new changes to the inspection systems introduced a 'lack of predictability' that resulted in a less obvious controlling of behaviour. My own research, taking place a few years

after Courtney (2016) claimed the existence of a 'post-panoptic' era, takes these ideas a step further and argues that the "game" of panoptic performativity' has become so deeply embedded there is no longer a game at all as Foucault originally described it.

Foucault's concepts of power/knowledge and the panopticon are core elements of his theory of governmentality which builds upon his ideas of power relations. In his words, 'power is less a confrontation between two adversaries, or the linking of one to the other, than a question of government'. Governing can therefore be defined as 'to properly structure the possible field of action of others' (Foucault, 1982). In this sense, governing can be done without the Government as governing is about utilising the power one has to constrain the actions of others. This concept, then, continues Foucault's quest to delve into the actions of ordinary people as they operate within the structures of social life. His theory of governmentality is 'not just about national and local political control, but also refers to the self, so is also how and why the self-shapes its conduct in particular ways' (Perryman et al., 2017). Researchers have used Foucault's theory of governmentality to analyse a wide variety of topics in education. For example, Suspitsyna (2010) utilised the theory to discuss how higher education institutions in America responded to an increase in the discourse around their own accountability to the US education system. She describes how a series of speeches given by officials in the US Department of education can be viewed through the lens of governmentality as 'a vehicle through which social reality is constructed and maintained' (p.581). The speeches outline how new managerialism was the dominant ideology of the US Department of Education under Barack Obama. By utilising Foucault's approach, she shows that even though Obama outlined a markedly different set of education policies in his campaign speeches from the prior president, the underlying constraints and controls of the rhetoric in the speeches she analysed allow only a narrow window of possible actions and forms of conduct that serve to further the new managerialism agenda. In this way the acts of those further down the hierarchical chain are constrained.

Pratt and Alderton also make use of this Foucauldian theoretical framework when analysing a policy initiative in the English primary school system during 2015-16 'which involved a sudden, largely unexpected, move from evaluating pupils'

progress against national standards indicated by numbered 'levels' to a situation in which these levels were entirely removed' (2019, p.581-2) after changes to testing practices. Their analysis focuses on the disciplinary power of regulation and control that is so prevalent in Foucault's work. This power not only '[has] the subject at the heart of such processes' but also engages the subject in the processes themselves. Knowledge production is 'co-produced' by the subjects themselves (ibid, p.585). In a series of semi-structured interviews with eleven teachers in eight state schools across the country, the authors focused on 'teachers' accounts of their practice' in relation to these new changes. The authors found that once the levels were removed, 'without exception, teachers in all of the schools had adopted something akin to levels but alternatively named' (ibid, p.588). In other words, once the governing power removed the key mechanism through which that governance was seen (assessment levels), the subject (teachers) regenerated that governance internally, even if they utilised alternate names for the new 'levels'. The authors argue that even though teachers 'appeared to be altering the superficial aspects of assessment' they were maintaining the underlying ideas about measuring progress for their students. As will be discussed in more depth later in this chapter, 'progress is the language of success in schools' and to maintain the appearance of success, teachers needed to maintain a discourse about progress. Pratt and Alderton conclude that their study 'repeatedly showed how assessment data, and the truths around which they were generated, were used to maintain relations of control and responsabilisation between teachers' (ibid, p.592). This finding, that 'levels' were all but reinstated by teachers and schools themselves in service of a discourse of 'progress', pre-empts a similar finding in this study. Foucauldian theories of power/knowledge and governance can be used to make sense of what teachers do when assessment technologies they have come to rely on are unexpectedly removed.

When analysing power/knowledge, Foucault turns to discourse, but his analytical interests are different from a more traditional, linguistically focused discourse analysis. Foucauldian discourse analysis seeks to uncover the power, structures and truth narratives that are at play in speech and written texts. His interests are in the relative statuses of the speaker and listener, the truths that are

being shared, and what these relationships can uncover about what is and is not being shared (Ball, 2017). In other words, 'power is a relationship of struggle over how we use truths and build discourses about normality to produce and regulate ourselves' (Mac Naughton, 2005, p.27). Foucauldian discourse analysis is commonly used in studies such as that by McDonald (2014) to explore and understand the power relations and structures in a field of study. In McDonald's research, the goal is to understand 'discourses relating to teacher's talk about their teaching practice in multilingual primary schools' (p.59). The author found that teachers in their study utilised a discourse that highlighted English as 'the norm' in their classrooms, even though teachers interviewed specifically had a remit for teaching EAL pupils. When taking a 'disciplinary power' approach, it is clear that there is a hierarchy of languages with pupils being 'restricted and regulated to use English throughout the school day, and to using other languages only for translation or when a cultural opportunity arises' (ibid, p.97). In this way, Foucauldian discourse analysis can be shown to allow researchers to uncover the 'truths' about what is being shared and not shared. My study will turn to Foucauldian discourse analysis during data analysis in order to understand the truths about power relations in schools and how teachers and other education stakeholders are encompassed in that.

These core Foucauldian topics - power/knowledge, governmentality and performativity - and Foucauldian discourse analysis will all be used throughout the data analysis in this work. They will feed into my key findings, in particular *hypervigilant enactment* - a concept which, while grounded in Foucauldian theories, also uses tools from policy sociology and policy enactment tools to make sense of teachers' actions during the Covid years.

2.3 - Policy Sociology

The field of policy sociology helps to further understandings of how policy looks once it has been designed, by specifically focusing on discourses around the meaning of policy. As policy sociology focuses on how policies are used in practice, it allows for a deeper structural analysis of society. Policy sociology is able to encompass studies on both individuals and organisations by allowing for these structural approaches (Apple, 2013). Methodologically, discourse analysis,

particularly Foucauldian discourse analysis, plays a key role in the analysis of policy sociology studies. Foucault's work underpins much of policy sociology, specifically his work on structures and discourses, power/knowledge and governmentality. Foucault understood society as 'a clustering of fragmented, area-specific nexuses that each have their own associated knowledges' (Hardy, 2019, p.8). Though he never called it as such, this approach – along with the contributions of other scholars - became known as poststructuralism. Poststructuralism 'provides an effective way of deconstructing the dominant theories of policy-making' (Howarth and Griggs, 2015, p.114) by focusing on how policy is produced 'iteratively' and in 'non-linear' ways (McGimpsey et al., 2017). Policy sociology draws on this work to think about policies as processes rather than as fixed texts. Policy sociology also highlights the role of power and how individuals can utilise power/knowledge to alter the policy process. It takes the view that 'policies do not normally tell you what to do; they create circumstances in which the range of options available in deciding what to do is narrowed or changed' (Ball, 1997, p.270).

Policy sociology studies often take an in-depth approach by focusing on one policy or suite of policies, such as a study by Curtis (2010) which dug into the English Primary National Strategy launched by New Labour in 2003. The study opened by tracing the policy trajectory of the strategy back to 'payment for results' in the 1880s and highlighted the ways in which 'influences on school development and classroom practice' have been crafted over time. After spending considerable time on 'policy as text', the study moved into a discussion of 'policy as practice' through observation and interviews in four different case study schools. In the second part of the research, the author reviewed how themes that arose out of the written work were implemented in classrooms. In one section on the role of Ofsted, Curtis focused on the new Self Evaluation Form (SEF) that had just been released for schools. The SEF required schools to self-report on elements related to their Ofsted inspection throughout the year. Three days before an in-person visit, Ofsted would lock the form for editing, which would be one of the first ways headteachers could learn of an impending visit. Headteachers worked hard to portray a positive picture of the school in their submissions to the SEF, a performative response that the author argues had 'repercussions' for the funding allocated for the school that the

headteachers had not considered. Even though the Strategy presumed to offer Heads more creativity and freedom in how they crafted their school environments, Curtis found they resulted in the opposite – due to ‘tripping points’ arising from the cumulative history of the policy implementation. What Curtis did in his study into how policy is made real in schools has come to be known as a policy enactment study using policy sociology.

In their 2012 work ‘How Schools Do Policy’ Maguire et al. develop ideas within policy sociology through the notion of *policy enactment*. They critique other policy implementation studies as too heavily focused on the school as a homogenous and de-contextualised organisation. Their policy enactment studies fill in those gaps by expanding upon differences *within* schools and organizations, arguing that context plays a key role in the development of policy. They note that 'policy is not 'done' at one point in time; in schools it is always a process of 'becoming' ... It is reviewed and revised as well as sometimes dispensed with or simply just forgotten' (ibid, p.3-4). This focus on the constant iteration of policy has facilitated the development of policy enactment as a field growing out of policy sociology. Policy enactment is a way to understand ‘policy as process’ one of the key elements of policy sociology.

2.4 - Policy Enactment

Policy enactment is a multi-pronged process including the stages of interpretation, translation and enactment. It focuses on the idea that 'the enactment of policy is not always ‘linear and rational’ (Ball, 2015b, p.309) but instead is a more iterative process involving updates and minor changes. Though this element was always present in policy sociology, policy enactment draws it out and focuses on it. This piecemeal process means that ‘policies rarely tell you exactly what to do, ... but some more than others narrow the range of creative responses’ (Maguire et al., 2012, p.3). As they make sense of policy, teachers remake policy in their image – though crucially policy remakes them as well. In policy enactment, teacher and school agency plays a key role in the navigation of policies and contexts. Policy enactment criticises previous approaches within policy sociology as too focused on a top-down process, instead of a constant ‘construction and interpretation’ (Maguire et

al., 2015, p.486). Policy enactment also criticises the idea that policy is implemented based on 'personal interest or utility maximisation' (Ball et al., 2012, p.4) as lacking in a deep understanding of the nuanced ways that teachers, schools and other policy actors utilise their power/knowledge to develop agency. As such, policy enactment is often described as a tool kit rather than a theory.

2.4.1 - Interpretation and Translation

Making use of a policy enactment tool kit first requires several critical definitions. To start, 'interpretation is an initial reading, a making sense of policy - what does this text mean to us? What do we have to do? Do we have to do anything?' (Maguire et al., 2012, p.43). Interpretation is the first process that a policy actor undertakes and 'the space for 'interpretation' varies from policy to policy and sometimes, from person to person' (Maguire et al., 2015, p.486). Interpretations are always context dependent. After interpretation, policy enactment moves into translation where policy actors exercise their agency through making choices about implementation. Taken together, interpretation and translation constitute enactment. In this study, an understanding of both interpretation and translation by teachers and schools will be required to compile a picture of how policy is enacted in both contexts.

Similarly, in a study looking at 'widening participation' program development in universities in Wales, Evans et al. (2019) make use of these tools of interpretation and translation to help make sense of how 'widening participation' policy agendas have been enacted by universities on the ground. Through document analysis and semi-structured interviews, the authors aimed to understand the 'institution-specific contexts' of interpretation and translation in relation to these policies. They found that universities were likely to take a heavy hand in their interpretations of these policies and often crafted ways to meet the objectives through intertwining them with their 'institutional narratives'. For example, research-intensive higher education institutions tended to meet their widening participation requirements through the facilitation of specific programs for that audience which were often 'compartmentalised' and 'delivered within a separate physical space' of the campus. Teaching-focused institutions on the other hand, often highlighted elements of their

pedagogical and curriculum approach such as part-time study and pre-degree programmes (ibid, p.110). Though all universities were addressing the widening participation policy requirements, the ways in which they were doing so varied widely. The policy was interpreted in ways that complemented the university's agenda, 'including universities' priorities and interests in relation to their position within a marketized [higher education] system, and their manifest historical cultures and ethos' (p.111). Even though only one policy was introduced, the results at each university were vastly different based on the contexts of the institutions involved in the study.

2.4.2 - Policy Actors

Interpretation and translation also involve several key components. First is the idea that 'policy is complexly encoded in texts and artefacts and it is decoded (and recoded) in equally complex ways' (Maguire et al., 2012, p.3). Policy actors must navigate these texts every day and 'policy 'making' is a process of understanding and translating' (p.3). As policy is constantly being renegotiated, looking at a single policy in isolation is difficult – all policies are layered and built upon decades of prior policies. This overlapping policy context can be seen in classrooms - 'schools and teachers are expected to be familiar with, and able to enact, multiple (and sometimes contradictory) policies that are planned for them by others' (p.9). This layered policy context forms the second key tenet of policy enactment – that policy actors are always negotiating an array of policies. The tool kit of policy enactment tries to broaden the approach of other policy development studies by not taking the school as the base level of policy research. Within a single school, teachers are 'actors and subjects, subject to and objects of policy' (ibid, p.3) in different ways for different policies. Problematically, 'much of the policy interpretation genre tends to take all actors in the policy process to be equal' (p.49). It should come as no surprise that the ways teachers interpret policy are not equal across different contexts. It is worth noting that teachers and school leaders are not the only policy actors within schools - teaching assistants and learning support assistants have critical roles to play, among others. Research by Blatchford et al. (2012) confirms that particularly with SEND, EAL / EL and lower-performing students, teaching assistants provide most of the

daily instructional support and are core translators of policy in relation to these students. Additionally, policy enactment occurs in district offices, union meetings, department gatherings and through policy developed by statutory bodies among others (Singh et al., 2013). Policy enactment research therefore goes deeper than school level to truly build a picture of how individual actions can impact policy development. Since the initial development of policy enactment theory by Maguire et al. in 2012, the theory has been expanded upon by both the original authors and others into one of the most popular theories of policy development.

This study will use policy enactment theory as the key theory behind the data analysis and specifically will focus in on key tenets around context, agency and structures to develop its ideas and build upon the theory itself. This sort of policy enactment study has become relatively popular in recent years, for example, in a study looking at context between and with-in schools, Falabella (2020) undertook research into ten primary schools in Chile to learn how policy actors influenced and enacted policies around accountability. Through document analysis, observations and interviews, Falabella observed that ‘staff members tend to celebrate performance outcomes as meritorious when they are successful and attempt to avoid responsibility when they are poor’ (p.38). Each staff members’ opinions and interpretations of the outcomes affected the context of the school as a whole. Some ‘strategically’ used them to ‘push certain institutional changes’ within their schools. Alongside more typically expected outcomes in relation to accountability such as school comparison and competition, Falabella argued that, in the schools researched, they also found individual concerns such as ‘personal prestige, status and self-esteem’ to be just as important in the overall policy enactment context. Without this ‘within schools’ focus brought by policy enactment tools, Falabella’s research would be unable to provide full detail on the ways in which policy actors created different contexts between schools.

2.4.3 - Context in Policy Enactment

In policy enactment, many different overlapping types of context are utilised to showcase how individual actions can have far reaching effects. Policy enactment frameworks outline context as a hierarchy, from the individual context of the school

in question up to the wider historical and political context, as policy is both preceded and created by context (Maguire et al., 2012). Context is also argued to be a key element of Foucault's power/knowledge theory. Maguire et al. propose 4 main types of context as important to policy enactment:

1. Situated contexts (*locale, school histories, intakes, etc.*)
2. Material contexts (*staffing, budget, buildings, technology, infrastructure, etc.*)
3. External contexts (*degree and quality of LA support; Ofsted ratings, league tables, legal requirements, etc.*)
4. Professional cultures contexts (*values, teacher commitments and experiences, and 'policy management' in schools, etc.*)
(ibid, p.21)

Situated contexts refers to aspects 'historically and locationally' tied to the school itself such as location, history and intake (ibid, p.21). These work together to build an overall understanding of a school and its community, currently and in the past. These histories and community knowledges can dramatically affect the current school environment – even when a casual observer would expect similar practical contexts these histories can create vastly different realities. These situated contexts explain why two schools in the same local authority can vary so widely. In this study, these situated contexts show up time and time again in relation to policies for supporting EAL / EL pupils as a school's background, intake and community are critical variables in policy enactment.

Material contexts are often overlooked in research which 'rarely [conveys] any sense of the built environment from which the 'data' are elicited or the financial or human resources available' (Maguire et al., 2012, p.20). How schools are physically organised, which classrooms are placed where, which offices are signposted and centrally located, are all enactments of policy. By foregrounding some resources over others, policy actors make a statement about what matters within their school – and making reference to the power/knowledge elements that have the greatest impact in their context. School budgets are an additional material context as 'while school funding is primarily calculated by student numbers, differences in school size, local authority subsidies and location can produce considerable differences' (ibid, p.34). The ways money is allocated can critically impact which policies are important and which are considered secondary concerns. In this study, the built environment

does not play a key role – as interviews were primarily conducted virtually, there was no opportunity to observe which elements of policy were highlighted in the physical world of the school. Budgets and the allocation of money were frequently considered and discussed by participants and will feature in data analysis.

In an example of a study that *did* focus on material contexts, Dressler undertook research at a bilingual school in Canada, looking to ‘reveal the degree to which signs promote bilingualism in a school programme’ (2015, p.129). The study looked at how the linguistic make-up of signs in schools promoted the schools’ bilingual English-German ethos. Dressler’s research found that, even though the school promoted bilingualism as their goal, an analysis of the signage ‘[revealed] a preference towards English,’ calling into question the seriousness of the school’s commitment to their goal. In a similar vein, research I undertook as part of my master’s study into policy enactment of citizenship curricula in English-medium and Welsh-medium primary schools in Wales took account of material contexts. In one Welsh-medium school, Mrs. Williams, the emotional literacy support assistant, remarked that she utilised Welsh about 50% of the time with students in her classroom. However, an observational analysis of the signage in her classroom revealed all but one sign to be in English (Simpson, 2017). This contrasted sharply with other signage around the school and provided a noteworthy counterpoint to her comments around language use with her students. In both of these studies, material contexts were useful in examining the ways in which policy was enacted in these classrooms.

External contexts are widely understood to impact education policy by the public and larger policy making bodies – however, these external contexts are also elements of education policy itself. For instance, ‘league table positions, both locally and nationally, form a constant backdrop to policy accounts within the schools’ (Maguire et al., 2012, p.36) which creates a context wherein some translations of policies are seen as more beneficial than others. While these elements of policy are taken for granted as required context in the neoliberal education spheres that were studied in this research, it is important to acknowledge that they are themselves elements of education policy and not “requirements” of an education system. In one view of how these external contexts can impact school policy enactment, league

tables and 'national policies promoting parental choice' can encourage school leaders to learn from the best practices of others (ibid, p.37). In an opposing view, however, school rankings encourage freedom for high performing schools in a way that is unavailable to lower performing schools. These external contexts are omnipresent in education research and featured heavily in this research. School leaders and teachers continually referenced these features as rationales for decisions they took.

When considering context, 'policy making and policy makers tend to assume 'best possible' environments for 'implementation"' (Maguire et al., 2012). However, this idealised version of a school environment does not actually exist, as context is always a factor in policy enactment. Context is 'an 'active' force' rather than a backdrop; it creates and develops policy in myriad ways in relation to policy actors and expectations (p.24). Each individual context allows for numerous policy interpretations, translations and enactments, allowing for analysis on the individual roles of each policy actor. Studies focused on analysing context are common in the policy enactment oeuvre and influenced the design of this study. Studies in this field typically look like Parcerisa's (2020) study on the importance of context in describing differences in policy enactments in primary schools in Chile. Parcerisa undertook a mixed-methods research study that aimed to identify and understand two schools' responses to accountability and performance policies. Key to the design of the study is that both locations are made up of similar demographics and intakes, in other words they are two schools that are counted as the same in policy writing. However, Parcerisa actually showed that each school's different situated, material, external and cultural contexts strongly influenced the ways in which policies were enacted and experienced. Parcerisa showed that there was not necessarily a 'correspondence between the existence of an external threat of sanctions and the levels of perceived pressure experienced by school actors' (ibid, p.472). Though each school was at equal likelihood of experiencing sanctions according to the text of the policy, their contexts influenced the amount of pressure they each felt to respond to that threat and therefore the ways in which they enacted policies in response.

In higher education, Evans et al. (2019) reviewed the enactment of widening access policies in Wales; this study was reviewed earlier in relation to policy actors, however it can also be analysed through a lens of context. Through interviews with programme managers and admissions heads, the authors noted the importance of context in policy enactment. Research intensive universities enacted policies that aligned with their institutional context as historic, high-calibre institutions versus post-1992 universities which took a different approach. The authors utilised *situated context* (Maguire et al., 2012) to show how policy enactment is 'intimately bound with the construction of institutional narratives' (Evans et al., 2019, p.111). Even though both types of universities are bound to the same educational policy which positioned widening access 'as an important means through which the Welsh Government's dual priorities of economic development and social justice would be met' (p.103), in actuality the situated and material contexts of each university influenced how that policy was enacted on the ground.

Bradbury (2019e) utilised theories of policy enactment in a study researching resistance by teaching staff and how individuals 'may be disciplined by the system, but still have agency' (p.821). Through interviews and survey data, Bradbury noted that Reception teachers frequently develop a professional context which 'facilitated and allowed the policy to be enacted, despite a resistant workforce' (p.826). In this way, policy actors created a situational context that allowed them to maintain their professional identity yet still enact the policy. This theory of 'compliant resistance' plays a role in this study, as will be indicated in later chapters.

Though more popular in the UK, policy enactment theory has also been utilised in the United States to explain how policy is implemented by teachers and school staff. In a study conducted in 2019 by Wessel-Powell et al. in primary schools in America, policy enactment was used to understand how teachers' made sense of policies on classroom time. Through document analysis and ethnographic observation, the authors sought to learn 'how teachers structure time with children', which typically falls within the 'purview of particular parameters of policy' (p.173). The teachers they followed found contextually specific ways to make policies work for them and engaged with the conceptualisation of policy actors as translators (Maguire et al., 2012, p.49) by creating a 'process of invention and compliance'.

Through their engagement with the policy they changed it and allowed it to change them (p.48).

As these examples illustrate, Maguire et al.'s theory of policy enactment helps develop a nuanced understanding of policy through a focus on how teachers *do* policy. The emphasis on context within the theory further reinforces the idea that 'policy is not 'done' at one point in time;... it is always a process of 'becoming'' (2012, p.3). Through policy enactment theory, this study will have an important focus on the relevant historical, situated, cultural and material contexts (p.21). Context as understood in policy enactment theory is arguably the key element in understanding how Foucault's ideas of governmentality manifest themselves differently in different schools. However, 'understanding and documenting the myriad ways in which policy is enacted in schools is a somewhat elusive and complicated process' (p.4) and will require the use of other secondary theories for analysis. As this study focuses on policies related to EAL / EL students and high-stakes testing, theories of structure, power and agency, intersectionality, deficit thinking, and teacher performativity and identity will be additionally important for highlighting the complicated ways that policy enactments influence these students. This study sits within the policy enactment field and can be justified through the continuing need to research new contexts that arise in education policy. However, this study's place will be made clearer in the following sections.

2.5 - Standardised Testing Literature

Accountability and assessment culture was discussed in Chapter One, but it is worth delving into more empirical literature on testing here – in particular, the effects of testing on teachers and schools. As discussed earlier, assessments are prevalent in both locational contexts with both primary schools in England and elementary schools in California having multiple high-stakes tests that are required of schools. A range of research from outside the field of policy sociology has explored standardised testing, and thus is relevant here.

Before delving into that however, it is useful to be clear with terminology – a key element throughout this research. Assessment, testing, measurement and evaluation are all used interchangeably in colloquial settings, with teachers and

participants oscillating between the terms with ease. Equally, definitions for the terms are varied depending on the setting they are being used in. The American Psychological Association for example defines testing as ‘the use of formal assessments such as questionnaires or checklists (APA/NREM, 2022)’ and assessment as something that has ‘numerous components’ which can include tests, interviews, medical evaluations and observations among others. Learning Sciences International, a professional development organisation for educators, defines the difference simply as ‘testing is an event, assessment is a process (International, 2018)’. In this work, testing will be used to refer to the specific process of testing children. It is most likely to be high-stakes and standardised and is often referred to as such. The high-stakes aspect of this kind of testing will be discussed at length throughout this section but it is worth noting that standardised in reference to testing refers to the fact that these tests are administered and scored in a consistent manner which allows for the tests to be delivered across large groups with ease (Popham, 1999).

Measurement in education is often defined as ‘the science and practice of obtaining information about characteristics of students, such as their knowledge, skills, abilities and interests (Cizek et al., 2020).’ This definition encompasses all of schooling, however usually a more narrow definition is used when considering measurement in educational testing. Shute and Zapata-Rivera consider educational measurement in testing to be ‘broadly defined as the application of a standard scale or measuring tool to determine the degree to which educationally valuable knowledge, skills and abilities have been acquired (2010).’ Based on this definition, in this work measurement will refer to the application of an educational tool for the purposes of understanding achievement between students on a wide-spread, standardised scale.

Even with these definitions on key terms such as testing and measurement, there are still many variations within them. For example, assessment is often further divided into formative and summative assessment with formative assessment functioning as a ‘particular kind of interpretation’ that focuses on decisions that impact teaching and learning and summative testing focuses on ‘mapping’ a grade or mark to a specific criteria to measure students against a benchmark (Richardson and

Dann, 2018). The specifics of formative and summative assessment, as well as how teachers utilise the terms in the classroom will be addressed later on in this chapter.

In a series of studies conducted with primary school teachers in England, Williams-Brown and Jopling looked into how teachers' perceptions of standards, accountability and the SATs changed over time. Data collection for an initial study was conducted in 2010-2011 and for the updated version in 2019. The study asked teachers to sort statements into categories reflecting how much they agreed with each statement. In the original study a majority of teachers 'revealed clear division between the Government's and their own definition of success' with the former more focused on attainment in the SATs and the later focused on 'the need for children to be happy and enjoy learning'. In the original study, one group of teachers - those who taught in Key Stage One - were much more able to find flexibility in the requirements but, by 2019, it was clear that 'teachers in the lower primary years now feel as constrained as their Key Stage Two counterparts' (2019, p.237). Additionally, the authors found an 'intensification' of the results from the 2010 study, with more teachers feeling frustrated and holding negative perceptions of the SATs. This study shows that teachers in England feel the effects of standardised testing strongly and that those effects have increased over the past decade. Findings from my study support this viewpoint and indicate a possible further intensification over the Covid years as will be discussed in my data in Chapter Six.

Though tests are often discussed in relation to the pressure they put on teachers and schools, there is a series of literature which seeks to understand the effects of these tests on students. In a study by Booher-Jennings (2008), the effects of standardised testing on elementary school students are researched. Through a qualitative study focused on one elementary school, Booher-Jennings found that pupils and teachers firmly believed the 'achievement ideology' which decrees that 'hard work and individual effort determine one's test scores' (p.150). Through this ideology, 'teachers motivated their students to pass high-stakes tests by rhetorically linking students' efforts and results,' causing students to label their failing peers as 'personally lacking'. The author argues that this ideology forms part of the hidden curriculum of high-stakes testing, preparing students for the 'unequal distribution of rewards' in American society. Students become indoctrinated into this hidden

curriculum and begin to take on aspects of testing in their own identities as either 'passers' or 'failures'. This study shows the effects of standardised testing on students. Though these tests are often considered to be for teachers and to have only a neutral effect on students, research continues to show that that is not necessarily the case. Students are increasingly worried about the effects the results will have on them as well as their teachers. These sorts of effects were seen even thirty years ago in Reay and William's account of Hannah, a year six student about to take the SATs. Through a series of interviews and focus groups, the authors attempted to understand the experience of students as they prepared for and underwent the SATs. In a striking account, Hannah, a pupil concerned about her performance in spelling checks and times tables, stated that she was 'frightened I'll do the SATs and I'll be a nothing' (1999, p.345). When pressed by the authors, Hannah described how if you did not get a top score on the SATs there were no other scores, and you would 'be a nothing'. The authors found that 'most pupils of both sexes took the SATs very seriously. They wanted to do well'. In both of these studies, the pressure felt by teachers has cascaded down to the students themselves who experienced 'unease' and 'discomfort' leading up to the exams.

Teacher evaluation is often seen as a solution to the issues with summative testing. Darling-Hammond (2014) argues for teacher evaluation by outlining that while standardised testing can 'give a general idea' of student achievement, tests are limited in what they are able to examine and, in their quest for a single score, often miss the varying forms of achievement which students might be able to show. She argues that adding in an element of teacher assessment will enable 'a wide range of students to learn'. While teacher assessment is continually popular, there are bias concerns with this form of assessment as well. Campbell (2015) undertook research into the potential of teacher bias in teacher assessment. Campbell found that teacher assessments 'pronouncedly favour girls' and that, on average, 'low-income pupils seem to be under-rated by their teachers, along with pupils with any SEN diagnosis, non-White pupils, pupils speaking languages in addition to English and boys (reading) / girls (maths)' (p.536). Campbell's research shows that teacher assessments can also be biased and harmful to students. As will be similarly shown through data collected in this research, teacher assessments are not necessarily the

solution to concerns with assessment culture and an over-reliance on standardised testing. The next section will delve further into the effects of this culture on teachers and the potential of biases that might arise.

2.6 - Teacher Professionalism, Identity and Performativity

Foucauldian theories of governmentality and the panopticon can also be used to detail the culture in which teachers find themselves at schools in the US and the UK. For teachers and school staff, the constant threat of inspection by Ofsted or of having their data rated as requires improvement by the California CDE, can be understood as the central watchtower of Foucault's panopticon. School and local leaders then become the visible wing of that central power. Teachers find themselves constantly regulating their actions in order to be seen as a 'good' teacher who does not need to be watched. In this way, theories of governmentality begin to infringe upon teacher's professionalism and sense of personal identity. Over time, teachers' compliance with central government policies has begun to be seen as a mark of their professionalism as teachers (Leaton Gray and Whitty, 2010).

Professionalism is a term that needs defining for the scope of this work as it has shifted over time. Teaching is a profession like many others, but teachers, unlike other professions, enter into teaching because of a desire to help others; they tend to have a vision of the 'good life' for society at large (Moore and Clarke, 2016). This desire often forms a key facet of a teacher's identity, which is continually formed from a teacher's life experiences, the environment of their school and training program and the political environment in which they work. In this way, then, 'an identity is understood as how the teacher constructs / understands her professional self' (Buchanan, 2015). Professional identity is not stable and can fluctuate and change throughout a teacher's career, influenced by their school environments, the political culture and the policies that have an impact on their pedagogies and classroom life, such as the increasing use of panoptic power.

In newer, neoliberal spaces, the boundaries of acceptable "good" teaching identities are being constrained. As education becomes a more market-oriented system, the era of new managerialism (Ball, 1997) has resulted in little room for what has historically been seen as a teacher's professional agency. Historically, teacher

professionalism has been characterised as the accountability of teachers to themselves, their colleagues and their students. However, with the growth of neoliberal accountability, it has been redefined as accountability to agencies (Goodley and Perryman, 2022). As Connell (2009) explains, this is due to market-oriented neoliberalism's inherent distrust of independent professions – it regards them as anti-competition. After all, the market is supposed to be the structure that “knows best” and, if teachers are relying on their professional knowledge instead of market-oriented reforms, that undermines the position of the neoliberal market in the minds of consumers (theoretically at least). The market must therefore institute competencies that are auditable for teachers. In other words, teachers must themselves become aspects of the market – they must be under Foucauldian panoptic surveillance and their actions must be constrained. They are removed from holding the power/knowledge of teaching and instead subjected to the power/knowledge of neoliberal education. In this way, teachers' professionalism becomes ‘tied up with compliance’ (Hall and McGinty, 2015) – they are ‘produced’ (Holloway and Brass, 2017) by policies.

Over time, teaching becomes less about what teachers do in the classroom and much more about producing ‘measurable’ outputs (Ball and Olmedo, 2013). Teachers are no longer valued for their pedagogical skills and abilities to connect with and inspire the students they teach but instead for their technical skills and ability to implement policies that are determined to be ‘what works’. In a study conducted by Soo Sturrock in 2021, primary school teachers in England were found to struggle with the need to ‘play the game’ and devalue their professional knowledge in favour of adhering to policies to be ‘Ofsted-ready’. Soo found that teachers were under immense pressure to engage with their student data in order to showcase the progress their students were making. Teachers became ‘obligated mediators’ between their students, their students’ achievement data and the aspirational goals that they set for their students – so much so that ‘making a difference’ became meaningless. While ‘making a difference’ is a key reason that teachers move into teaching (Santoro, 2011) they eventually become bound up in normalised professional narratives around doing a good job – in other words, their

concept of being a good teacher eventually becomes subsumed by the all-encompassing 'game' demarcated by ideas of Foucauldian governmentality.

Similar results were seen by Pratt and Alderton (2019) who found in a study on the removal of assessment levels in primary schools that teachers needed to devise a new mechanism for being 'professional' and 'successful' in their work. The authors argue that it is 'through controlling assessment that teachers do professional work for themselves which positions them as expert and maintains the professional capital they rely on to be seen as deserving of success' (p.588). To be successful, 'teachers have to speak the language' of progress. Assessment results allow teachers to position themselves in an identity of a 'good teacher' in a way that forces them to continually reproduce narratives around making progress. These narratives and the necessity of 'speaking the language' are still prevalent in education today and feature heavily in the responses by teachers in this work.

In a recent article, Goodley and Perryman went further and described how discourses and policies around accountability and performance-based targets are internalised (2022). Over time Goodley realised that 'we were doing this for me to attain a higher grade not [my students]'. This internalisation of accountability policies can overtime have an effect on teachers' identities and conceptualisations of themselves. In the teaching profession, 'being a good teacher is conflated with being a good person' (Santoro, 2011, p.11). Teachers that are unable to play the game and be seen to be doing a good job become demoralised and eventually flee teaching as a career. Typical reasons for leaving teaching reflect 'a discourse of disappointment about the reality of teaching, the wider context, and the accountability / performativity culture in which teachers work' (Perryman and Calvert, 2020). While none of this is surprising, it is worth homing in on the element of performativity culture. As has been shown through other studies, a key element of good teaching is 'playing the game' or being seen to support the accountability and progress regime. It is not necessarily important however, to intrinsically believe in that game – only to appear to believe in it. To call back to Foucault's ideas around governmentality affecting behaviour, 'the subject under the regime of performativity is made calculable rather than memorable, malleable rather than committed, flexible rather than principled, productive rather than ethical' (Ball, 2017, p.43). For teachers

in a performative culture, the accountability policies they must adhere to are designed to gather numerical data on their students' performance – data that many teachers feel does not do a good job at capturing their true ability to teach.

Some schools and teachers attempt to resist the performative accountability culture, but resistance to this technology is not easy as 'it is so rooted within the discourse of what is important' (Perryman et al., 2011). Under pressure from the culture and from what Santoro described above as the conflation of being a good teacher with being a good person, teachers can experience a 'sense of emotional dissonance as they lose their sense of professional independence'. Though resistance in pop culture is often characterised as bold, violent and loud, the resistance that is more commonly seen from teachers and schools is the opposite of that. Maguire et al. (2018) describe the types of resistance seen by teachers and schools as 'discomforts', a word they use to describe the awkwardness involved in 'navigating policies with which they are in some disagreement but with which they may have to comply'. They highlight that these resistances and discomforts are not always constituted by a whole-sale rejection of the system, in fact it is likely that teachers who resist are doing so to make a little bit of life better for themselves. The authors' study of secondary schools in England found that the new managerial culture, as Foucault would have predicted, erodes teachers' capacity to resist over time. Instead, teachers push back and create discomforts through 'everyday resistances' where they utilise things like humour and foot-dragging to push back against dominant discourses. There are of course nuances between the resistances and discomforts undertaken by different individuals (as described by types of policy enactors in Maguire et al. (2012)), different types of teachers (as described in early years teachers in Bradbury (2019e)) and in different neoliberal cultures. Over time, however, those differences are all eaten up by the necessity of performativity.

Some authors take these arguments further. Courtney (2016) argues that England is actually in a state of 'post-panopticism'. Through a survey and subsequent interview series with headteachers around the country, Courtney claims that while 'compliance characterises panopticism, and consent to appear to comply [characterises] panoptic performativity', post-panopticism goes a step further. In a post-panoptic era, "compliance is woven so tightly into the regime's fabric that

headteachers are unaware that performance ‘on the day’ is thereby replaced by a longer-lasting and more deeply affecting fabrication’ (p. 631). In post-panopticism, the rules of the game are constantly being shifted in order to render compliance and consent impossible to follow through on.

Wilkins et al. (2021) argues that resistance is not possible in our current ‘neo-performative’ era where ‘performative values and practices have become normalised in the profession’ (p.35). For the authors, this means that as there are no longer many school leaders or teachers who have experienced a pre-performative system, resistance is not a concept that is a useful descriptor. Instead, teachers and school leaders operate within the parameters of the system, which is now a ‘complex ecosystem’ in which they must navigate pulls to resist and perform in turn. They argue that schools are now required to ‘maintain a relentlessly data-driven approach to improving outcomes and closing ‘achievement gaps’” (p.41) which on the surface appeals to teachers’ conceptions of themselves as working equitably and allows them to feel like they are ‘good teachers’ while also being aligned with the ‘mission’ of their school.

This work will show that the accountability and performativity culture has continued to erode the possibilities of resistance and potentially even the desire to resist at all with teachers and schools eventually becoming part of their own Foucauldian panopticon and performative cycle. This work will take performativity a step further to argue that schools in England and California may be entering a ‘post-performative’ era where performativity has become so ingrained it is no longer separable from identity.

2.7 - Datafication & Progress

Datafication, or ‘the transformation of many aspects of education into quantifiable information that can be inserted into databases for the purposes of enacting different techniques of measurement and calculation’ (Williamson, 2017, p.9) is one such technology that has helped to ensure the continuation of performativity and accountability culture. In a 2018 book, Bradbury & Roberts-Holmes outline key perspectives of datafication in early childhood and primary education. The authors describe datafication as ‘productive’, ‘reductive’, as

something that results in ‘increased visibility of performance’ and that perpetuates the ‘permanence of beliefs about accuracy’ of data. They argue that data is always driving towards a ‘particular political understanding of what matters in education’ and shaping the scope of the debate around what is good for students, teachers and policymakers.

Under datafication, the student is eroded into numerical data – anything and everything that can be quantified is. And it is not just students: teachers too are counted and recounted. This drive to datafication is an essential part of the modern governance described by Foucault (Buchanan and McPherson, 2019). These measurements and counts become a ‘proxy indicator’ for quality wherein quality is measured not just by counting the things that can be counted (such as test score data) but by only counting what can be counted (by ignoring everything that is not test score data for example). Under a datafied system, quantifiable data on students, teachers and schools is all that is needed to drive quality and ensure proper governance. Traditional markers of school quality such as student experience or qualitative data from the classroom is left aside in favour of the numbers.

While the datafication movement has its origins in the national curriculum planning done in the 1980s wherein certain subjects were given primacy and determined to ‘count more’ (Wyse and Torrance, 2009), datafication has driven these ideas to new heights. In keeping with the culture of performativity seen in the UK and the US, in a recent study in the US, Lewis & Holloway (2019) found that ‘many teachers framed data-responsiveness as a key indicator of a ‘good teacher’’. Teachers who want to do a good job cannot be satisfied with just measuring quality, they must respond to their data and seek to improve it. In other words, ‘teachers can only know themselves and their practice as data, and these data will, in turn, tell them what and how they need to improve’. In this way, ‘schools and the people who work within them are under increasing pressure to be ‘data-driven’ and ‘data-intensive’ in all that they do’ (Selwyn, 2022).

There is a breadth of datafication literature that has relevance to this work, starting with Pierlejewski’s reflection-based study on how datafication affects children with English as an additional language. Pierlejewski argues that in relation to assessment data, datafication has ‘created a system where [the] data may be more

important than the actual embodied child' (2019, p.254). Pierlejewski begins by outlining the system of observation that features in English primary schools to build a profile of the child in order to classify them against 'normalisation' standards in the classroom. These norms are 'presented as neutral and objective' even though they perpetuate a monolingual Western ideal of the child's development. Bilingual children are expected to meet these norms as soon as they enter primary school and are 'constructed as failures' should they fail to do so. When 'only communication in English' counts, however, it becomes increasingly impossible for EAL children to generate the data that is needed to match them to the norms. Because they lack the communication forms required to generate data for the datafication system, EAL children are commonly classified as 'no-hoppers'. To compound the concerns raised, due to the English educational system's structure of educational triage (Gillborn and Youdell, 2000), these 'no-hoppers' are often given less attention than the children 'on the cusp' of meeting a Good Level of Development.

In a piece of research in the US, Kumar et al. hosted a focus group with twenty-five teachers to capture the implications of technology platforms on the datafication of classrooms. Their research found that, though the technology platforms did not originate tasks around student surveillance, they certainly made it easier. Teachers have always been called upon to survey students in order to monitor their behaviour, monitoring which can be helpfully described with Foucault's concept of the panopticon. However, this surveillance is often 'burdensome' and though the original proposition of utilising technology platforms was to make these tasks easier, the authors argue these platforms have begun to take on an outside role in classrooms. For example, in one excerpt, the authors describe how Maryam and Alison's lives are made easier by the technologies. Maryam uses Google Sheets to capture data and take screenshots of her students' progress with ease. Alison utilises the 'God's-eye view' available through her laptop monitoring system to project all the students' screens onto the laptop in order to ensure everyone stays on task. This projection becomes a panopticon in and of itself since, as Alison describes it, the screen 'held everyone accountable and I didn't have to look at it' (2019, p.150). Eventually, the authors argue, students become so 'flattened' into data that

the data is more important than the students itself. This mirrors the findings from Pierlejewski that it is the data in the end which is critical.

Research by Daliri-Ngmetura and Hardy (2022) goes a step further in their recent argument that not only are students getting 'lost' in the data, but teachers themselves are 'disappearing'. In a case study of two schools in Queensland, one primary and one secondary school, the authors aimed to explore the effects of datafication on teachers' practices. They found that the collection of data itself had become 'high-stakes,' causing 'anxiety and low-morale' among teaching staff. Data collection had completely altered their interactions with other staff which were now completely taken up by 'constant talk about data'. The authors argue that the 'demoralizing nature of the trickle-down pressure to perform' through appropriate datafied results was resulting in conditions where 'the work of teachers is being redefined and increasingly disciplined'. Because of this alteration in the tasks and measures of being a teacher, the 'active', 'agentic' teacher was 'disappearing' from the educational landscape entirely. Though the authors do not make this comparison themselves, the call-backs to Ball's (2003) warning about the 'managerial turn' in the teaching profession seem to ring true here. In these schools at least, data has finally resulted in a world where the teachers themselves are not needed.

This idea is developed further in a second paper using the same dataset. Daliri-Ngametua et al. (2022) go on to argue that 'datafied accountability seems somehow positioned as a successor to trust in teachers' own accounts and judgements' (p.392). Teachers in this study indicated some contradictions and contestations in the doing of data collection and utilising of data. Teachers stated that 'the sheer volume of data collected about students', or as the authors call it, the 'doing' of collecting data, had taken away all the time and energy normally put into student learning. Equally, they used this data as a form of 'butt covering' in order to justify their teaching to parents, school leaders and accountability regimes. The authors argue this reflects a 'paradox' that demonstrates how teachers engage with the data - simultaneously resisting more performative aspects of data collection while relying on said data as 'back-up' (p.403). Datafication then, as with performativity, is both resisted and accepted using Foucauldian terms in various forms at various times.

These narratives of datafication all focus on the need to make 'progress'. Just as important as the collection of data, is the need to control what that data shows. The school 'needs to produce a narrative of progress' (Bradbury and Roberts-Holmes, 2017). Students do not all necessarily need to have high attainment - in fact, one could argue the system explicitly requires some children to have lower attainment - but the 'narrative of progress' needs to include details on the progress each child has made since being at school. If a child is not making progress, details should be provided on the 'identification' of those children, subsequent 'interventions' to return that child to 'making progress', and the results of those interventions as the child returns to the 'norm of progress'. Such progress measures are often required for Ofsted or the California Dashboard System, or believed to be required, in order to ensure that the school can be seen to be *doing the best they can*. This notion of progress has become ubiquitous in schools and in governments (Pratt, 2016) and is now a key narrative in schooling at all levels.

In a study from 2019, Bradbury argued that even the early years had become wrapped up in the need to measure progress. Through regular 'pupil progress meetings' with senior leadership, there was a constant focus on children's progress 'both individually and as part of key groups such as 'pupil premium' children (2019b, p.13). The pressure to constantly prove that children were making progress drove teachers to amass large volumes of data to justify progress and decisions about progress made by teachers. Pupil progress meetings have become ubiquitous in primary schools and in research about students and data collection in those schools. From Sturrock's (2021) earlier comments about how the pupil progress meeting is a site of 'contestation' and 'playing the game' to a discussion about how important progress measures are to the development of a 'pupil-centred assessment system' (Hansraj, 2018), the narrative of making progress is everywhere in education at the moment.

Bradbury (2021) also argues that 'making adequate progress' feeds into neoliberal narratives of ability, the 'idea that we all succeed differently depending on our talents and effort' (p.27). In order to make progress according to one's ability, there must be general agreement that there is 'an established scale' of appropriate progress and that 'the teacher is able to assess it accurately'. The collection of data

in any form then, must have as its goal the ability to compare the data to ‘set benchmarks for age-related expected levels’ (p.104). These ‘progress measures’ become a key tool in datafication as they require ‘continual tracking and monitoring’. So much so that formalised tests drop out of popularity, in favour of ‘ongoing assessments, tracking and predictions’. In this way, narratives of progress and datafication, processes that claim objectivity, are intertwined in primary schools.

Under neoliberalism, rationality and objectivity are prioritised as they are easy ways to deprioritise individuals’ professional knowledges in favour of a more controlling rationality. Datafication plays into this as a key element of datafication is that the data themselves are seen to be objective. This objectivity helps datafication maintain a ‘claim to authority’ (Williamson and Piattoeva, 2019) in the minds of policymakers. Of course, not everyone sees datafication as a point of concern. In an article reviewing a language learning system, Fulton, Hoffman and Paek (2021) argue that the system in question and the resulting possibilities for language education are ‘valuable’ for the field and highlight the use of data as a benefit. This research however, will take a more critical eye towards the collection and use of data in relation to education. The primacy of data above all else, and the resulting effects on education, will be discussed throughout the study with a mind to determining how these effects were compounded in a time of great stress such as Covid.

2.8 - Conclusion

In this chapter, I have begun to outline the theories and literature that underpin this work in relation to power, policy and data. This chapter began by delving into Foucault’s work on power/knowledge and governmentality to understand how Foucauldian ideas impacted the utilisation of policy enactment ideas in education. Then we “zoomed in” to look at policy sociology which advocates thinking of ‘policy as process’ (Ball, 1990) and out of which policy enactment (Maguire et al., 2012) grew. This study will be grounded in elements of policy enactment, particularly its focus on the importance of context and the nuanced ways in which individuals affect the policy implementation process. Policy enactment will be returned to in the next chapter in order to understand how policy enactment, Foucauldian concepts and critical race theory tools can be combined in service of a research framework

such as the one used in this study. This led into a discussion of performativity and its impact on teacher identity. Performativity, having grown out of the governmentality approach taken by neoliberal governments such as those of the US and the UK, will be a core concept in the analysis of data in this study. This led into a discussion of the narratives of datafication and ‘making progress’ which are natural next steps of a performative, accountable education culture.

From the literature and theories reviewed in this chapter, this study sits in a gap created by Covid and shifting ideas around assessments and accountability. Policy enactment research calls for continual study into policies as context is constantly changing and this comparative, Covid-based context allows for a new lens into how policies are enacted on the ground. This study builds on existing research into performativity and professionalism, data and progress to show how Covid has allowed researchers to see a clear shift in teacher behaviour – that exemplified by hypervigilant enactment which will be described in Chapter Seven.

In the next chapter, I will continue to focus on theory and literature but shift to looking at theories and tools from a Critical Race Theory standpoint. This will include theories of intersectionality and language that have developed from Critical Race Theory perspectives. I will then bring together policy enactment tools and Critical Race Theory tools to set-up the framework for this research. Finally in the next chapter I will discuss recent literature on Covid and the pandemic context that this research was undertaken in.

Chapter Three – Critical Race Theory & Intersectionality

3.1 - Introduction

In this chapter, I continue to outline the key theories and literature that underpin this research study. Whereas the last chapter focused on Foucauldian theories and topics related to neoliberalism such as teacher identity and professionalism, this chapter will focus on Critical Race Theory (CRT) and related theories of language, intersectionality and deficit theories. This chapter will also address literature related to Covid. As in Chapter Two, this chapter will intertwine theory and literature, as this is a work rooted in theoretical perspectives and the chosen literature reflects this. This chapter will begin with an analysis of CRT, then move into a discussion of class and intersectionality. After that, I will focus on language-based theories including raciolinguistics, a language-based theory grounded in CRT and deficit analyses focused on language.

Foucauldian theories and CRT-based theories and tools are all grounded in conceptions of power. Foucault's focus is on individually enacted power and agency whereas CRT asks researchers to think about power as embedded in structures. This research will utilise both conceptions of power to build a picture of how teachers and school leaders make individual choices and what structures may affect them and be affected by their choices. This chapter will end by returning in-depth to policy enactment, and highlight how, using a theoretical toolkit approach grounded in power, CRT and Foucauldian theories can be brought together. Literature will show how other studies have melded these theories and make the case for my study to do the same. I will also consider the potential challenges involved in this approach. Finally, this chapter will end by giving some consideration to how Covid has affected the landscape.

3.2 - Critical Race Theory

Though several frameworks are available to describe and analyse discourses of race and language, the most prominent in analyses of education is Critical Race Theory. CRT, developed in the writings of Derrick Bell, Kimberlé Crenshaw, Richard

Delgado, Cheryl Harris and Gloria Ladson-Billings and popularised in the UK by David Gillborn, 'is an interdisciplinary approach that seeks to understand and combat race inequality in society' (Gillborn and Ladson-Billings, 2019). CRT, in conjunction with intersectionality, will be one of the key theoretical frameworks used for this study as it allows us to review policies and teacher actions through a critical lens touching on language, race and class.

Critical Race Theory was developed in the 1970s and 1980s from US legal scholars who were concerned about what they felt to be the over-reliance on class-based analyses in legal theory. CRT was designed to be critical towards not only the mainstream conservative perspective but also the critical liberal tradition which at the time was overly focused on class and tended to ignore concerns about race equity. Because of the way it was designed, CRT does not have a single statement that defines the theory. Instead, it was built upon a series of principles that will be discussed in this chapter (Gillborn and Ladson-Billings, 2019). It is also deeply grounded in US culture and history which can be seen in its core principles – though that is not to say that CRT is only useful in the US as many scholars have adapted its framings to their own cultures and societies.

Before diving into CRT however, it is important to discuss race. CRT views race as 'a complex and changing *socially constructed* phenomenon; the "races" that are recognized (and often assumed to be biologically determined) in a society at one time period will differ significantly from the races that are understood in other societies or in past times' (Gillborn and Ladson-Billings, 2019, p.3). As something that is constructed by society, it only makes sense to study 'race' as a social concept and not a biological one. That does not mean, however, that 'race' has no basis in physical reality. While a 'racial group' is not based on biological factors, the social processes that create a 'race' in society are very real and can have lasting effects on social relations, status and the distribution of resources and power (Figueroa, 1991). 'Race' becomes real as people believe it to be real and that reality has a very strong influence on society at large. Due to the socially constructed nature of 'race', many CRT scholars discuss 'race' using quotation marks to highlight the term's flawed nature, as I have done in this section. For ease, however, this paper will not utilise

those quotation marks even though it should be noted that, throughout this work, race will be considered as a socially constructed concept.

This focus on race as socially constructed brings the use of the term race in this paper in line with the use of the terms EAL / EL – another set of highly contested labels discussed in the introduction. Race is also often discussed with labels and acronyms such as BIPOC and BAME. In the US, BIPOC - standing for Black, Indigenous and People of Colour - is a preferred term to refer to non-White folks in the US. The belief is that though people of colour encompasses all non-White individuals, by foregrounding Black and Indigenous peoples, special attention is paid to the unique circumstances of those individuals in the history of the United States. This label is not particularly popular in the UK due to its reference to people of colour, a term still considered to have negative connotations in England. In the UK, BAME is often used, standing for Black, Asian, and Minority Ethnic groups. This term is not popular in the US and, indeed, could hardly be considered popular in the UK as it lumps a variety of peoples with very different backgrounds and histories into 'minority ethnic'. For this reason, this work will attempt to veer away from both labels and, as much as possible, attempt to be as specific as possible with which peoples and backgrounds are being referenced at any given point. Labels and acronyms will be a continual sticking point throughout this study and I will endeavour to provide as much clarity as possible at every opportunity.

CRT was developed around a series of principles to describe issues that were arising in American society. First among them is that **racism is institutional and structural as well as individual** – and that those more macro-levels can often have greater societal effects than individual prejudice. When most people think of racism, they think of 'crude, often violent acts of race hatred' that form an abnormal part of everyday life (Gillborn and Ladson-Billings, 2019). CRT, on the other hand, acknowledges those acts of prejudice but focuses its attention on the broad, mundane and routine elements of racism that permeate everyday life. These types of racism, variously referred to as institutional or structural racism, are embedded in the political and legal structures of America 'as to be almost unrecognizable' (Parker, 2003). This idea that racism is built into the structures of American life is one of the most pervasive outside of scholarly work. Its corollary idea, that **structures are**

inherently designed to support and promote an unquestioning majority, has resulted in the other most popularly discussed element of CRT – White supremacy. In CRT texts, White supremacy refers to the idea that structures are designed to support a White elite, just as much as they are built to be uncaring of the harm they cause to the non-White minority. Institutional racism and White supremacy have been built into American society from the beginning and appear in everything from the criminal justice system to mortgage approval rates to education. While slavery and prejudicial racism were not unique to the early United States, Alexander (2012) argues that the early founders of the US ‘strategically’ aimed to inflame relations between Black slaves and White indentured servants in order to create a system where ‘poor whites suddenly had a direct personal stake in the existence of a race-based system of slavery’. By creating an enemy that was ‘other’ and very clearly defined, early founders were able to stave off fears of a class-based war. They viewed their Black slaves as dispensable property – a notion that can still be seen in American society today.

A Critical Race Theory analysis that focuses on the institutional element of racism can be seen in work such as Prins’ (2007) study on the institutional racism that pervades interdistrict transfers. California allows parents to transfer their children from one school district to another at their own request if there is room at the receiving school. However, districts also have an obligation to provide ‘an integrated educational experience’ for all students based on the landmark Supreme Court case of *Brown v. Board of Education* that required schools in the United States to be desegregated. Districts in California are therefore obliged to deny transfers that would result in an increase in segregation in the leaving school. In a case study of an elementary school in rural California, Prins found that interdistrict transfers out of the case study school instead ‘exacerbated’ segregation at the school. Of the thirteen transfers out of the school in a single academic year, all were White students. Prins’ research consisted of analysis of transfer interviews with parents, semi-structured interviews with community members and school staff, and ethnographic observation data from school board meetings, Parent-Teacher Association meetings and informal conversations. Prins found that the parents who transferred their students out were influenced by ‘racially segregated’ social networks and the perceived quality of the

leaving school. Five of the families chose to transfer their students out based on reputation alone – without their children actually attending a single day of school there. Parental income and cultural capital were core factors in the decision to leave, as was the fact that the school was widely known to have a high proportion of bilingual students. Some parents even cited the perceived additional requirements of teaching bilingual students as rationale for why they felt their students would do better at the more-White school in the suburbs. When viewing these data points through the lens of institutional racism, analysis can dig deeper by acknowledging that, while the interdistrict transfers were legal and ‘seemed fair, with no intent to harm non-White students’, the resulting outcomes were highly inequitable and resulted in an illegal increase in segregation at the leaving elementary school. The policy ‘provided a mechanism for White parents to leave the school while effectively ensuring that Latino/a students would remain in a segregated, high-poverty school’ (Prins, 2007, p.302). On top of that, the number of students leaving was utilised as a rationale for the district to conduct an audit of the school on the grounds of ‘poor academic performance,’ even though that year the school had the largest gain in standardized testing scores in the district. By analysing these results against a CRT framework, it is possible to see how policies that ‘seem fair’ on the surface can result in discriminatory outcomes even though no individual in the process acted in a prejudicial manner towards Latino/a students. This framework also shows why a colour-blind approach does not work to challenge structural racism. By refusing to acknowledge a ‘racial reality’, policies that seem equal on the surface are continually promoted by governments. CRT requires critique of the meritocratic notion that everyone is starting from equal footing in an attempt to create policies that are more grounded in a ‘racial reality’.

Interest-convergence (and its parallel principle of interest-divergence) are also critical to building a CRT framework. Interest-convergence is the view that ‘apparent advances in race equity are accommodated only when they converge with the interest of White elites’ (Gillborn and Ladson-Billings, 2019). In other words, while it may appear on the surface that landmark improvements in civil rights have occurred because everyone agrees that the changes being made are the right thing to do and acknowledges the injustices that a minority group might have suffered,

interest-convergence would highlight that those improvements are only made when improving the lives of a minority group is also in the interest of a White elite. Taking action against racism must be ‘the lesser of two evils’ for White elite interests. Interest-convergence’s flipped principle of **interest-divergence** describes the ‘normal’ state of society where ‘majority populations are told that their interests are quite different to those of their minoritized counterparts’ (Gillborn and Ladson-Billings, 2019, p.7). Together these two principles work to ensure that even when improvements to the civil rights of a minority group are made, they do not actually cost the White elite group anything.

French’s recent work with early career teachers showcases how an interest-convergence analytical lens can allow for a deeper understanding of a phenomenon. Through interviews and observations over the course of a year, French followed a selection of first-year White teachers who had focused on social justice during their preservice training. She was interested in how they put the theories and pedagogies they studied into practice in ‘environments that may uphold historically biased views of race and difference’ (2023, p.313). Through her study French found that while many of the teachers interviewed began their careers with clearly defined ideas about social justice pedagogies, over the year those ideas often shifted in light of ‘race-based’ categorizations of student behaviour. French found that by the end of the year, most teachers ‘upheld their own personal interests over student interests’ (2023, p.331), only bringing in their social justice pedagogies when they converged with their own interests. Ms. Destinas, for example, felt that she had to crack down on student behaviours as that was what was expected of her by her school, however she still believed that, even though she was taking ‘race-based’ actions against students, she was still teaching for social justice ‘because of her own perception of herself as an excellent teacher’ (p.325). In this way, even though the teachers involved in this study believed themselves to be acting in social justice-oriented manners, they only began to implement teaching strategies that worked in their students interests when those interests also converged with their own – such as when it helped them be more effective or more professional teachers. Using the principle of interest-convergence, it is possible to find a rationale for the seemingly incongruous behaviour of the teachers in question. The teachers in this study

provide many parallels to the teachers in my own study as will be discussed more in depth in the findings chapters: many teachers involved took action that was in their own self-interest over the interests of their students, demonstrating the principles of interest-convergence and interest-divergence, even as they held beliefs about the importance of critical pedagogies aimed at supporting students.

Interest-convergence can also be seen in bilingual education. For example, in a 2018 study on how bilingual education is influenced by interest-convergence, Kelly found that, when bilingual education in Arizona and California was framed as being a necessary element of education for bilingual students of colour, voters were quick to dismiss the need for bilingual education. On the other hand, when bilingual education was described as a helpful way for White students to get ahead in a knowledge economy, voters were much more likely to vote for policies that enhanced bilingual education and enrol their children in bilingual education programs. Kelly's policy analysis research involved utilising publicly available election data along with a critical discourse analysis of the text of the bills in state legislatures to highlight how, when their interests were seen to align with the goals of the bill, White voters were much more likely to decide that there was value in pushing the bill through. Kelly's findings argue that 'when voters viewed bilingual education as a tool for educating students from linguistic minorities, they voted to remove it and institute English-only policies. However, as citizens and policy makers came to see bilingualism as an economic advantage, access to bilingual education began to expand' (p.2). Though access to bilingual education has grown in both states recently, which is in the interest of minority populations, analysing this change through a CRT analysis shows that change will only occur when it is pitched as in the interest of the White elite.

Related to interest-convergence, Gillborn (2008) focuses on 'contradiction-closing' cases. This concept, originally conceived by Derrick Bell, describes a contradiction-closing case as 'those situations where an inequity becomes so visible and/or so large that the present situation threatens to become unsustainable' (p.32). In this way, contradiction-closing cases are nearly always also cases of interest-convergence and are always followed by 'landmark' legislation. However, due to the disproportionate focus afforded to them in the minds of the White majority, contradiction-closing cases are seen to be positive indications where prominent

cases of institutional racism have been resolved and everyone can move on, secure in the knowledge that institutional racism has been halted. In reality, that is rarely the case as there is often 'foot-dragging' at every stage but, as the tide of public opinion has been satiated by the new legislation, the White majority is able to ignore when the situation slips backward, often to create a worse-than-before situation for Blacks and other non-White groups.

These tenets of CRT, form some of the most agreed upon elements of the theory. CRT scholars, however, are reluctant to build a 'rigid set of unchanging, theoretical tenets' (Gillborn, 2008) and instead list their tenets as 'defining elements' or 'basic insights'. In this sense, the tenets outlined so far should be considered as key ideas and concepts to build an understanding of CRT but should not be viewed in a dogmatic manner. There are other 'basic insights' than those discussed here, such as CRT's understanding of civil rights law which illustrates that 'laws to remedy racial inequality are often undermined before they can be fully implemented' (p.28). As this paper does not focus on legal research, I have included those tenets that are most relevant to educational research, with one exception – CRT's intense focus on context. Context will be discussed more in depth later on in this chapter when I return to policy enactment.

It is possible to put all of these tenets of CRT together and utilise them as a framework, or tool kit, for analysis of a large suite of education policies. Au (2016) undertook just such an analysis while looking at how the standardised testing regimes in the US are built upon foundations of racism. Au's key argument is that 'an ideology of individual meritocracy' has redesigned the idea of "anti-racist" as being against 'any identification around race' instead of being against racism. In this way, the dominant neoliberal ideology has pervaded education and resulted in policies promoting standardised testing as being "anti-racist" even against the well-known racist backdrop of standardised testing in the United States. In the US, standardised testing has been a 'racial project' since its misguided import from France in the early 20th century. Binet's original ideas around IQ were distorted into a concept of testable 'fixed ability' as a way to sort and rank individuals that, uncoincidentally, reflected the racial and class politics of the time. That idea became the basis for aptitude tests in the US Army, which by 1925 had become the Stanford Achievement

Test for sorting students. The Stanford Achievement Test can be directly linked to the SAT – for which any underlying acronym was dropped in 1997 (Applebome, 1997) – a test currently used to justify US university admissions. A multitude of research has shown that tests such as these are being used to structure racial inequalities (as well as class and gender-based inequalities) (Au, 2016; Furgione et al., 2018; Shewach et al., 2017) even while these same tests are being used to prop up a meritocratic ideology that race does not matter. The logic behind this is grounded in the idea that ‘if standardized tests provide for the fair and objective measurement of individuals, then standardized testing holds the promise that every test taker is objectively offered a fair and equal chance’ (Au, 2016, p.46) because individual differences like a student’s race or class background are discounted in a truly objective system. By utilising a CRT framework to analyse these claims, it becomes clear that the objectivity of the tests is in and of itself a myth. That myth pervades though, as promoting it allows institutional leaders (typically White elites) to appear to be promoting an anti-racist idea – objective standardised testing eliminates individual bias in the education system – without actually needing to ‘do the work’ and instead falling back into interest-convergence habits. Instead, ‘high-stakes standardized testing... works to survey, discipline and punish Black and Brown children’ (Au, 2016, p.53). In this way, a CRT framework can interrogate and critique how the effects of neoliberalism in the large scale and standardised testing on a smaller scale can result in structural consequences for people of colour even without any instances of bias or prejudice from individuals.

While concepts such as institutional racism were initially developed in response to American society, CRT has been adapted in a way that means it can be used as a tool for analysing many different societies around the globe. Some of the most well-known work adapting CRT to English contexts has been done by David Gillborn, who in a 2008 study focused on how discussion of the achievement gap, a popular political topic, hides elements of institutional racism. In a review of attainment tests in England, Gillborn argues that the ‘assessment game’ is rigged to such an extent that if Black children succeed as a group, despite the odds being stacked against them, it is likely that the rules will be changed’ (p.91). Gillborn looks at GCSE tiers (of which at the time there were 3 with the lowest tier being unable to

achieve a passing C grade) and found that Black Caribbean students were the most likely to be entered in the lowest tier for their GCSEs in mathematics and English. This, he argues, furthers a racist meritocratic narrative where those students are deemed to be 'failing' because of their 'own deficiencies'. In this way Gillborn argues that assessments actually *'produce inequalities'*.

In England, CRT can also be applied to provide a deeper understanding of racial dynamics in the EAL category. In the American education system, most EL pupils are also classified as non-White. In England, however, as discussed previously, the largest proportion of students classified as EAL come from White Eastern European backgrounds. This does not, however, mean that there are no racial dynamics at play between these populations. As Tereshchenko et al. found, 'whiteness – and the performance of whiteness as an intelligible racial identity – is a series of norms, in terms of behaviour, language and attitudes, dependent on a particular social context' (2019, p.55). Their study found that Whiteness as it exists in England in the 2010s is not something that extends to Eastern Europeans – these 'white minorities' were seen as 'less deserving' in teachers' analyses of Eastern European students. Though different from the racialised dynamics at play in some contexts, these dynamics still exist because 'whiteness is not a race; whiteness is an ideology, a form of belief, and a system of assumptions and practices' (Gillborn, 2014, p.32). An interesting aspect of analysis in this study will, therefore, relate to the structural differences inherent in the populations that make up the varying EAL sub-groups in the UK and the US. In California, Spanish-speaking Latino students make up the overwhelming majority of students classed as EL whereas, in England, no clear majority in ethnicity, race or home language exist. It will be important for analysis of the data in this study to understand what differences the racial background of English learners might have on how teachers interacted with these students during the pandemic.

Whiteness has become an important category of CRT study and research, so much so that it has been argued there is a danger of Whiteness studies 'colonizing' CRT and other forms of critical multicultural studies (Gillborn, 2008). That does not mean, however, that research into the 'socially constructed and constantly reinforced power of White identifications and interests' does not bring value to the field. After

all, as the above research from Tereshchenko et al. shows, the boundaries of Whiteness are constantly being renegotiated to better serve the White elite. While Whiteness in education is often understood in relation to topics such as standardised testing or language learning, it is worth acknowledging and understanding that Whiteness affects all elements of education. Flintoff and Dowling (2019) analysed the effects of Whiteness in physical education in schools in England and Norway. Using a biographical narrative method, they worked with teachers and teacher educators in both countries to understand how Whiteness affected their teaching practice. They found very few examples in their data where teachers or teacher educators eschewed the dominant discourses in physical education – namely that the subject should be a place for ‘non-academic’ young people to shine. In this way, they felt that physical education was ‘the ideal space for the deployment of colour-blind discourses’ (p.126). Their participants instead frequently made reference to the ‘racialized bodies’ of their students and cited, for example, dominant stereotypes of ‘aggressive’ Black boys in their narratives. ‘Othering’ was prevalent across the narratives as well, as participants called out their non-White students’ assumed stereotypical interests that would not fit in a typical physical education course (e.g., South Asian students ought to be interested in cricket). Even teachers that expressed interest in furthering students’ understandings of the role that race played in relation to sport and sports education struggled to highlight for White students that their Whiteness played a part in this. In one excerpt, Josie, a teacher in England, asked a group of students to reflect on how race had affected their interest in sport and found that all the White students in the group turned to the one Asian student to await his response to the question. In this way, the authors highlight that, particularly in sport and physical education, Whiteness is assumed to be the default and set up to be in juxtaposition to a ‘racialized Other’.

This notion of a ‘racialized Other’ is often used in research such as that by Crozier et al. (2016) as part of their two-year qualitative study on the ways higher education students and teachers engaged with pedagogical approaches around gender and ethnicity. In this particular study, they sought to challenge other research that showed that Black and Minority Ethnic students were not interested in ‘mixing’ with their White peers by instead highlighting how White students separated

themselves from their peers. They found many instances of White students 'Othering' their Black and Minority Ethnic peers by 'making visible' their social class and ethnicity. A White middle-class student was considered to be the 'norm' by highlighting a raced, classed or gendered 'Other' that was seen as 'separate, as difficult, as disruptive, and or threatening' (p.45). In one excerpt, a White middle-class student described their experience at university as 'unreal', explaining that it was like 'being in the television programme EastEnders and describing Black and Minority Ethnic students (and (White) working-class students) in terms of 'gangs'' (p.46). The authors found that for some White middle-class students the experience was 'unsettling' due to the highly competitive space of higher education, i.e. 'the presence of Others is seen to devalue the experience'. However by 'Othering' - making 'implicit' and not 'explicit' comments on race, class and gender - these White middle-class students were able to retain the intellectual and moral high ground, by keeping the illusion of diversity unproblematic.

Issues of class also appear in a study by Rollock et al. (2015) which highlighted some of the effects of institutional racism that can be seen in England. In their study, they interviewed Black parents in London about their educational strategies – in particular in relation to class. Their study showed that 'the effects of racism continue to position middle-class Black people as 'outsiders' irrespective of their class positions' (p.5). By looking at race and class together, they were able to better describe the difficult position these parents found themselves in, an 'amorphous space' between the White middle classes and the Black working class. Particularly as it relates to education, they argued that while race is seldom 'explicitly named', teachers and school leaders consistently base decisions on underlying 'assumptions, beliefs and stereotypes' that belie a racialised view of these parents.

3.2.1 - Intersectionality

While CRT was originally developed to refocus legal theory on race instead of relying on a singular focus on class to define difference, studies such as the one by Rollock et al. show why it can be helpful to take an intersectional viewpoint instead. Intersectionality (Crenshaw, 1989) aims to take into account an individual's experience which is 'greater than the sum' of the racism, sexism, classism or other

forms of prejudice which they might experience. Intersectionality allows a way to 'examine diverse experiences and outcomes through social categories such as race, ethnicity, gender and class' (Cuba et al., 2018, p.3). It also helps to avoid 'essentialising identity' (Anthias, 2012) and homogenising all members of a social group together. Though intersectionality grew out of CRT, many consider the two to be intertwined elements of the same theory.

Taking an intersectional approach is an increasingly common theoretical angle in education research that can lead to important insights that might not be possible by focusing on race or class alone. David Gillborn, for example, highlights how 'it is possible to document the very real material and symbolic violence that White working-class people experience, whilst recognising that the existence of poor Whites is not only consistent with White supremacy, but actually an essential part of the processes that sustain it' (2010, p.4). In his analysis of the 2008 financial crisis, Gillborn highlights how White elites *need* the White working-class to secure their own interests – they use the working class as a 'buffer'. Gillborn's analysis of media discourses used in 2008 finds two key themes present in discussions of the White working class (especially children) – first, that they are victims of a 'politically correct' society and, second, that they are symbols of an 'underclass' being dragged into lives of crime by their parents. The author argues that these two discourses work together to position the White working class as an expendable protection for White middle-class interests. In this way, the White middle classes are able to wield the working-classes as a tool to ensure that they constantly stay ahead. This analysis shows how discussions on the failures of White working-class boys in school examinations, for example, actually serve to further White middle-class interests. By utilising intersectionality drawn from CRT and highlighting the effects of race and class together, Gillborn is able to come to conclusions that would not be possible otherwise.

In a 2017 study on children's identities in primary school, Kustatscher found that without taking an intersectional approach it would be difficult to understand the complex nuances that were involved in how children navigated their identities through emotion. Kustatscher's ethnographic study of a Scottish primary school noted that the intersecting facets of children's identities could be seen through their

emotional investment in different elements of their identities. For example, in an excerpt from her fieldwork, Kustatscher discussed the ways in which the children discussed their upcoming Easter holidays. Fatima and Tahira were going with their families to Pakistan, but Fatima became upset when Tahira disclosed this information as Tahira did not speak the language. Though both girls were Pakistani, Fatima rejected the idea that Tahira could be truly Pakistani due to her lack of understanding of Urdu. Both girls, however, banded together to confront Asya, a student deemed to be Turkish, when she also claimed to be going to Pakistan for the upcoming holiday. The girls demonstrate a fluid and changing understanding of identity, framing each other as more or less Pakistani depending on who is in the group. An intersectional analysis allows for the differences in the bounds of 'acceptable identities' to be clearer than analysis that just focuses on ethnicity. In another excerpt, a pupil called Amy acquires a new branded coat in order to comply with the "right' gendered and classed styles' to highlight that she does belong to an insider upper-class and female group of students. In both of these situations, intersectionality 'draws attention to the power dynamics involved in creating hierarchies, belongings and boundaries' (Kustatscher, 2017, p.74) both within and between identities. In my research, a focus on intersectionality will also serve to highlight the power dynamics that can be seen in the way students are conceptualised. Race, class and gender all interact with a student's highlighted identity of "English learner" to create some identities that are treated differently than others.

A focus on intersectionality can also be seen in Bradbury, Tereshchenko and Mills' recent work on minority teacher identities in England. In interviews with twenty-four primary and secondary school teachers across England, the researchers sought to understand the impact of 'nuanced inequalities' in teacher's professional lives. Though participants largely agreed that 'racism was a major reason for considering leaving teaching,' (Bradbury et al., 2022b) the effects of that racism played out in different ways for different sub-groups of teachers. For example, teachers that were Black and male were assumed to be 'better able to deal with behaviour issues' and were frequently placed in charge of classes that were seen to need more behavioural help. Teachers that were working class found themselves held back

from senior leadership as the school did not want them to engage directly with parents. An additional intersection was found with the subject teachers in secondary schools specialised in – certain subjects were deemed more appropriate than others. Gita for instance found that, while ‘being Indian and a teacher’ was acceptable in certain departments, being an ‘Indian English teacher’ was unintelligible and resulted in discrimination. The authors argue that without intersectionality these nuances would be missed. Using an intersectional analysis conceptualising these as ‘intersectional racisms’ better informs an understanding of institutional racism in England. Similar ‘intersectional racisms’ will be seen in this research in how English learner students are conceptualised and stereotyped by teachers and school staff.

In recent work by Cioè-Peña (2017) the case of bilingual children who are also labelled as having a disability is discussed. The author argues that in the US, these intersections result in children who meet both of these criteria being effectively dropped from the system. Monolingual students who are labelled as having a disability are typically intended to be a part of ‘inclusive education’ as a first preference. When including children with disabilities into mainstream, general education, there are concrete benefits for the students and for society more broadly as people transition from ‘social outsiders to participants’. However, these programmes are unable to provide for students who have more than one factor affecting their academic development. In contrast to children in special education, bilingual children labelled as English learners are often initially educated separately until the student is considered sufficiently proficient in English to be successful in a general education classroom. Where then does this leave bilingual children with a disability? The author argues that ‘the current programme placement options available to multilingual children labelled as disabled...do not meet the criteria for a free and appropriate public education’ (p.915) as required by law. In this way, an intersectional analysis shows that, without considering all aspects of a child’s identity, it can be easy to ignore their specific needs and allow them to fall into an ‘intersectional gap’ instead of supporting them.

CRT has been criticised as too focused on storytelling and therefore not focused enough on truth. CRT is also critiqued as not taking account of groups that have traditionally done well in America, or of considering the impact of class and

socioeconomic issues in addition to race (Delgado and Stefancic, 2017). Delgado and Stefancic argue that CRT is a tool kit, and that storytelling and personal narratives are a tool that can help readers look at the world through a different lens. Individual perspectives can help to round out a picture and show a side of policy and culture that might not be seen from a majority viewpoint. They argue that CRT scholars do not exclusively use these methods, instead combining them with other forms of research to set scenes and open up conversations. This research takes up that viewpoint by also utilising CRT as a tool kit. There are many elements that can be useful for this research and those will be utilised in full. In regard to criticisms that CRT does not consider the impact of class and socioeconomic issues, an intersectional framework can help address those concerns as well. Intersectionality highlights the overlaps between race, class, gender, language and more in order to gain a complete picture of society. This research will focus on intersectionality, particularly as its main lens is through English learners in England and California – students who live at the intersection in many ways. A specific subset of CRT and intersectionality has grown up to research language and race crossovers, raciolinguistics, which will be focused on in this research.

3.3 - Raciolinguistics

Critical Race Theory has spawned a variety of offshoots focusing on other minoritised groups such as LatCrit, which ‘builds from the major tenets of CRT’, but ‘uniquely captures the Latino diaspora of identity and language’ (Rodríguez et al., 2016) DisCrit, for ‘exploring the intersections of race and disability’ (Annamma et al., 2018) and QueerCrit, ‘a critical perspective focusing on social justice that combines race and sexual identity’ (Bailon-Valdez, 2021) among others. This work, however, will focus mostly on the CRT sub-field of raciolinguistics, or the idea that ‘race as a social category is not just about phenotypical traits; it is also a social construct expressed through language’ (Leung, 2019, p.1187). The theory, developed by Rosa and Flores (2015; 2017) seeks to understand the interplay between race and language by bringing together CRT tenets to focus on language. Rosa and Flores sought to understand why the Spanish-English bilingualism of US Latino students was framed as deficient. They argue that it is the social constructions of race that

frame Latino speakers as ‘linguistically deviant even when engaging in linguistic practices positioned as normative or innovative when produced by privileged White subjects’ (Flores and Rosa, 2015).

Rosa and Flores, through their naming of raciolinguistics, bring together a series of perspectives that have already been discussed in this work, from Bradbury’s (2019a) framework using CRT and policy sociology to ask questions around support for EAL students in England, to Kelly’s (2018) research on bilingual education bills in California and Arizona. While Rosa and Flores’ work focuses largely on Latino students in the US, their perspectives have been adapted to analyse accent reduction pedagogies (Ramjattan, 2023) and teacher identity (Fallas-Escobar et al., 2022). Their work also draws from linguistic fields, particularly those of language learning, applied linguistics and sociolinguistics. The field of applied linguistics featured extremely prominently in the development of the field due to its being the home of many key raciolinguistics scholars. Applied linguistics can be defined as ‘an interdisciplinary field of research and practice dealing with practical problems of language and communication that can be identified, analysed or solved by applying available theories, methods or results of linguistics or by developing new theoretical and methodological frameworks in linguistics to work on these problems (Linguistics, 2023). Wei (2014) however, argues in his introductory textbook to Applied Linguistics that that definition is ‘too narrow’ in its relation of Applied Linguistics to more traditional forms of linguistics. He argues that applied linguists focus on language issues and problems but ‘feel free to draw on almost any field of human knowledge’ in their attempts to solve problems ‘within an area of language use’. This broad knowledge base is clear in the practical applications of raciolinguistics which steer away from descriptive linguistics, phonology and syntax-based studies. This broad base, however, helps raciolinguistics function as a tool in language, education and CRT-based studies. To this end, it is most practical to understand CRT-derived raciolinguistics through its application.

Ramjattan’s research on accent reduction pedagogies in Canada takes as its core principle that language is not just an aspect of identity – it is also a skill. Because of this, ‘accent is not simply something one has, but also something one does’ (2023, p.37). Ramjattan’s study focused on accent reduction services which

are marketed to skilled migrants in Canada with a goal of increasing migrants' ability to be understood by their Canadian peers and, as such, be considered for more lines of work, such as those which are considered to be highly communicative. The author argues that these services are in fact symptomatic of a raciolinguistic pedagogy, or one which 'uses language as a means to normalize racism' (2023, p.39). Ramjattan argues that, linguistically, there is no such thing as a static accent and therefore the idea that one could permanently 'reduce' or alter their accent is misleading and pedagogically suspect. By focusing on a 'problem' with a clear 'solution' that lays blame on the migrant population (i.e., their accents are unintelligible, and they need to 'reduce' them in order to be employable) instead of institutionally racist hiring practices, accent reduction pedagogies reinforce structural racism in Canada. The accent reduction services themselves also strengthen meritocratic discourses by alluding in their marketing materials to individual choice and effort (by choosing to enrol in their program) as a means for getting ahead. Ramjattan uses linguistic analysis, such as highlighting how Chinese speakers of English are often criticised for syllable deletion in their speech (i.e., dropping the *-or-* in *comfortable*) a practice that is also common in some varieties of English but is not criticised when speakers are White, to expose the underpinning racist ideologies in the practice. In this way, raciolinguistics works to combine the two fields by using language to expose racism and racism to highlight concerns in language practices that might have otherwise gone unnoticed.

Kutlu (2020) also utilised raciolinguistic tools in his analysis of how listeners perceived different varieties of English. Kutlu asked participants to judge the 'accentedness' of speech patterns and, through providing them with a 'visual' of the person speaking, was able to begin to show racial judgements were at play in accentedness judgements. Kutlu found that 'listeners judged speech presented with South Asian faces as more accented compared to speech presented with White faces' (p.9). Studies such as Kutlu's and Ramjattan's are typical of raciolinguistic studies – they meld together a variety of fields to ask questions about perception of language use based in critical race theory ideas. These studies are widely applicable and can be adapted to different contexts around the world. Litman (2022) for

example, looked at how online education companies in China altered their hiring strategies to promote the 'pure' English accents of their teachers.

The other core type of raciolinguistics studies involve reflections; drawing from CRT narrative methodologies, participants are asked to reflect on their own or other linguistic histories in order to draw conclusions about the racial perceptions and judgements that might be at play. In their study on the intersections of teacher identity and raciolinguistics, Fallas-Escobar et al. (2022), asked twenty-seven teacher candidates in the United States to complete reflections on their language identities and analyse language incidents that had occurred in their teaching careers thus far. The authors found that regardless of their actual linguistic ability, Latino teacher candidates were perceived as 'linguistically deficient', with one teacher candidate commenting that 'I look Mexican, so they assume I speak Spanish'. Wherever these teachers fell on the continuum of speaking Spanish natively or not speaking Spanish at all, there was no 'right place' to be. A CRT-derived raciolinguistic perspective highlights that, at the intersection of race and language, there is never a comfortable spot to be.

In a study looking at how being multilingual affects Black and Brown girls' perceptions of science careers, Harper and Kayumova (2022) also use reflection to understand how their participants, promising young science students in the American South, conceptualize themselves and their futures. Their work argues that, though these girls meet all the criteria of being strong science students as defined by national organizations, these youth will 'continue to be positioned and viewed as linguistically inferior or deviant' (p.7). Teresa, in particular, has a Puerto-Rican accent that deemed her 'less than' her monolingual peers. Taking a raciolinguistic perspective allowed the authors to highlight the intersectional ways that race and language were compounded for these students to negative effect as per the tenets of CRT.

Like CRT, raciolinguistics was initially developed in North America based on US societal constructions, the theoretical tool kit has been successfully adapted elsewhere, including in England, even though the race and class-based nuances in each region might be different. Cushing and Snell (2022) for example, utilised a raciolinguistic approach in their research on the language practices of Ofsted.

Utilising a historical textual analysis of policies, they found that ‘the association between ‘standard’ language, class, and correctness can be traced back to the nineteenth century’ in England, coinciding with the ‘creation of the inspectorate’ (p.3). Throughout their texts, the researchers highlighted that ‘language policing was a foundational feature of the inspectorates practice’. Ofsted commended teachers who adopted ‘aggressive listening practices’ in correcting non-standard English. Students who were discovered not utilising standard English were simultaneously equated as having ‘low academic ability, weakness, incompleteness, intellectual inferiority, and as articulating language practices not suitable for school’ (p.15). Overwhelmingly these students were of minoritised backgrounds, working class backgrounds and language backgrounds other than English. These characterisations were found to be particularly problematic for ‘racialised speakers living in poverty’; in other words, the intersection of race and class created an enhanced form of discrimination – a pattern seen time and time again. For those students that did utilise non-standard English at school, ‘white middle-class speakers’ were afforded much more flexibility and allowed to be ‘creative’ in their speech in a way that racialised speakers were not. Both historically and in the present, this research found that Ofsted works to enshrine institutional practices of language policing – often along racial and class lines – in ways that position speakers of non-standard English as deficient.

In this work, taking a CRT-derived raciolinguistic perspective will help draw out the intersections between race and language that influence participants perceptions. Even though this work particularly asks questions about language, not of race, CRT and raciolinguistics argue for a deeper understanding of the ways in which language intersects with race and class in order to untangle the complicated perceptions and beliefs participants might hold.

3.4 - Wider EAL Literature

Though this work has so far encompassed mainly literature that takes a CRT or raciolinguistic perspective when it comes to EAL / EL research, it is important to note that there is much literature relating to EAL / EL pupils that does not utilise these theoretical perspectives. A short outline of these perspectives will be outlined here.

3.4.1 - Psychology & EAL / EL

Bilingualism has been shown to have a variety of effects on an individual's cognition and psychology, some positive and some negative. In a review of research in the field, Bialystok (2008) outlined key elements of those effects. For example, 'studies investigating language proficiency and lexical retrieval show deficits for bilinguals' (p.7). Multiple studies outlined by the author indicate that bilinguals have a statistically significant difference in both the size of their vocabulary (particularly noteworthy in children where vocabulary size is often used as a developmental measure) and the speed with which they are able to recall relevant words. On the other hand, 'studies investigating executive control abilities show bilingual advantages throughout the lifespan' (p.7). For example, bilingual children are better able to correctly distinguish grammatically correct, but semantically incorrect sentences than their monolingual peers (*i.e.*, 'Apples grow on trees' versus 'apples grow on noses'). These results have been shown to develop gradually as bilingualism is increased in both children and adults (Bialystok and Barac, 2012).

Research focused on the applications of psychology to bilingual children often focuses on measuring neurological skills or processes, such as a recent study by Lee Swanson et al. (2021) which aimed to establish an understanding of how emergent bilinguals processed word-problems in mathematics. The study aimed to determine if and how two languages impacted the development of working memory which is utilised for mathematical word-problems. In their research, the authors worked with 391 children in first through third grades in the US who were enrolled in dual language mathematical classes. These students were given standardised tests at various points in time to determine how they succeeded in completing word-problems. The results showed that growth in mathematical word-problem solving is related to growth in working memory which acts independently of language skill development. In this way the authors argue that emergent bilinguals are no better positioned than monolingual children at solving word problems.

Studies from the field of psychology and educational psychology are useful for understanding the functionality of bilingualism and can help curriculum developers

determine new ways of facilitating student learning, but do not bring significant methods of analysis into this study.

3.4.2 - L2 Acquisition & Translanguaging

Most modern research on second language acquisition (SLA) is based on an interlanguage theory (Selinker, 1972) that includes a few core elements: (1) the first language (L1) speaker is the desirable target for second language (L2) learners; (2) that L1 transfer effects arising from differences between the L1 and the L2 need to be eliminated; and (3) that if learners continue to use 'non-target' forms after learning has ended that L2 acquisition has not been successful (Jenkins and Leung, 2019, p.93). Second language acquisition theories are often used to determine the effectiveness of English learning programs and are popular in the linguistic community.

Research in second language acquisition often incorporates some element of relationship-building as critical to L2 acquisition. Gillanders (2007) argues that 'there is a pressing need to find ways in which monolingual early childhood teachers can effectively communicate and teach' their EL population through relationship building with ELs and their peers. In a classroom observation and interview-based study in North Carolina, the author spent an academic year in a single classroom tracking how Sarah, the early years teacher, promoted positive relationships by 'incorporating Spanish materials into her classroom'. This had the effect of raising the social status of Spanish and the Spanish-speaking ELs, as the Latino children were believed to be 'bearers of a skill that was an asset in the classroom' (p.52). In this way, L2 acquisition was promoted by Sarah even without an in-depth knowledge of popular L2 pedagogies. SLA researchers often seek to promote strategies for L2 acquisition as common-sense and work with teachers to devise low-impact ways of incorporating these pedagogies into their classroom.

Translanguaging is a relatively new concept in the bilingual education sphere but has quickly grown in popularity as a theory that seeks to counteract notions of strict L1 > L2 acquisition. Translanguaging grew out of ideas about code switching, 'going back and forth from one language to another' (García and Lin, 2017), a practice that has been common in language education classrooms for a significant

period of time. Whereas codeswitching is based on the idea that bilinguals have two separate language systems that they switch between depending on the situation they find themselves in, translanguaging breaks down those barriers.

Translanguaging is based on a pedagogy that grew out of Welsh/English bilingual classrooms in the 1990s wherein both languages were given equal weight in teaching. In contrast to codeswitching, translanguaging posits that bilinguals have 'one integrated linguistic system' (García and Lin, 2017) that is used to respond based on the scenario in question. According to a translanguaging perspective, it is not so much that bilinguals switch from one language to another as it is that the concept of distinct languages is not necessarily relevant to considering how bilinguals interact with the world. Even within this theory there are differences of opinion in terms of what that actually means – 'strong' versions of translanguaging theories argue that 'bilingual people do not speak language' (ibid) whereas 'weak' versions support national and state language boundaries but advocate for softening them in certain situations.

Translanguaging research such as that by Machado and Cornell Gonzales (2020) focuses both on describing translanguaging in classrooms and in the provision of pedagogies to support translanguaging. Machado and Cornell Gonzales introduced teacher candidates to translanguaging during a writing pedagogies course. The authors presented their students with the opportunity to write in any language that felt natural during a creative writing assignment and received many examples of work that took advantage of the students' full linguistic repertoires in their submissions. Evelyn for example, drew on Chinese characters to accurately name elements of a Chinese spring festival, while Nadia used Punjabi to punctuate her writing and call attention to important elements. These teacher candidates were then tasked with presenting a similar lesson to their students in the classrooms they were supporting in. The authors found that participants began to plan 'intentionally' for translanguaging in their classrooms and pushed back on English-majoritarian narratives. Peter, for example, supported a newly arrived student from Mexico by 'following her lead' to make sure the content was accessible in the language she needed. In this way, translanguaging can be beneficial to teachers as they are

navigating classrooms with multiple languages and multiple levels of language knowledge.

3.4.3 – EAL / EL Teaching and Assessment

When teaching EAL / EL learners, ‘best practice’ teaching often incorporates elements of translanguaging or first-language (L1) use (de Jong, 2013). For example, in a recent study of Australian English language teaching, Ollerhead (2019) utilises translanguaging to help her learners build a better grasp of poetic vocabulary in the English language. In this study, teacher participants were given a workshop on the benefits of this pedagogy and then their next four lessons were recorded and analysed. After the workshop, Rose, a teacher of secondary school students, had her students initially respond to colours in their L1 in order to learn the concept of utilising colours as a frame to build out a poetic vocabulary. Once they had completed and understood the activity in their L1, Rose had them translate their words into English, in order to build out their English language vocabulary of poetic words. In this way, Rose was able to design a lesson that encouraged her students to learn key terms in English by introducing the concept through an initial translanguaging frame.

When assessing EAL ability, we are often looking to assess proficiency in English, a concept that Leung (2022) reminds us has been construed in many different, but always monolingually focused, ways throughout time. There are a variety of standardised tests designed to test this proficiency in adults such as the International English Language Testing System (IELTS) often used for university acceptances in the US and the UK. Though these tests are ubiquitous for those purposes, they have been shown to have biases that might raise questions about the validity of their test designs (Noori and Mirhosseini, 2021). Particularly in regards to examinations such as the IELTS, ‘it is now common knowledge that the large-scale standardized academic English test scores do not strongly correlate with test-taker’s subsequent academic performance’ (Jenkins and Leung, 2019, p.97).

While all these elements of EAL / EL research are important for understanding the whole picture of EAL / EL supports in the UK and the US, this research will particularly focus on the sociological conclusions that can be drawn from research

into the supports available for EAL / EL children during the Covid pandemic. This research will not analyse the effects of Covid on second language acquisition, or cognitive impacts of Covid on EAL / EL children for example. This research will also not focus on 'best practice' in teaching, instead focusing on the supports that were available for EAL / EL students – not what *should have been*. This research will largely take a CRT-based raciolinguistics perspective to understand the choices made by teaching staff and school leadership.

3.5 - Deficit Discourses

It has recently been argued that deficit thinking is becoming a dominant discourse in the US and in England (Lasater et al., 2020). Deficit thinking

locates the 'deficit', inadequacy or failure in the individual, as an endogenous characteristic of a student, and not in the consequences of poor instruction, inadequate access to multiple quality educational opportunities, or long-standing structural inequalities (Atkinson, 2015, p.43).

This idea of deficit thinking is grounded in Critical Race Theory and interacts with the concepts of meritocracy and social mobility as introduced above to create a dynamic wherein students are stripped of 'all the conditions and attributes' beyond their control and reinscribed with 'judgements based on supposed merit' (Bell McKenzie and Allen Phillips, 2016, p.36). As Bradbury (2013) noted, teaching staff repeatedly referenced 'English-speaking middle-class children' as the norm and their students as a 'difficult intake' comparatively. This 'difficult intake' framing encompassed language, nationality, assimilation, income and race at varying times and served to make 'positions of educational success all but impossible' (ibid) for the children in their school. Mac Naughton (2005) calls this 'the myth of the normal child' wherein teachers and schools highlight the English-speaking White middle-class child as 'normal' and define differences from that as problematic and abnormal. In this way, it is possible to 'classify, distribute and regulate children' (ibid, p.33) often through the use of deficit discourses.

Crucially, the characteristics that drive deficit thinking are immutable and reproduce the implication that it is inevitable that some groups, such as EAL children, or children from a certain racial background, will have lower educational attainment

than their White middle-class peers (Bradbury, 2011). In assessment situations, deficit thinking can lead teachers to 'overtly blame students for their poor performance on standardized assessment' (Lasater et al., 2020, p.5). Other studies show that some teachers used deficit thinking to point out to certain low-attaining students that they were to blame for their scores on end-of-year standardised assessments and that they were 'failing not only themselves, but also the school' (Atkinson, 2015, p.50). This research will seek to determine the prevalence of deficit thinking in policy enactment discourses and, in so doing, challenge the notion that educational attainment is inevitably based on student classification into a group such as EAL.

Deficit thinking can also be seen in policy ideas such as that of the 'word gap' (Cushing 2022). Underlying the popular theory of the 'word gap' is the idea that "language' is taken to be 'words', and a perceived 'lack' or 'poorness' of words is taken to be a root cause of social inequality' (p.2). In a historical textual policy analysis, Cushing reviewed the ways in which raciolinguistic ideologies have 'reimported' the idea of the 'word gap' from the US to England, even though the idea was initially present in England as long ago as the 1800s. The prevalence of 'solving the word gap' can be seen in policies such as Ofsted inspection documents, speeches by various Secretaries of Education, academic research and textbooks. Under a 'word gap' approach, lower-class, minoritised groups are determined to have a gap in the number of words that they teach their children, resulting in a poorer start to school for those students which impacts the rest of their educational careers. In other words, they claim that 'minoritised speakers do poorly in school not because of structural inequality, but because of a cultural, cognitive and linguistic deficit located within the speakers, their families, and their communities' (p.5). Solving the 'word gap' is thus seen as a 'simple solution' to ensuring that these groups do better in education without needing to address the true structural inequalities present in the system. In this case, it is clear that deficit thinking works to obscure the real rationale for a concern in the education system – instead reverting to a meritocratic myth to place blame on minority parents utilising principles derived from CRT.

Another study that focuses on deficit thinking came from Flores, Phuong and Venegas (2020) in their research on how labels themselves can create deficit

framings. The authors found that official designations ‘sometimes conflicted with teachers’ own evaluations of the language dominance of their students’ (p.637). In those cases, teachers often adjusted their expectations downwards in order to create a cohesive narrative for students in their heads. Javier, for example, a student who spoke ‘spanglish,’ was never afforded the prestigious status of bilingual, as he was described as an English learner upon arrival. Instead, Javier’s English was described as ‘mixed’ and ‘jumbled’. In an even clearer example, Alejandra was perceived to be a bilingual student with English as a first language and very strong Spanish as a second language, until teachers were made aware of her EL label. After that, ‘the discourse of Alejandra as the idealized bilingual student who successfully “had” both languages shifted when her teachers attempted to make sense of why’ Alejandra had been labelled as EL. Alejandra’s third grade teacher stated in an interview that, ‘after she became aware of Alejandra’s [EL] status,’ that was when ‘she began to notice that Alejandra would “mix up words”’ (ibid, p.645). These examples clearly show that the label itself is a harbinger of deficit in the minds of these teachers. Alejandra in particular was not considered to be a student with poor English skills until teachers were informed that English was not her first language. After that, the die was cast and teachers began to ‘listen for deficiencies’. This clear example of deficit thinking echoes statements made by teachers and school staff in this study, as will be shown more clearly in Chapter Five.

There have been arguments made in favour of deficit thinking, particularly in areas where EAL / EL education overlaps with the ‘harder’ sciences. For example, in a study by Hoff (2013) on the language trajectories of EAL / EL children from lower socioeconomic status or from minority language homes, the author argues that it is necessary to call out deficits where they exist, which she calls a ‘common sense’ approach. In other words, if ‘some language development trajectories have negative consequences for children’s ultimate achievement, then perhaps those trajectories are not as desirable’ (Hoff, 2013, p.4). In a review of research in the field, the author claims that language differences are obviously deficits when they result in ‘weaknesses’ in English language skills:

‘the evidence argues that although both [low SES and low-status minority home language] children have mastered styles of language use, dialects, and languages that serve them well

in their homes and communities, many children from both groups also have weaknesses in their English language skills that are an obstacle to their achievement in English language schools. By the pragmatic criterion of interpreting a difference as a deficit if it has negative consequences for children's probability of future success, these differences are deficits' (Hoff, 2013, p.10).

This research will wholeheartedly reject this line of thinking as it draws on many theoretical arguments which are disavowed in CRT in its arguments around taking a 'pragmatic', 'common sense' (Hoff, 2013) approach which uses 'assumed objectivity' to hide bias and enhance persuasiveness (Gillborn et al., 2018). Mitchell (2013) argues that the kind of thinking espoused by Hoff reflects an idea that 'even when attempting to uncover issues of race and racism, White researchers may not be conscious of the hidden racial content in the criteria they employ in the decision making process' (p.346). These 'majoritarian stories' are easily perpetuated by White researchers and can inadvertently 'promote deficit thinking'. In its attempt to reject deficit thinking, this research will also work to counteract 'majoritarian stories' in the creation and development of this work.

There is a common thread in these related areas – CRT, intersectionality, raciolinguistics and deficit thinking – that of innate characteristics being turned against a students' perceived ability to attain educational success. Even when education stakeholders understand that these classifications are 'purely formal' they are likely to still 'mold their behavior to fit those conceptions' (Bowker and Star, 1999, p.53). This idea will form a central component for this research.

3.6 - Using CRT and Foucault with a policy enactment tool kit

This research will aim to bring together ideas from CRT, policy enactment and Foucauldian theories and tool kits in the data analysis. Though this is unusual, it is not unprecedented and many of the studies that informed the design of this research did the same, often through the use of a policy enactment tool kit. As discussed earlier, policy enactment is 'a process of social, cultural and emotional construction and interpretation' (Maguire et al., 2015) grounded in Foucauldian theories. As policies tend to serve as a roadmap, rarely telling you exactly what to do, a tool kit is needed for understanding the contexts and situations in which actors utilise them.

The policy enactment tool kit developed by Maguire et al. in 2012 can be used in just such a way, with a plethora of research focused on elements of the tool kit such as ‘policy actors’ (Jeong and Hardy, 2022), or ‘policy contexts’ (Verger and Skedsmo, 2021) and in areas of education as broad as educational innovation policies in Catalonia (Quilabert and Moschetti, 2022) to tuition policies in higher education in the US (Castrellón, 2022). This research will build upon this tool kit, other frameworks that have been developed from this tool kit and the theory to create a theory-driven research frame for this study.

Bradbury’s (2019a) framework for analysing English language learners and assessment policy in England was one of the clearest examples of how to utilise these different theories and tools to build a coherent framework for analysis. To build her framework, Bradbury brought together Ball’s (1991) Foucauldian-based policy sociology frames of ‘policy as process’ and ‘policy as discourse’ with core principles of CRT in order to create a series of questions that could be used to frame understandings of policy. As in policy sociology ‘policy establishes and re-inscribes particular ‘regimes of truth’ about what matters in education, and who can be recognisable as successful or failing’ (Bradbury, 2019a, p.243), it can be helpful to utilise CRT to determine who benefits from these ‘regimes of truth’. Bradbury’s framework focused on three contexts - the context of influence, context of text production and context of practice – drawn from Ball’s work. In each context, Bradbury asks researchers to consider how white people gain, minoritised groups are disadvantaged and how the policy might maintain white dominance. ‘How’ questions are focused on as they shift the focus from ‘*proving* that white people gain’ towards ‘examining *how* they gain’ allowing for more emphasis on finding solutions as opposed to naming the problem. This research focused largely on the context of practice, though the context of influence and text production also had a minor impact. In Bradbury’s context of practice, questions such as ‘how does the policy produce practices that result in disparities in attainment through seemingly neutral policies?’, ‘how does the policy encourage the use of stereotypes, dividing practices or labelling, in ways which disadvantaged minoritised students?’ and ‘how does the absence or presence of ‘race’ perpetuate inequalities?’ (2019a, p.247) are the focus of research. Importantly, Bradbury calls out ‘policy silences’ as a way to see these questions in

action just as much as what is written or widely discussed in a policy. While elements of these core questions can be seen in the research questions for this work and were also asked during the data analysis stage in the sections on EAL / EL pupils, they were also used to help frame the data on datafication and hypervigilant enactment. After all, it is not enough to ask questions about power and race only during portions of the research that have a focus on race – these questions of power and the harmful effects of seemingly neutral policies pervade all education. This framework can be seen to clearly build upon Foucauldian and critical race theory ideas.

My work is also not the first study to be influenced by Bradbury's (2019a) framework. Yilmaz et al. (2022) utilised the questions asked by Bradbury to analyse majoritarian narratives around high-stakes testing in Texas. Through lengthy interviews with teachers and district leaders in a school district in Texas, the researchers aimed to understand the ways in which standardized testing 'reinforces and perpetuates majoritarian narratives'. The study found data which reinforced many common ideas of standardised testing such as that there has been an increasing number of standardised tests over time, that testing increases incrementally from kindergarten through to high school graduation and that there was redundancy in many of the exams. They also found that these assessments were 'designed and implemented without attention to equity privileges'. This resulted in not only the disenfranchisement of minority test takers, but also in concerns with the accuracy of the data reported. Similar concerns around data accuracy will be seen in this study, as without a clear accounting of the different backgrounds and perspectives that students bring to the classroom there is extreme difficulty in gathering accurate data across students.

While Bradbury's (2019a) framework was instrumental in the development of this study, it is not the only research that has utilised CRT and Foucauldian theories through a policy enactment lens. Other frameworks that have been developed out of combining these theories include Beneke's (2022) framework for researching educators' pastoral care practices. The framework draws on Foucault's theories of power and governmentality while also highlighting the CRT-specific racial ideologies that 'create the conditions for marginalisation'. Beneke argues that previous research on youth trauma and education has taken a 'colour evasive' approach of ignoring the

myriad factors that might result in trauma in students. Welton and Cumings Mansfield (2020) also melded the two fields into what they call ‘critical policy analysis’ (note: many scholars have utilised the term critical policy analysis over the years to denote very different fields of study; see for example: Fischer (2015)). They argue that critical policy analysis scholars should ‘not only aim to disrupt power imbalances in the policy process, but also in how they conduct research on policy’ (Welton and Cumings Mansfield, 2020, p.620). Throughout all of these frameworks, it is useful to highlight that CRT and Foucauldian theories ‘go together’ with their focus on power relations and highlighting of inequalities in the structures and systems in place in education. Particularly as CRT focuses on structural power and Foucault highlights more local power relations, the theories are able to “pick up the slack” and fill in gaps across each in order to look at power from all angles.

In this way, CRT and Foucauldian theories can be shown to work well together – both emphasize the practical elements of their tool kit approaches and focus on the effects of power on individuals and structures. They also complement each other in additional ways. For example, CRT has no ontological or epistemological requirements, whereas Foucauldian theories are grounded in a specific way of seeing the world which will be outlined more in the next chapter. CRT is even more tools heavy than Foucauldian theories, which often rely on sub-tool kits such as policy enactment to outline how to undertake Foucauldian work. With a Foucauldian ‘grand theory’ background and CRT and policy enactment tools in the foreground, combining these two theoretical frameworks works well in setting out a manner in which to conduct research.

3.7 - Literature on and from the Covid Years

So far, this chapter has outlined the theories and literature from the field of Critical Race Theory that were foundational to the development of this study. This chapter also has walked through literature on children labelled as EAL / EL both from a CRT perspective and from wider EAL / EL fields and brought CRT and the previous chapter focused on Foucauldian theories including policy sociology together. While there is not enough literature on Covid to warrant a full literature review chapter on its own, there are a few key studies that are important to include and understand in

relation to this work. These studies shall be included here before the next chapter moves into methodology. While Covid is still considered a recent phenomenon, with many arguing whether we have truly left the pandemic behind (Powell, 2022), there are increasingly numerous research projects that have been published concerning the impacts of Covid on education. This research ranges from overviews and recaps of what policies governments implemented (Gao et al., 2021; Greenhow et al., 2021; Hill et al., 2021), to theories of anticipated change in education (Castillo et al., 2021; Corbrera et al., 2020; Hargreaves, 2021; Reay, 2020) and analyses of the newfound technology in schooling (Aguilar et al., 2021; Michaela et al., 2022; Schuster and Kulleck, 2021; Zancajo et al., 2022).

Some pieces of research around Covid follow the model of research done by Tomasik, Helbling and Moser (2021) which aimed to quantitatively, definitively understand whether distance or in-person learning provided the best experience for student learning during the pandemic. In their research, the authors aimed to take advantage of the fact that they were already embedded in schools in Switzerland during the time of Covid and were therefore well placed to pivot their study into focusing on the effects of distance learning instead. Through research conducted with primary and secondary schools from March 2020 to May 2020, the researchers were confident in arguing that for primary school children, they learned 'twice as fast' in-person as opposed to distance set-ups, but that for secondary school children the gap was much less significant. This research however was an outlier, with many researchers choosing to focus instead on qualitatively describing, documenting and analysing the experiences of schooling during the pandemic. In a study by Beauchamp et al. for instance, the authors aimed to use 'headteachers' individual voices' to examine the experience of school leaders during the pandemic. Through a series of reflections with school leaders during an unstructured interview, the authors found that 'leaders highlighted the importance of versatility' (2021, p.382).

Headteachers documented how they felt as they constantly needed to react and respond to policies and news sources that changed every day. Communication, with staff, parents, children and the wider public, became a core activity of senior leadership as they needed to provide a 'stabilising element' for the community. The authors argue that even though their study took advantage of four different locational

contexts, the four nations of the United Kingdom, the responses ‘transcended different national strategies’. Even though policy contexts differed, school leaders undertook the same behaviours and leadership strategies across the four nations. My research found similar results across the different policy contexts of England and California; teacher actions and coping strategies during Covid were similar, no matter the policies in place.

In a related study focusing on policy matters specifically, Fotheringham et al. (2022) analysed the factors affecting ‘school policymakers’ in their enactment of government policy. The ‘school policymakers’ in question included ‘headteachers, executive headteachers, governors, trustees, members of senior leadership teams, business managers or local authorities’ who were responsible for translating and enacting government policy. After conducting a survey with these policymakers located in schools across England, the authors followed up with interviews to dig deeper into their findings. They argue that top-down communication from the government was the most significant challenge affecting school policymakers. The sheer volume of government documents released and the speed at which they were updated created a situation in which schools felt unable to keep up. In addition, they often learned about new policies from social media or other forums at the same time as the public. Specifically, school policymakers found it extremely difficult to maintain ‘version control’, knowing which elements of which documents had been updated at which times. Though the authors undertook their study in June 2020, my research will show that these concerns were still present and top-of-mind for school leaders a year later, with many interviewees mentioning the volume, complexity, and method of release as key concerns in relation to policy texts.

Little research has so far been released looking specifically at the needs of EAL / EL learners during Covid, though one study in California by Reed et al. (2022) purports to outline the support provided to ELs in California during the pandemic. The researchers summarize in their report that they are confident in the following seven themes around support for ELs during the Covid pandemic. They found that:

1. Districts attended to the unique needs of ELs, with districts outlining their systems of support during the school year.
2. ELs were prioritized in terms of access to technological resources.

3. ELs were regularly assessed to evaluate and understand 'learning lags' in order to prioritise interventions for these students.
4. English language development was considered critical.
5. Supplemental programs and services were offered specifically for ELs.
6. Professional development programs were offered to teaching staff working with ELs during Covid.
7. Translation services were offered for parents (p.3).

What this report diminishes, though, is that their research method does not offer enough data to indicate that these measures were actually available 'on the ground'. This research reviewed Learning Continuity Plans (LCPs) which were required to be submitted by every district in California in September 2020 (p.14). These plans outlined the ways in which districts *planned* to support their students during the 2020-21 school year and beyond. However, no data was collected on how these districts actually implemented their plans, a fact acknowledged by the authors - 'lingering questions remain about the strategies actually implemented by districts' - but glossed over. My research found that even though districts might have had lofty goals for how they planned to support ELs during the Covid years, the on the ground picture was quite different, with ELs often receiving less support than their peers. However, as very few pieces of research have been undertaken during Covid in relation to this group, this research in California remains one of the few pieces of data that exist.

In England, the Bell Foundation (Scott, 2021) published a report on learning loss for EAL students in England. The author drew on results from a survey administered in March 2021 seeking to understand the levels and potential impacts of learning loss. The study found that 74% of primary school teachers surveyed felt that Covid had impacted the attainment of English language skills for these students with 15% reporting that their pupils who were labelled EAL had lost confidence in speaking in the classroom. The report argues that the family's ability to support home learning and attainment in English during Covid were the key factors influencing learning loss among these students. The report also found that only one in twelve teachers felt that EAL students had been explicitly disadvantaged during Covid. The results from my research largely agree with those found by Scott (2021) in her report for the Bell Foundation; many teachers qualitatively interviewed felt that their EAL / EL students were behind the other students in their classrooms. My research also

corroborates that very few teachers felt that EAL / EL children were explicitly disadvantaged in their classroom, despite sometimes outlining for me impacts of the pandemic that were exclusively felt by EAL / EL children, such as the availability of home learning support in languages other than English. Largely, however, as will be discussed, my research found that EAL / EL children had gone unnoticed in their classrooms during the pandemic as teachers and school leaders attempted to provide support for all students.

Research explicitly on assessment was also rare during the pandemic – likely due to the public policy statements that assessments and standardised testing had either been cancelled during the pandemic or were being divorced from accountability concerns. Research from Moss (2022) however, indicated that, even in this policy context in England, ‘the government managed to double-down on its commitment to performance-based system management’ (p.4). Through a focus on ‘catching-up,’ the government reinforced a narrative that attainment was expected to fall during the pandemic years and that students were ‘falling behind’ their peers from previous yearly cohorts. Extra money was provided for schools in the form of a £1 billion ‘catch-up fund’ to be spent on a National Tutoring Programme and as money to be made available directly to schools. Funds came with ‘obligations’ to show that the funding had been used and students had caught-up ‘to where they would have been if the disruption had never happened’, though much of this money never materialised. Moss found a disconnect between what teachers and headteachers reported as ‘mattering most’ post crisis - their students’ health, nutrition, physical exercise and socialisation - and what governments chose to focus on - ‘learning loss’. Moss argues that the accountability system holds such sway in England that governments were forced to ‘cling’ to the logic of accountability and the importance of assessment results for measuring quality instead of evaluating what students and schools needed most.

Most importantly for this research, however, is the research conducted by Moss et al. in a series of studies on teachers’ experiences of lockdown (Moss et al., 2020; Moss et al., 2021; Moss, 2022), researchers found that ‘the Covid crisis has sharpened teacher’s perceptions of the unfairness of a system that ignores the

material disadvantages poverty creates' (Moss, 2020). The authors highlighted eight key messages that grew out of that premise:

1. Schooling is about much more than learning
2. The duty of care fell unevenly across schools
3. Teaching approaches took account of the novel home-learning context
4. Literacy activities teachers set reflected the balance of the curriculum
5. The effects of lockdown differ according to the social circumstances of the school
6. The social and emotional needs of children and their families are at the forefront of teachers' minds
7. Many teachers have gained a better understanding of their community from supporting home learning
8. Teachers do not want to return to 'business as normal' (Moss et al., 2020)

While several of those messages are not relevant to this study, many of them reflect positions that were also borne out in my study, such as messages one through five. My research, however, was largely conducted in 2021 and reflects slightly different attitudes towards the pandemic than those encountered by Moss et al. and reflected in messages six and eight. By the time interviews for this study were conducted, the pandemic had settled a bit, and, moving in to the second year of the pandemic, teachers were grappling with challenges slightly different to those that were at the forefront of their lives in year one. As will be seen in the data, while teachers *reported* that the social and emotional needs of their students were top of mind for them, their actions and discourses did not necessarily reflect this position. Many also felt that classrooms had actually returned to 'business as normal' in 2021. The distinction between 'Covid schooling' and 'non-Covid schooling' had become increasingly blurred and data for this study found that teachers were developing their own interpretations of 'normal' in response. Research from Moss et al. also largely included schools rated 'Good' or above by Ofsted, whereas my research participants mostly came from schools rated 'Requires Improvement'. It is possible, and indeed likely, that the difference in status resulted in different priorities and effects for teachers.

The authors also authored a piece focusing on 'crisis policy enactment' (Bradbury et al., 2022a), a particular form of policy enactment analysis that is

characterised by school leaders’ ‘enactment of policy quickly based on the immediate priorities of the school community, knowledge of local circumstances and a clear ethical and moral stance’. There are many elements of this definition that are useful for understanding the data from this study, particularly the authors’ updated focus on contexts. The authors also provide a helpful table detailing key changes in policy making in English education during Covid:

	Policy before Covid	Policy during the crisis
Policy delivery	<ul style="list-style-type: none"> • long anticipated (e.g. trailed in press) • consulted upon • delivered through documentation, training and CPD • long lead in times • part of a coherent ideological framework 	<ul style="list-style-type: none"> • high volume • frequent, sudden, immediate • unexpected, unprecedented • announced to public and schools at the same time
Policy responses	<ul style="list-style-type: none"> • dependent on context • driven by school ethos and priorities of accountability 	<ul style="list-style-type: none"> • sometimes incoherent • dependent on new aspects of context • driven by school ethos, especially in relation to welfare

(REPRODUCED FROM BRADBURY ET AL., 2022)

Through this table, it is clear that teachers and schools were dealing with a fundamentally different process for policy delivery and response. Many schools reported feeling overwhelmed by the sheer volume of new policies being announced by the government – as well as the simultaneous nature of announcements where school leaders were informed at the same time as the general public. Schools were not consulted on policies, nor were policies necessarily consistent from council to council, creating added layers of frustration and confusion. The authors argue that updated understandings of contexts became increasingly important to understanding policy enactment during Covid. A particular focus on situated and material contexts (Maguire et al., 2012) highlighted how school leaders focused on children’s emotional and social well-being and community, as well as physical constraints such as size of classroom and access to ventilation. As discussed above, my research found a slightly different focus on children’s emotional and social well-being, and an absence of focus on physical contexts such as classroom size. My research did find, however, a direct contrast to the authors’ finding that ‘the wider policy context of high-stakes tests and inspections... became far less significant as testing and inspections were suspended, providing a degree of freedom unseen since the 1980s’. Data from this research will show that, by the time interviews for this study were conducted, teachers and school leaders had re-evaluated ‘normal’ to be their

current situation and were doing their best to reconstruct a familiar educational world.

3.8 - Conclusion

This chapter outlined the theories and literature from the field of Critical Race Theory that helped to inform the background and grounding of this work. Critical Race Theory, as well as its offshoots intersectionality and raciolinguistics, are useful in this research as they bring in elements of race and class to a study of language. There is no educational context in which language can be analysed independently of race, ethnicity and class, particularly not the contexts of England and California used in this study. The introduction outlined the specific locational contexts around racial dynamics and language-based discrimination. I have explained how CRT can be utilised together with Foucauldian-based policy enactment to analyse the power relations that are at play in those dynamics and build a picture that is much more complete than one that focuses exclusively on the language elements of students who are classified as EL or EAL. Indeed, the controversies in the applications of those labels almost require a wider focus in order to understand the effects of those labels on students and classrooms.

This review also focused on deficit thinking, a common CRT-derived ideology that can be seen in classrooms and that will come up frequently in the data gathered for this research. After discussing deficit thinking, this chapter brought together the theories from the previous chapter with CRT in order to discuss how those theoretical lenses can be utilised with policy enactment as a tool kit or framework for analysis. Finally, this chapter outlined a few elements of Covid-specific research that are applicable in this research.

Throughout these two theory and literature chapters, I have outlined the gap in which my research sits. First of all, from a policy enactment lens, research on new policy contexts should always be undertaken in order to understand how those policies are being enacted. Covid created a new policy context that was able to serve as a lens into the power, agency and Foucauldian governmentality structures that are currently being experienced in the UK and the US. Secondly, this research sits in a comparative gap that will allow comparison of England and California policy

enactments. This will allow my study to showcase what elements might be underpinning any similarities in policy enactments in the two locations, of which quite a few were found. Finally, my research will bring in CRT frameworks to look at these policies from a critical lens focused on EAL / EL students. As Covid serves as a lens, so too do English learner students which will allow for a deeper look into the underlying structures affecting teacher and school leader enactments.

In the next chapter, I will discuss my methodology and choice of method, both informed by these theoretical perspectives and the existing literature. I will begin by outlining the epistemological stance I have taken and re-highlighting the research questions of this study. Then I will discuss method, samples and analysis frameworks before moving into a detailed discussion of what occurred when the research was actually undertaken. Finally, the next chapter will discuss ethics and data protection requirements.

Chapter Four - Method & Methodology

4.1 - Introduction & Research Questions

In this chapter I will outline the methodology, research method and forms of analysis used in this research, including unique elements of the process due to undertaking it during the Covid pandemic. This chapter will discuss the processes of sampling, data collection and data analysis that were undertaken during this research and conclude with a discussion of the ethical procedures followed. As a reminder, this study focused on the following research questions:

1. Did Covid-related adjustments to high-stakes testing impact provision and supports for EAL / EL pupils in primary schools in England and California?
2. Did Covid-related adjustments to high-stakes testing result in changes to the datafication seen in primary schools in England and California?
3. How did teachers and school leaders enact policies related to Covid-era adjustments to high-stakes testing in primary schools in England and California?

4.2 - Epistemology & Ontology

This research was undertaken from a social constructionist epistemology that 'insists that we take a critical stance toward our taken-for-granted ways of understanding the world' (Burr, 2003). Social constructionism emphasizes that the world is constructed by people and their interactions and that 'constructions of the world are bound up in power relations'. Social constructionism has been influenced by thinkers ranging from Durkheim to Mannheim to Foucault for over 100 years and forwards the belief that neither ontology nor epistemology 'should be divorced from the historically situated social practices in which they arise, develop, and are given meaning and value' (Burr, 2003). This epistemology was useful in undertaking my research, as context – temporal, locational and ideological – is critical to assigning meaning to policy enactments. 'Historically situated social practices' are key analysis

features in both of my theoretical frameworks. Foucauldian policy enactment and critical race theory lend themselves well to answering a crucial epistemological question of social constructionism; which specific social interests govern knowledge production, how stable are those interests and why are they operating in the way they do? (Burr, 2003). Answering that question asks researchers to analyse power in relation to the comparative contexts it can be found in. Power, once again, is a through thread in Foucauldian work and in CRT-based research. In this research study, I use social constructionism to take a critical stance by seeing epistemic standards as 'socially situated rules' which understand that meaning is varied and multiple and is created by actors in a particular sociohistorical context. Understanding how policy stakeholders derive meaning in their professional worlds in the context of the Covid years in England and California was the backbone of this research.

Social constructionism also lends itself well to the theories of poststructuralism that underpin the work of Michel Foucault, Stephen Ball and colleagues that are utilised in my research. Poststructuralism sees language as the major site where identities can be challenged or changed (Burr, 2003). The identity formation and performativity of school staff is a major theme of this research and social constructionism and poststructuralism both encourage a focus on navigating these identities through discourse. Power also comes into play when navigating epistemology and ontology, as, 'power is embedded in discourses due to their ability to produce subjects and objects in certain ways' (Francis, 1999). These varying discourses are all socially constructed and serve to 'confine meaningful thought and experience' (Weinberg, 2014) in ways that allow for knowledge production. Discourses are at the forefront of my data analysis, and it is important to understand the social contexts in which those are produced and reproduced. Social constructionism, therefore, is the natural epistemological position for myself as a researcher in undertaking this study.

4.3 - Positionality

I have also utilised social constructionism as it makes space for the concept of positionality, or reflexivity. Weinberg credits a growing force among the field behind

‘the idea that by reflexively interrogating the interests served by social scientific work we may succeed in making it a subtler and more valuable craft’ (2014, p.20). By honestly evaluating a researcher’s position ‘in relation to issues of power, agency and voice,’ (Flewitt and Ang, 2020) knowledge and truth can be developed. By ‘reflecting openly about one’s own subjective beliefs, understandings, values and experiences,’ (Flewitt and Ang, 2020) the sociohistorical and philosophical context of the research can be made clear – context which is crucial to a social constructionism epistemology. In other words, meaning cannot be made without knowing the reflexive context of the meaning-maker. In this sense, it is important that I be clear from the outset. As an early thirties White middle-class female, I have an outward identity that feels at home in a school setting – a comfortability that is compounded by long familiarity with schools. From being the daughter of a local SEN kindergarten teacher to working in schools myself, I am deeply comfortable with the structures and discourses of schooling in both the US and the UK. This familiarity likely made it easier for me to gain access to schools and allowed for a level of ease with school-based participants. That being said, many interviewees commented on my apparent youth – I often come across as younger than I am – which certainly had an impact on the power relations of the interviews. It is possible that it helped to tone down issues of power relations related to my position at a prominent London university (Bradbury, 2013). It is also likely that, particularly when my youthful appearance was commented on by interviewees, it was a factor in them choosing to provide lengthy explanations. I also found age to be a key divisional element in interviewing members of my middle tier – district leaders and local authority contacts. Locational context also wound up being a factor in power relations – the prominent London university that made me credible in England was unknown in California and appeared to highlight me as an interloper in California.

My position as a native speaker of English hopefully allowed me enough ‘otherness’ that I had the ability to *make the familiar strange* and find connections between phenomena and contexts that might not be obvious to insiders. That being said, as I am not an EAL / EL learner myself, my lived understanding of what it means to be an EAL / EL pupil will be necessarily limited. As with my ethnic background, my language background privileges me in this context. This can be a

benefit, though, as it will allow me to take an outsider's viewpoint. Overall, I found with my interviewees that my familiarity with schooling systems was more beneficial than not being an EAL / EL student myself was harmful. What I did unexpectedly find, is that my accent was frequently called out by those in California. Many interviewees in California labelled me as British and I spent large chunks of time proving my local credibility in interviews. In England, however, my accent was mostly uncommented upon – with one notable exception where an interviewee wanted to discuss my childhood home's proximity to his favourite Netflix drama. These elements of my identity certainly affected how I was understood and positioned during the interviews, but they also affected how I came to the research itself and the critical nature I took towards the ideas and concepts I was researching.

I do not pretend to be taking an uncritical stance towards the nature of the research or the aim of the research questions. If 'social values and principles of social justice are less than obvious components of the policy process,' (Maguire et al., 2012) then this research will aim to draw them out and re-centre those elements in the findings and analysis. My research was initially founded upon my personal research interests in bilingualism and high-stakes assessment as well as a personal policy agenda. When I first drafted this research, it was borne out of a recently completed two-and-a-half-year stint working for a key player in the US high-stakes testing world. I was drawn in by the lure of getting to work on a major reform project for secondary schools but left even more disillusioned about the equity and equality of the standardised assessment program and particularly with the lack of emphasis on students that I found throughout that institution. I also came from a strongly progressive New York City and Washington DC political experience and felt secure in what I hoped my research would do. The murky waters of Covid policy forced me to re-evaluate some of my study's core elements but, by holding tight to the 'principles of social justice,' I believe I have managed to marry my stance with the needs of the research. Though positionality is important in all research, utilising a critical race theoretical framework requires me to be clear about the privileges and background that led me here. Critical race theory also advocates for social justice and advocacy work, which I hope can be borne out of my research as I aim to contribute to a body of work that works to reset the English-speaking elite status.

4.4 - Method

As Gorard and Taylor (2007) write, the use of qualitative or quantitative research methods is a choice and should be driven by the research questions themselves. The research questions for this study as outlined above lend themselves well to a qualitative research design. After all, qualitative research ‘can be used to explore “how” questions to good effect’ (Leung, 2012). The questions being used in this research are ‘*how*’ questions – they are interested in exploring the complex nature of meaning-making and action that takes place in schools. Therefore, I conducted this research as a piece of qualitative research using semi-structured interviews as my research method. An additional preliminary review of the relevant policies took place, but this review was to build context for the interviews and does not constitute part of the research design.

Qualitative research methods are supported across the literature of policy enactment. Maguire et al. (2012) utilized semi-structured interviews within a comparative case study context in order to develop policy enactment theory. Semi-structured interviews have also been used across a breadth of work in the field (Atkinson, 2015; Ball, 1990; Menken, 2005) and though other qualitative methods such as observation (Bradbury, 2013), secondary data analysis (Campbell, 2015) and quantitative methods (Gillborn et al., 2018) have been used in related studies, semi-structured interviews remain a common and core method for policy enactment research. Taken together, there is clearly a robust validation for utilising a qualitative research method in this study – from epistemological concerns, through to theory and literature review analysis.

Though there are frequently limitations of scale involved in choosing qualitative over quantitative methods, in policy enactment studies it is important to truly understand how stakeholders are working through policy. It is difficult to glean this information through a survey or statistical analysis – another reason for the choice of qualitative methods. Other qualitative methods such as observation would allow me to record exactly the choices a teacher makes in a classroom, which is a limitation of using interviews. However, observation would not be a good tool for understanding the actions of other stakeholders that are of interest in this study.

There are also many benefits to using multiple methods of inquiry as opposed to just one, yet on the flip side, a single research method can provide a clear focus to the study and research. In addition, it is important to note that the nature of semi-structured interviews means that the conversation was fluid as it allowed participants to drive some elements. That factor heavily influenced the data collected and, in the end, resulted in amendments and modifications being made to core elements of the research.

In practice, the effects of Covid in both comparative contexts impacted the research design. As originally designed, this research aimed to look at two contexts that were actively running their end of primary high-stakes tests in a “normal” school environment and planned to have an element of observation as it was anticipated that interviews could have taken place in person and ideally in the school environment. Observation around the interview would have been used to help set the context for the school and provide a bit of background information on how the interviewee positioned themselves in their environment. It was also originally planned for a follow-up to the semi-structured interviews to take place a few months afterwards. However, due to the necessity of distancing measures in place in both England and California, neither observation nor reflection was included as a method in the end. That being said, undertaking interviews virtually, as was required by Covid, also likely increased the number of interviews it was possible to conduct, helping to expand the study in both contexts.

As interviews were the sole method for this study, I felt it was important to undertake interviews with participants at all levels in the school system. TABLE 4 below provides an overview of the types of interviews that were anticipated to be conducted as part of this research. I intended to interview participants in five main categories – teachers, school support staff, school senior leadership teams, local authority and district staff, and policymakers. I aimed to complete a minimum of twenty-five interviews in California and twenty-five in England though the exact number of interviews was flexible to achieve saturation of data (Silverman, 1993).

Teachers	Support Staff	Senior Leadership Team	LA/District Staff	Policymakers
~50% of Interviews	~10% of Interviews	~15% of Interviews	~15% of Interviews	~10% of Interviews
Reception	EAL coordinators	Headteachers	Assessment Managers	Councillors
Year 1	Teaching assistants	Assist. Heads	EAL Managers	MPs
Year 2	EAL-specific teaching assistants	Budget Managers	Budget Managers	State DOE staff
Year 5	Involved parents	Data Managers	Data Managers	USDOE / DfE staff
Year 6	Supply teachers	Other roles	Assist. Superintendents	Assessment providers
Other roles	Other roles		Other roles	Congressional Reps and / or Senators (state & national level)
				Union Leadership
				Other roles

Table 8 – INTENDED BREADTH OF INTERVIEWS ACROSS 5 CATEGORIES.
VERTICAL COLUMNS INDICATE ROLES THAT WERE CONTACTED FOR INTERVIEW

4.5 - Research Design: Sampling

This section will outline the process of sampling as it was designed to take place in both regional contexts. This research study has a comparative element and, while the reasoning for the selection of the comparative contexts of England and California has been laid out in earlier sections, it is useful to highlight it here once again. Comparative education is not a separate discipline of education so much as it is a tool or a series of contexts (Broadfoot, 1977) and therefore these locational contexts are ‘intrinsic to understanding any data that are obtained’ (Silverman, 1993). Comparative studies between the US and the UK are not uncommon (*for instance* (Gillborn, 2014; Knight, 2006; Menken et al., 2014)) as ‘on both sides of the Atlantic, policy is characterized by a neoliberal emphasis on individual effort and merit’ (Gillborn, 2014). This emphasis impacts and disadvantages EAL / EL students in both countries as they are frequently constructed in discourses in ways that emphasize a ‘gap’ in their effort and merit (Bradbury, 2011). Additionally, both locations include emergent bilinguals ‘into assessments intended for English monolinguals without appropriate differentiation’ (Menken et al., 2014) which is a

crucial element of the research conducted. The similarities in the underlying policy contexts of England and California have allowed for an insightful comparative study with ‘a greater understanding’ of how variables in education policy interact and relate and how they ‘can provide a context for decision-making on matters of policy and planning’ (Broadfoot, 1977). As having an influence on education policy is a major goal of this study, using a comparative framework will support that goal. It will also allow this study to begin to tease out elements of how teaching and support staff responded to policy by highlighting which elements are not context specific. This will create a fruitful avenue for future research in the field by highlighting potential common effects of neoliberal education spheres.

Purposive sampling was intended to be done at the local authority (LA) / district level and LAs and districts were selected from England and California with an aim of having schools that are exemplary of their locations. By using a focused, purposive approach to sampling districts and LAs, locations can be selected that showcase the phenomena under study in each context – enactment of assessment-related policies during Covid and with a specific focus on EAL / EL pupils (Flewitt & Ang, 2020). Analysis was undertaken on all districts in California and all LAs in England in order to find districts that are exemplary of EAL / EL student numbers in California and England among other measures – in other words, I sought the most “average” districts. Data for this sampling came from publicly available data from the California Department of Education (CDE) and Department for Education (DfE). Districts and local authorities were ranked based on how “average” they were in the categories of student population, bilingual population as based on numbers of registered EAL or EL pupils and population of students on Free School Meals (a crude measure of class or socioeconomic status in both areas). While more variables could have been selected, it was decided that this combination would deliver the most impact in the search for an average district. Overall student population would ensure that a district was neither large enough nor small enough to have developed unique policy enactment processes - for example, where only one school was in the district, often the head of school would serve as the head of district which has implications for the policy enactment process. Controlling for the average number of students on Free School Meals would result in a district that was unlikely

to be unable to deliver basic services during the pandemic or too focused on wealthier students who were more likely to be additionally supported by parents and not in need of school-provided pandemic support. These two variables supported the core measure of the population of EAL / EL pupils in the area in order to prioritise locations with an average number of EAL / EL pupils who came from an average socioeconomic background and went to school in an area with an average number of students to support. It is important to note here that average in this case means the “mode” or the most likely number. It does not mean the “middle of the road” or “median” where, for instance, students might be entirely in the middle of the middle class. A “Top 10” list was constructed for each context based on the variables of percentage of EAL / EL students and language types, socioeconomic status as measured by percentage of pupils on free school meals, and district size. LAs and districts were then contacted in order of the list with requests for interviews. In this way, I felt that I would be able to focus on the ideas and perceptions that were most likely to occur around the state or country.

During the upgrade phase of this project, it was suggested that I ought to focus on areas like London that had a high proportion of EAL children on the register (or San Francisco in California). However, I felt that an area with a high proportion of individuals carrying an EL or EAL label would be more likely to have instituted a series of steps, processes, and/or reforms of policy in the area in order to best serve their students. Instead, I wanted to focus on areas that had “some” but not “a lot” of EAL / EL pupils. These areas, I believed, would have competing populations in need of additional services and would have faced a greater “crunch” in terms of stretching their budgets. These areas would also be most indicative of the country or state being researched.

In England in early 2021, Prime Minister Boris Johnson announced that schools would be remote until the middle of February 2021 – eventually extended to March 8, 2021 – due to increasing concern about the UK’s ability to contain a new variant of the coronavirus. In light of that change, all high-stakes testing in schools was cancelled in 2021 (Coughlan, 2021). After some debate on the effects of that cancellation on this research, it was decided that the best course of action was to view this as an opportunity and continue with the plan of collecting data during 2021.

As this would be the second year in a row that the SATs had not been conducted, it was determined that teachers and policymakers would potentially have new and interesting understandings of the policies and the interview schedule for England was revised to allow for “reverse” constructions of research questions. For instance, instead of questions asking about how high-stakes testing impacted classroom provision for EAL pupils, questions were instead structured around how the *lack* of high-stakes testing impacted classroom provision. This change is reflected in the research study as it has been presented so far.

In early 2021, California was also in the throes of an increasingly concerned pandemic response as well as a growing political crisis. The CAASPP, California’s end-of-elementary high-stakes test had been granted a waiver of cancellation in 2020 but was not granted a waiver for 2021 until mid-April, halfway through the testing period (Staff, 2021). California Governor Gavin Newsom was dealing with mutiny by school leaders who refused to come back into the classroom and insisted on continuing to teach remotely, even with the prospect of a new “back-to-school” payment being offered to incentivize schools to bring students back to the classroom (Cowan, 2021). In this context, and since the CAASPP was already a digital test, plans were made to develop a platform that would allow these digital tests to be taken at home if necessary. In this policy context, alterations to the plan for conducting semi-structured interviews in person were necessary.

4.6 - Participants

While the original guiding focus of the semi-structured interviews was to be the policy enactment process, in the end interviews took a much more wide-ranging approach. The central stakeholder in this study is a teacher of a classroom year where a high-stakes standardized assessment should be taking place (i.e., Year 6 in England and Grade 5 in CA), however, there are many additional stakeholders that play a role in assessments. Additional interviews included the school’s senior leadership team, support staff from the local authority / district, policy makers and teachers of other year levels. By interviewing participants in the policy enactment process at multiple levels, this study tracked the impact of policy decisions on all levels of a school system. This allowed me to analyse breakdowns in policy

communication, any compound effects due to multiple layers of policy and its lived impact. By setting up discussions with non-teaching staff in the school system, I also gained insight into the secondary layers of context (e.g., financial, locational (Maguire et al., 2012)) that impact policy enactment.

Each semi-structured interview lasted from thirty to sixty minutes to adequately cover all questions and concepts outlined in the interview schedule. Interviews were audio-recorded with the consent of participants and transcribed by the researcher. As most interviews were conducted with teachers and government staff, English was used as the common working language. One interviewee did not provide consent for their interview to be recorded and, as such, that interview exists in the record as a file of field notes only.

In the end, thirty interviews were conducted as part of this research. The impact of Covid was severely felt in the interview collection process with many potential participants stating that while they would have liked to partake in the research, they simply did not have time due to the pandemic. Many stated that they were unable to devote time to research as they needed all resources available to support their students during Covid. Many district and local authority leaders declined to return my emails entirely. A selection of additional participants was gathered from personal contacts in the teaching field in both England and California to supplement the numbers of participants gained from the sampling process. For participants at the state and national level, as well as participants at teaching unions in England, they were contacted directly from a compiled list of policymakers in this field. I had moderate success with this and wound up speaking with four participants at this level. These interviews largely focused on traditional policy enactment ideas and were conducted quite early in the process. For these reasons, they did not, in the end, provide much interesting data for where the research ended up, due to the tendency of interviews with participants more closely aligned with teaching to shift away from discussions of EAL / EL pupils and towards conversations around datafication in their classrooms. Data from these four policymakers will therefore be used to reinforce and support data from teaching and district-level staff.

Only schools that were “publicly funded” (state schools in England and public schools in California) and did not have special admissions criteria (i.e., an academy,

charter or religious school) were intended to be included in this research. It was believed that while independent, charter, academy or religious schools would likely also have interesting data on supports for EAL / EL pupils during Covid, it would be outside the scope of this research to focus on schools in different funding and regulatory situations. However, in the case of several interviews in England, it became clear during the research that the school had very recently converted to academy status. In these situations, as the interview was currently underway, it was decided to carry on and gather the data. Each of the academies in question participated in the SATs and related accountability measures, so the interviews were included.

It was also originally intended to have a clear structural hierarchy in the interviews gathered with the intent of sourcing school level interviews only from districts and LAs where a district member had already agreed to give an interview. In a heavily policy enactment-driven study this would have allowed for a clear thread to be followed in the data showing different viewpoints and perspectives and how they directly impacted on other participants. Due to difficulties in gathering interviews, this was eventually dropped as a requirement and, as the study shifted away from a policy enactment focused study it became less important. That being said, there are some through lines that can be drawn with participants where school level participants have a direct connection to a district level participant. Where those exist, they have been outlined as such in the data.

In England, I utilised council website to gather a list of grant-maintained schools. From that list, I perused school websites in order to reach out to a Deputy Head with a request for an interview with themselves, school staff, teachers in relevant year groups or the Headteacher. After a bit of trial and error, deputy and assistant headteachers were determined to be the most beneficial gatekeepers as they were senior enough to have the ability to grant access and encourage other members of the school to participate in the process, but not as senior as the Headteacher who often did not answer cold outreach emails – likely as they were too busy with parents, other researchers and the demands of running a school during Covid. Deputy heads, particularly those with an assignment in assessments, data or Key Stage 2, were much more responsive and helpful in arranging interviews.

In California, I also headed to district websites for a list of publicly funded schools, however, when visiting their websites, I often had a problem. Many schools in California use a version of Google Classroom for powering their back-end school management systems. Google Classroom allows teachers to provide grade reports in a form where parents have easy access to them, administrators can easily compile data and inter- and intra-school communication can be easily processed. Google Classroom was already a popular tool, particularly in California where Google is headquartered, before the pandemic but use exploded in the aftermath of the pandemic. Schools had now been forced into a distance model where Google Classroom made even more sense for schools and teachers to monitor their students from a distance. One “side effect” of Google Classroom is that it also offers free hosting for school websites under the guise of privacy. Google Classroom hosted websites did not provide any contact information for the school – no emails or phone numbers were provided. In many cases a full address was also not provided with the expectation that parents in the area who were interested in enrolling their students in the school would be local enough to know where the school was located and have the ability to drop-by while school was in session to ask for information on how to enrol. For all other queries, the websites had a form to fill in that would generate an email to school staff. It was never clear which member of school staff would be reading this email or even whether it would be read at all. In any case, I never once received a response from a school that I contacted in this way. The decision to use Google Classroom appeared to be taken at a district level as, in most cases, if one school was using Google Classroom, all schools in the district would be doing the same. In the end, I wound up skipping entire districts once I determined that at least two schools were using the platform. About half-way through the research, I did find that, when accountability data was submitted to the State Department of Education, schools were required to provide a contact name and number with responsibility for the data. That person was often a Principal or Assistant Principal. Using that list, I went back through the list of districts and did gain a few more interviews but, overall, the number of interviews conducted in California was significantly less than anticipated.

Of the interviews conducted, twenty were undertaken in England and the remaining ten took place in California. It was much more difficult to find participants in California than anticipated as noted above. Nevertheless, the thirty interviews conducted brought valuable data and insight into each locational context.

4.6.1 - Participants from England

Participant	Location	School	Role
Cameron	National	N/A	Policy Lead at Teachers Union
Edward	National	N/A	Policy Researcher for Opposition MP
Marcus	National	N/A	Lead, Children & Young People Policy at Advocacy Organisation
Rachel	Easternshire	Ash Primary School	Assistant Head & EYFS Lead
Liv	Treeshire	Council of Treeshire	EAL Lead
Susan	Treeshire	Beech School	Headteacher
Nancy	Treeshire	Chestnut School	Deputy Head & Yr. 5 Teacher
Karen	Tree City	Tree City Council	EAL Lead
Amanda	Castleshire	Dogwood School	Deputy Headteacher
Nadiya	Castleshire	Dogwood School	SENCo Lead
Matthew	Castleshire	Dogwood School	Assistant Head & Yr. 6 Teacher
Julia	Castleshire	Elder School	Deputy Head
Samantha	Castleshire	Fir School	Deputy Head & Yr. 3 Teacher
Miriam	Castleshire	Fir School	Yr. 2 & Yr. 3 Teacher
Kristina	Middleshire	Gorse School	Yr. 5 Teacher
John	North City	Hawthorn School	Deputy Head & Yr. 6 Teacher
Ellie	Westernshire	Juniper School	Yr. 2 Teacher
Kasia	Hamlet Town	Larch School	Deputy Head & Yr. 6 Teacher
Sarah	River Town	Maple School	Deputy Head & Yr. 2 Teacher
Arthur	Sun City	Oak School	Deputy Head

Table 9 – Participants in England by Location, School and Role

Participants in England came from twelve different schools around the country with an additional three interviews conducted with national level policy workers and two interviews conducted with council employees who had responsibility for EAL programming in their councils. The majority of participants attached to schools came from shires around the country – reflecting the makeup of the country more widely. Participants came from a range of ages, genders and teaching experience with a few in their first years teaching and others imminently retiring. Though it may be controversial to include details of reports from Ofsted in the descriptions of schools and participants that follows, particularly in light of results from this study that highlight the intense, concerning focus on Ofsted by participants, it is just that focus that underlies the need to understand the Ofsted examinations background

participants were coming from. These results are important to participants and therefore are important to understanding participants in this research. The below descriptions have been pseudonymised.

National-level participants

Three participants in England were not attached to schools – Cameron, Edward and Marcus. Cameron served as the policy lead for a national teacher’s union. In that role he collated policy opinions from his membership and communicated those to relevant government departments. Cameron has been in his role for over fifteen years and works hard to make sure his membership is well represented, though he acknowledged often struggling to manage the differences among them on a complex policy point. Edward was a young policy researcher with a front bench opposition MP who, at the time of interview, had a brief that included elements of education. Edward spoke at length about the role the Opposition played in policymaking but was extremely hesitant to deviate from the party line. As such, our interview stayed largely surface level and was noticeably short. Edward did, however, put me in touch with Marcus, a policy lead for a national non-profit focused on local government. Marcus’ brief included a focus on policy for children and young people though he pointed out that local government increasingly had less emphasis on education and that affected his remit. Cameron, Edward and Marcus were all interviewed as part of an initial plan that an element of this research would be a heavy focus on policy enactment from the national level down to the school itself. However, very quickly this research began to pivot and these interviews, having been completed quite early, became less relevant. As such, they will only appear lightly throughout the results and discussion sections.

Easternshire

Rachel was an Assistant Head and Early Years Foundation Stage (EYFS) lead in her school in Easternshire. Ash Primary School is located in a small rural community. The school was rated as Requires Improvement by Ofsted in its most recent school inspection which weighed heavily on Rachel’s mind and was a prominent feature of our interview. Ash Primary is a three-form entry with what

Rachel described as a high proportion of EAL, FSM and disadvantaged pupils. As such, Rachel was passionate about the supports they put in place for those pupils, particularly in relation to the Reception Baseline Assessment and the Phonics Screening Check at the end of Year 1.

Treeshire & Tree City

It was important to Liv, the EAL Lead at the Council of Treeshire, to be seen as fun, chill and easy-going. She offered a friendly nickname within moments of introducing herself and was constantly working to lighten the atmosphere during our call. Liv spoke at length about her role as EAL Lead at the Council, offering deep insight into the role and what power she did and did not have. Liv described her job as difficult but rewarding due to the low levels of funding available for EAL students from the Council and the difficulties involved in convincing schools to take advantage of the materials she created for them. She was extremely knowledgeable in her field and was up to date with recent research on bilingualism and “best practice” supports from the Bell Foundation. Liv also provided great insight into a new remit she’d been assigned – to produce anti-racism materials. Liv and I spoke deeply about the overlaps between the materials she made to support EAL pupils and the materials she created to support schools in their anti-racism measures. Interestingly, however, neither Susan nor Nancy, members of school leadership teams in her shire, said that they utilised the supports and materials Liv provided.

Susan was the Headteacher at Beech School in Treeshire. Susan had been the Headteacher for many years, so long that she taught friends of mine who had initially put us in touch. Susan was extremely well-versed in the English assessment system and had deep insight into how things had changed over the years and the ways in which she adapted. Susan requested that information about Beech’s intake and Ofsted results not be reported on.

Nancy was the Deputy Head teacher and Year 5 lead at Chestnut School also in Treeshire. Chestnut School is located in the green suburbs just across the border in Treeshire from Tree City. Chestnut was rated Good in its most recent Ofsted report, but the school had been known to have problems in the past, having had a few years as Requires Improvement in the last decade. Chestnut has grouped their

year groups into key stage groups with teachers moving fluidly between years with their cohorts. Approximately 10% of the pupils are eligible for FSM. The school is proud of its data and reports their pupils' scores on exams such as the SATs on their website homepage. Perhaps correspondingly, Nancy was one of the most pro-testing interviews I conducted for this research. Nancy, unlike her peers, was outwardly enthusiastic about the return of statutory tests in the 2021-22 academic year.

Karen, the EAL lead for Tree City Council, was extremely nervous about being recorded and did not consent to an audio recording in the end. Karen arrived with notes and was extremely hesitant to provide an opinion on any Council programs or her own role. As such, notes from her interview were mainly used as corroboration with recordings from my interview with her colleague Liv, the EAL lead for neighbouring Treeshire.

Castleshire

Amanda, Nadiya and Matthew were all interviewed together from Dogwood School in Castleshire. Amanda, the Deputy Headteacher was enthusiastic about participating in the interview and heavily encouraged Matthew, the Assistant Head and Year 6 teacher, and Nadiya, the SENCo lead and inclusion coordinator, into attending – even going so far as to drag Nadiya in on her day off. Dogwood is a two-form entry located in a small suburb in Castleshire. Dogwood had been judged a Good school in its last two Ofsted reviews, a fact Amanda in particular was very proud of, as approximately 30% of their pupils were eligible for FSM. The group interview format worked extremely well for these three and provided some of my most insightful data.

Also in Castleshire was Elder School, located on the outskirts of a historic town. Elder School has oscillated between Good and Requires Improvement for years in their Ofsted reports. Their most recent report at the time of interview had them rated as Good. The school does not highlight their more recent Ofsted results but, when digging in, data show that Elder School continues to hover right at the transition point of Good and Requires Improvement. Elder School is a small single-form entry and Julia served as both the Deputy Head and a Year 6 teacher. The

school has a high proportion of students eligible for FSM with nearly 40% of the pupil population eligible.

Finally in Castleshire, I spoke with Samantha and Miriam at Fir School. Both Samantha and Miriam teach in year 3 though Miriam also teaches in year 2 and Samantha also serves as Deputy Head. Both participants were eager to be interviewed and their conversations were engaging, fruitful and interesting. Fir School sits between an idyllic river and a large motorway, perhaps reflecting its position on the outskirts of a historic town. Fir School has one of the lowest populations of pupils eligible for FSM with only 5% of their pupils eligible. Still, Fir School had low Ofsted results and was labelled Inadequate at the time of interview, though they have since managed to improve in more recent results.

Middleshire

Gorse School, located in Middleshire, was an experimental school as Kristina, their Year 5 teacher, proudly proclaimed. Kristina was lively and chatty and was extremely enthusiastic about participating in research and to have the opportunity to talk about practice. However, as Gorse School is known as an experimental school, it is not possible to share too many details on Gorse School without compromising their anonymity.

North City

Hawthorn Primary is located in the vast suburbs of North City and John was their Deputy Head and Year 6 teacher. Hawthorn is a single form entry school with nearly 40% of pupils eligible for FSM. John was newish to the school, having arrived in the last few years to work on the challenge of turning the school around after a series of low Ofsted results. Though the school was rated as Requires Improvement at the time of interview, the school has succeeded in making positive progress and has most recently received Good rankings. Perhaps tellingly, John has since left the school.

Westernshire

Ellie taught as a Year 2 teacher in Juniper School in rural Westernshire, an independent school. Ellie came to me as a contact of a friend who had recently left teaching. Our interview was short as Ellie was not particularly interested in speaking with me and, due to her school's independent status, it was hard to conduct an interview on core elements of primary schooling that were not required at an independent school. That being said, Ellie still had a very interesting perspective which is scattered throughout the results.

Hamlet Town

Kasia is a Deputy Head and Year 6 teacher at Larch School in Hamlet Town, a diverse northern suburb. Though the school is a single-form entry, Kasia described their classrooms as never full due to their frequently migratory populations. Larch School is located deep in the suburbs and has nearly 50% of its population eligible for FSM. Kasia describes the school as 'on an estate' and spoke proudly about their consistently Good Ofsted results in the context of their intake and location. Kasia was enthusiastic about the interview and keen to detail the supports provided at Larch School and in her classroom, particularly in relation to their EAL pupils.

River Town

Maple School, located in River Town, is a larger two form entry school in sprawling industrial suburbs. The school has a low percentage of pupils eligible for FSM, only around 15%, and a largely White and middle-class intake as described by Sarah, their Deputy Head and Year 2 teacher. The school was rated Good in their most recent Ofsted report. Sarah was chatty, but prone to go off topic, which resulted in a lot of interesting data about what she felt was important in regard to her students. Since the interview, Sarah has been promoted to Head and is no longer directly teaching.

Sun City

The final participant I spoke to in England was Arthur, the Deputy Head at Oak School in Sun City. Oak School is a large three-form entry primary school

spread across two sites. Arthur had been with the school for many years and considered himself not just a leader in the school, but a leader amongst his peers around the country. He was extremely knowledgeable about the minutiae of the high-stakes assessments in primary education and was confident in his ability to see his pupils through the testing season. Oak School consistently received Good results in their Ofsted inspections – having been rated Good in every inspection since 2000.

Overall, participants from England represented a range of locations, backgrounds and attitudes toward high-stakes assessment. Taken together they can be seen as demonstrating the widespread variability prevalent in England schools today.

4.6.2 - Participants from California

Participant	Location	School	Role
Serena	Blossom City	N/A	State-level education policy assistant
Haley	Blossom City	N/A	County-level education policy assistant
Josh	Blossom City District	N/A	District Assessment Lead
Marjorie	Central City North District	N/A	District Assessment Lead
Barbara	Central City South District	N/A	District Assessment Lead
Dennis	Central City West District	Pine School	Principal
Tessa	Central City East District	Rowan School	Kindergarten Teacher
James	Valley District	N/A	District Assessment Lead
Lindsey	Ocean City	Sycamore School	5 th Grade Teacher
Anne	Mountain City	Willow School	3 rd Grade Teacher

Table 10 – Participants in California by Location, School and Role

Participants from California made up approximately one third of the respondents and heavily featured members of the district teams responsible for assessments. In California, districts have a much larger role to play in the collection and reporting of data for statutory assessments and it makes sense that these district level teams would install someone with a specific remit for administering these exams. However, based on interviews with Josh, Marjorie, Barbara and James, these roles also undertake data analysis separate from the analysis done at the state and national level. The data analysis done at this level is undertaken to support or challenge the state’s interpretation of the data in service of a narrative of progress that benefits the district. In some cases, these roles are also responsible for managing the logistics of administration, supporting accessibility accommodations for the tests and answering parent and teacher queries about the assessments. The

next section will provide pseudonymised details on each participant in California, including details on the school accountability that each school and district is required to provide in the form of their “report card”. Similarly to England, while this research seeks to take a critical stance against the necessity of this data, this data is currently of extreme importance to the participants involved. Therefore, this data is important to understanding the stressors and concerns facing each participant.

Blossom City

Like the set of interviews conducted in England with Cameron, Marcus and Edward, Serena and Haley were two interviews conducted early on in service of the idea that a portion of this research would be policy enactment process focused. Serena was the education lead for a California State Senator who was eager to help and share her knowledge after the Senator’s office directed me to her. However, she was in her first week on the job, a fact that was not shared until the interview had already begun. This newness to the field meant that she was unable to provide me with much useful information – perhaps the intention of the original staff member who directed me to her. Serena in turn, suggested I speak with her friend Haley, an education policy lead at the county-level. Haley agreed to participate in an interview, but turned up late and left early. Our conversation never really got off the ground and she spent most of the time asking me to ask more specific questions. For these reasons, not much data from Serena and Haley’s interviews is relevant and their commentary will only be lightly sprinkled throughout the analysis to provide local context.

Josh was also from Blossom City and his school district would have been encompassed within the political boundaries served by Serena and Haley. Josh was the long-time assessment lead for his district and was extremely well-versed in the functional processes around the delivery of the CAASPP and ELPAC tests in his district. He had particular knowledge and passion for the accommodations available to support students who were unable to sit the tests in a straightforward manner. Josh had a critical understanding of the tests used and was better able to articulate specifics around his preferences for data collection than many of the other participants. Blossom City Elementary District, of which Josh was part, managed six

schools with no students older than 8th grade. California makes a large variety of data on pupils available to the public at the county, district and school level via the California School Dashboard. The Dashboard is full of color-coded graphs and indicators to allow any lay person to “understand” the school and/or district they are seeking information on. During the pandemic, California “opted-out” of including data from the tests in years 2020 and 2021 on the color-coded graphs. However, those data are still available should an individual wish to look through them. For Blossom City Elementary District, the data from the most recent pre-covid year are positive with students averaging in the blue “highest performance” band in their English and Math results². This indicates that students are both performing highly, and that students are making progress as scores are reported as a combination of results and progress. In 2022, schools are unable to show data on their “progress” from the previous year and must make do with their data from results alone. Nevertheless, Blossom City Elementary District still reports “Very High” performance in both English and Math results. California also reports progress of EL students towards “English proficiency” as measured by the ELPAC in the Dashboard. The ELPAC is required to be taken by students labelled as EL every year until a student “passes” and is deemed “English proficient”. Through a complex system of labelling, even if ELs have “passed” the ELPAC they are still tracked yearly and considered “separate” from their native English-speaking peers (see Section 1.7 for more details). For Blossom City Elementary District, EL progress has declined slightly since the pandemic with 61% making progress in 2019 and only 55% making progress in 2022. With only 10% of pupils labelled as ELs, though, and 10% considered to be lower socioeconomic status, Blossom City Elementary District is considered to be high performing in relation to their student population.

Central City

Marjorie, like Josh, was the assessment lead in her district, Central City North. Marjorie was direct and concise and throughout the interview we struggled as I

² Colour-coded bands are arranged in order from best to worst as blue, green, yellow, orange, red. As results from the 2021-22 academic year were not technically meant to be included in accountability reports measuring progress from previous years, results from that year do not utilise the colour-coding system. Instead they use labels such as “low” or “very low”.

sought to pull more detail out of her on her role and the challenges faced by her district. Central City North District was vastly different from Blossom City Elementary. Central City North was significantly more rural than Blossom City with nearly 70% of students enrolled considered to be lower socioeconomic status and 15% labelled as ELs. In 2019, the district performed in the yellow, “average”, band in English results and in the orange, “below average”, band in Math. 50% of ELs were deemed to be making progress in 2019 but that number had dropped to 40% by 2022. 2022 results were also down to “low” in English and “very low” in Math. Interestingly, students considered to be lower socioeconomic status had also climbed to nearly 83% by 2022, reflecting trends discussed by Marjorie in our interview. Marjorie in particular spoke at length about the measures the district went to in order to support students with food and technology access during the pandemic, reflecting larger concerns about the economic impact of the pandemic in the area.

Central City had four major school districts and in addition to Marjorie from Central City North, I spoke with Barbara from Central City South, Dennis from Central City West and Tessa from Central City East. Barbara, from Central City South, came across as a strong leader in her community. Barbara took a stance on many issues and was clear about the outsize importance various members of the district team had on results for students. Barbara had a very clear view on the policy process and provided a litany of interesting information during our conversation. Barbara provided a vastly different perspective to Marjorie even though their districts were close to each other and on the surface, very similar. Central City South also has high levels of students classified as lower socioeconomic status (88%) although in Central City South that number remained stable from 2019 to 2022. Their population of ELs declined instead from around 25% in 2019 to 19% in 2022. Performance also dropped with English and Math rated yellow or “average” in 2019 and rated very low in 2022. However, ELs making progress towards English language efficiency improved over the course of the pandemic rising from 45% of pupils to 48% of pupils meeting targets in 2022. It is possible that this increase in achievement is related to the decrease in EL population over the pandemic.

Dennis is Principal of Pine School in Central City West. Dennis was an affable man, eager for a good conversation. We spoke at length about the tests used in Pine

School and the impact that would have on his school's data. Dennis described Pine has having very few EL students on the register, though data reports show that around 10% of the pupils at Pine were ELs in 2022, down from 12% in 2019. The percentage of ELs making adequate progress increased, however, from 55% to 65% from 2019 to 2022. Alternately, though, their proportion of students classified as low socioeconomic status increased from 60% in 2019 to 68% in 2022. Test results at Pine remained stable throughout the pandemic with slightly above average results in English and slightly below average results in Math in both years. Pine School is one of the best schools in their district when sorted by English test results, but one of the worst when arranged by Math. Overall, they are quite an average school in Central City West District.

Tessa is a kindergarten teacher at the fourth district in the area, Central City East. Tessa was enthusiastic about her job and loved having the opportunity to discuss her students with me. She was very maternal, constantly referring to her students as 'kiddos' and it was clear she felt very fondly for them. She enjoyed that in her position as a kindergarten teacher, she was less responsible for assessment results than her peers and she frequently spoke to that as a reason for remaining in kindergarten as opposed to teaching other elementary years. Anecdotally, Tessa had many ELs in her classroom – the majority of whom were Spanish speakers – and Tessa felt that her use of Spanish in her home life helped her relate and interact with her students. Tessa asked that details of her school not be reported and as such they are not included here.

Valley District

James, likely my most vocal participant, was a district assessment lead at Valley District. James was enthusiastic about his career and more than happy to talk at length about his role, the role of testing and the importance of data in his school district. James often assumed that I was unfamiliar with data and testing, a fact that likely influenced his decisions to speak ad nauseum. James was immensely proud of his district's results and believed himself to be key in achieving them 'despite the odds'. The district has held steady in results from 2019 to 2022, consistently falling in the orange, or "slightly below average" results band in English and Math. The district

has around 40% low socioeconomic status and 18% of pupils classified as English learners. Consistently 45% of those ELs are deemed to be making good progress towards English proficiency.

Ocean City & Mountain City

Lindsey, a 5th grade teacher in Ocean City, and Anne, a 3rd grade teacher in Mountain City, were both gathered through personal contacts in the field. As such, they both asked for information on their schools to not be reported and they will not be included here. That being said, both were passionate about their data and teaching practice, and were strongly anti-assessment – in many ways they were some of my strongest advocates against standardised testing. Interestingly, both felt positively about the idea of data collection and believed they did need data on their students, just not data that came from assessments.

These participants represent a range of backgrounds and participant types, and each has an important perspective to provide. Data throughout the study will be presented in parallel with respondents from California and from England being used together to illustrate commonalities in the data. Occasionally, location-specific results will be provided where an interesting feature of one location can provide clarity or depth of understanding to a phenomenon.

Table 11 below outlines the actual proportions of interviews completed against the anticipated breakdown. In conclusion, it was more difficult to get to teachers than anticipated. Most school senior leadership indicated that their teaching staff were too busy to conduct interviews but offered to undertake them themselves instead, resulting in higher than anticipated interview numbers for those groups. Overall, however, the breakdown was relatively even across all five groups interviewed.

Role	Anticipated % of interviews	Actual % of interviews
Teachers	50%	33%
Support Staff	10%	7%
School Senior Leadership	15%	23%
LA / District Staff	15%	23%
Policymakers	10%	13%

Table 11 – Final Breakdown of Participants Interviewed

4.8 - Data Analysis

Data analysis was conducted on data gathered from interview transcripts and notes taken during the interviews themselves. Data were transcribed by me and analysed using digital data analysis tools such as NVivo. Data were analysed in several stages in order to properly determine key factors of the analysis. All data collected from the interview transcripts were analysed using Foucauldian discourse analysis (Burr, 2003; Ball, 1990). Foucauldian discourse analysis is often used to analyse transcripts and policy documents in policy enactment studies (Heimans, 2012; Maguire et al., 2012) and, as power in policy is critical to this research, will be used here. Data were also analysed through lenses of deficit thinking, intersectionality and critical race theory (CRT).

When undertaking an initial critical policy review, a Foucauldian discourse analysis framework is a common and crucial component. According to Grimaldi (2012), this approach 'invites us to deconstruct in detail the systems of relations and differentiation between the subjects involved in the policy processes and to identify the processes of empowerment that policy as discourse enact' (p.449). The relations between actors and policies, on both a local and macro level, formed the key basis of an initial policy review. The aim is to understand the power relations on paper – how do they detail how teachers should act? How do they talk about EAL students? What framings do they use to discuss these students and assessments? What discourses are not included in the policies? All of these questions help to develop an understanding of the uses and potential misuses of power in policy (Foucault, 1988) and formed the basis of an interview schedule which can be found in Appendix B.

Policies are also 'enmeshed within wider discursive ensembles' (Grimaldi, 2012, p.450), which informed the central part of the study. The interviews allowed me to unpack and develop discourses of power as they are understood at multiple levels of the education sector. While the main focus is policy enactment in the classroom, it would be naïve to undermine the effects of school administrations, local authorities and public discourses in shaping teacher policy enactment. When conducting the analysis against a Foucauldian framework it must be remembered that power cannot be reduced to domination and knowledge should not be detached from power (Ball, 2015b, p.311). Power should be considered as a discourse that is

embedded in practice (Heimans, 2012) and operationalized through discourses (Burr, 2003). Additionally, knowledge is 'leveraged in the hierarchical relations of power' between schools, LAs and the state to make decisions (Atkinson, 2015, p.38). In the context of this dissertation, 'testing as central to the implementation ... of educational accountability ... is used to leverage governmental power from the macro level of policymakers and legislators to the micro level of classroom teachers' (p.35). This research will 'examine the challenges and disruptions to these power relations' (Bradbury, 2019e, p.821) through policy enactment discourses.

As a type of analysis, 'Foucauldian discourse analysis is interested in how language is implicated in power relations' (Burr, 2003, p.150). Foucauldian discourse analysis is a good tool of analysis for this research due to its focus on how language implicates power relations. This type of discourse analysis frequently appears in policy enactment literature (Ball, 1991; Heimans, 2012) and my research will continue in this policy enactment tradition. Though Foucauldian discourse analysis is the technique of analysis, I have used Foucault's emphasis on power to examine discourses using a range of theoretical frameworks including intersectionality, Critical Race Theory and deficit theories to build a comprehensive picture of policy enactment in these contexts as discussed earlier.

As discussed earlier in this work, intersectionality refers to the compound discriminatory effect experienced by those facing discrimination from multiple angles (Crenshaw, 1989). This intersectionality is 'greater than the sum' of racism, sexism, xenophobia or language-based discrimination (p.140). Intersectional discrimination does not require intentionality; in truth, 'it is frequently the consequence of the imposition of one burden that interacts with preexisting vulnerabilities to create yet another dimension of disempowerment' (Crenshaw, 1991, p.1249). These intersections raise issues of power that, though they could be subsumed into Foucauldian discourse analysis, deserve a more individualized focus. The analysis of data through this lens adopts 'an intersectional way of thinking about the problem of sameness and difference and its relation to power' (Cho et al., 2013, p.795) in order to develop a robust analysis of how policy enactments affect EAL students. This intersectional analysis draws from CRT and specifically from Bradbury's (2019a) re-imagining of CRT through a linguistic lens. CRT has as its basis an

understanding that 'racism is a daily fact of life in society, and the ideology and assumptions of racism are ingrained in the political and legal structures as to be almost unrecognizable' (Parker, 2003, p.148). As a form of analysis, then, CRT 'seeks to identify, analyze, and transform those structural, cultural and interpersonal aspects of education that maintain the subordination of students of color' (p.152). As many EAL students are students of colour (though not all – see (Tereshchenko et al., 2019)), the usefulness of a CRT analysis is obvious. Data analysis will therefore also be conducted from a CRT perspective which utilizes Bradbury's 'critical questions' (2019a, p.247) related to contexts of influence, text production and practice.

Furthermore, policy frequently positions EAL students as deficit. This deficit positioning 'situates the blame for low educational attainment on the students, their families, and their communities rather than on the discriminatory practices of an inequitable system' (Mitchell, 2010, p.10-11). As deficit thinking frameworks are typically written into policies and drawn upon in teacher discourses (Atkinson, 2015; Bradbury, 2013) my data analysis also sought to highlight and problematize these discourses should they arise.

Finally, analysis was conducted with 'a guiding principle of responsibility' (Archer, 2004, p.468) towards the direct participants and indirect participants who might be affected by research outcomes. This work drew upon the work of authors such as Fook (2011), Gillborn (2014) and Atwood and Lopez (2014) in their tradition of using a clear social justice framework for their research. As an educational researcher, it is important to me that principles of responsibility and social justice remain central to all my work.

The following diagram outlines the data analysis process:

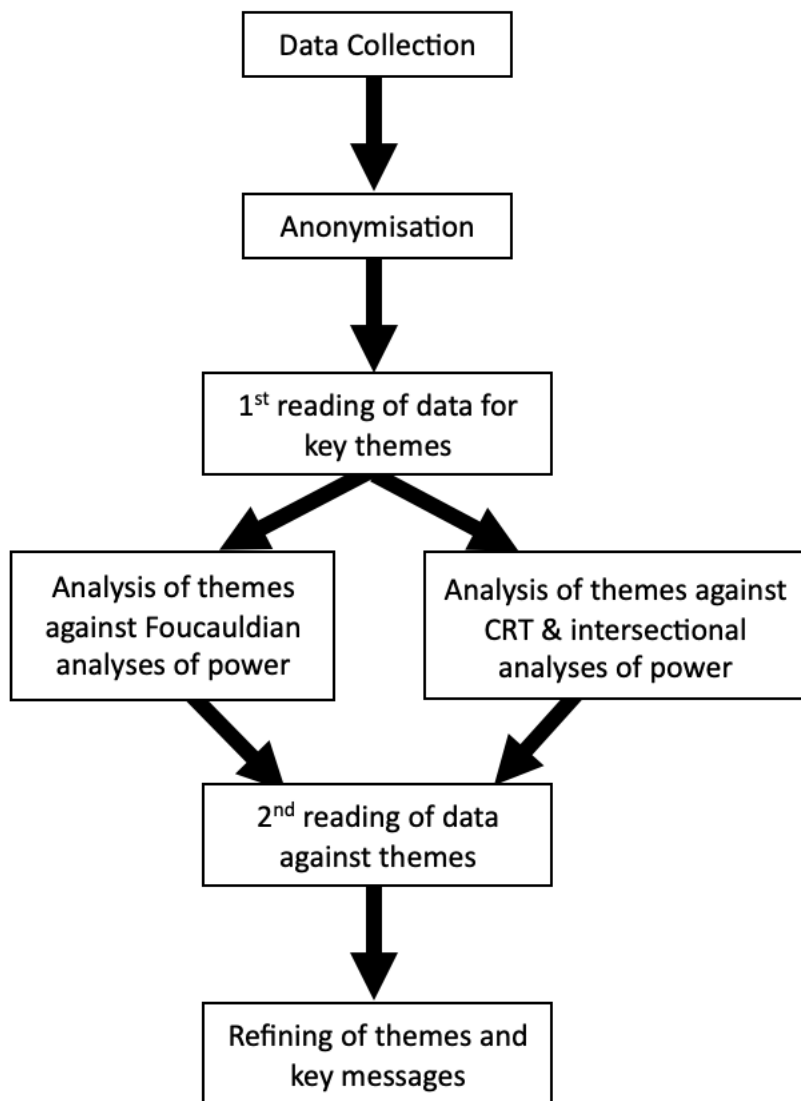


Diagram 1 – Process of Data Analysis

As described above, data was first analysed for key themes using Foucauldian discourse analysis, then analysed against Foucauldian theories of power and intersectional and critical race theory understandings of power. Those analyses were next reviewed against themes and refined for clarity and further understanding. In this way, I was able to draw themes out of the data, and then analyse those themes using the theoretical frameworks outlined earlier in this research.

4.9 - Ethics & Data Privacy

This research needed to carefully navigate ethical issues around working with young people and marginalized communities. To this end, informed consent was gathered before the research was conducted. While it was theoretically possible that some classrooms assistants might be under the age of eighteen, in the end no classroom assistants participated in the research and no participants were under eighteen. If needed, consent forms were able to be provided in languages other than English so that participant understanding was clear, however this feature was also not needed during the research. All participants were made aware of the fact that they may withdraw their consent at any time. The key ethical issues that are raised in this study centre around the sensitive content that is being discussed in interviews. Due to the need to ask questions that may infringe upon protected information such as race and ethnicity, I have carefully stored and pseudonymised all data collected. Data was pseudonymised before analysis was undertaken to reduce the risk that identifying data might be accidentally shared.

Transcribed and audio data have been kept and stored under the guidelines of the British Government Data Privacy Act, British Educational Research Association, American Educational Research Association, US Privacy Act and University College London guidelines. Data used in the study was properly pseudonymised and will never be made available in a way that could accidentally reveal the identity of the students, teachers or school.

No new ethical issues arose during the fieldwork phase, despite the adaptations that were required by the Covid crisis. These included being mindful of the stress participants were under.

4.10 - Conclusion

Taken together, these research methods allowed me to develop an in-depth understanding of my research questions. By interviewing a range of implementors within the policy enactment process, I was able to gain a clear picture of how provision was impacted for all students and how Covid has shone a light on how teachers and school leadership conceptualise data, standardised assessments and the role of Ofsted and the CDE. By comparing two similar but different contexts, I

have allowed for policies and policy communication to be refined by viewing each through a slightly different lens.

Though there were unexpected difficulties in conducting interviews during Covid, including access to interviewees, unanticipated data protection measures and the extreme stress felt by potential participants, enough interviews were conducted to allow the research to carry on even in light of the shift in research strategies. Thirty interviews were conducted, twenty in England and ten in California, with teachers, school senior leadership, district and local authority staff and policymakers on the processes of assessment during Covid and the resulting effects on students.

In this chapter, I have outlined the research method for my study – semi-structured interviews – and my rationale for selecting interviewees. I have also described my sampling technique, framework for analysis and nuances that arose while conducting the research. I have set the scene by outlining the participants and school locations that made up my sample and noted particular factors that may have influenced them as participants in the research. In the next chapter, I will utilise these frameworks to begin analysing the data I have collected.

Chapter Five – EAL / EL pupils during Covid

5.1 - Introduction

This first chapter of my findings will discuss results related to EAL / EL pupils. While this was originally intended to be a larger focus of the questioning, interviewees were keen to shift the conversation towards what they believed to be more pressing issues, resulting in less data on this topic. This chapter will discuss what they did say, as well as what can be learned from what they did not. This chapter will use Foucauldian and CRT-based analyses to understand what factors might have affected these opinions and comments.

During the Covid pandemic, policy actions drove structural changes in schools, however, as noted above, those changes were mainly focused on technology support, health and safety, assessments and learning loss (Moss et al., 2021). As Cameron, policy director for a teaching union in England noted, concerns from their members in relation to EAL pupils were around ‘ensuring that those children and young people get the support they would otherwise have’. The implication here is that supports for EAL students are generally appropriate, but that they could get easily lost in the Covid melee. Cameron’s concerns were echoed by teachers and schools in both locational contexts. The lack of obvious data on EAL / EL pupils in this study implies that those concerns might indeed have been lost, but a deeper dive will show that actually participants said a lot while saying very little.

5.2 - The Pivot: Are English Learners a Category of Students Worth Discussing?

During the course of the research, twenty-seven interviews were conducted with thirty participants in England and California - teachers, district and local authority leaders and policy makers at a national or state level. Participants were informed in advance that a key purpose of the research was to learn about the experiences of EAL / EL students, and they were asked early on about the specific supports they offered to their EAL / EL pupils during the Covid period. The most

common answer to those questions was a non-answer or a pivot to discussing another pupil group that needed support.

Arthur, a school leader in England, for example, noted that the supports offered to his EAL students were originally designed for a different population:

‘we probably started looking at it from the angle of autistic children...but of course it’s just as important for children for whom English is a second language as well’.

When asked what supports his school provided for their EAL learners, he immediately pivoted towards ‘autistic children’ before acknowledging that the supports created for autistic children might work for EAL students as well. At no point does Arthur offer a consideration that supports and resources created for autistic children might not be appropriate for an EAL population.

Barbara, a district leader in California, made a similar comment when asked about her population of EL students,

‘they’re one of our, you know, struggling groups. I mean we have...all the students that are high risk, we have 95% of them, you know, the low income, the food insecurity, the housing insecurity kids, the English learner... We show that we’ve got about 25%, but really what we have is 70% Hispanic, so you know it’s much higher than it shows in the data’.

In this way, Barbara highlights that her English learners are just one group in a long list of struggling populations in her district. Even though the question asked was specifically about EL students, they are the fourth group that she mentions in her response. For Barbara it was not worth picking these students out as the first group necessary to discuss in a conversation about supports provided to EL students. She also highlights a common understanding in California which is an equation of English learners with the Hispanic population. While it is true that, among English language learners in California, Spanish is the most common language spoken at home (Barrow and Markman-Pithers, 2016) it is not the case that those populations are equivalent. Barbara also avoids answering the question by listing out populations that are ‘struggling’ instead of discussing supports provided to these ‘struggling’ students. She admits that their district data is inaccurate in relation to these populations – that actually they see much higher percentages of pupils in these ‘groups’ - but does not share supports provided.

Barbara and Arthur both reference their EAL / EL pupils through linking them with other student populations. Arthur in particular models a phenomenon that has long been seen in research (Artiles et al., 2010; Bradbury, 2013; DeMatthews et al., 2014) where EAL / EL students are often lumped in with SEND populations – ‘increasing numbers of ELs have been placed in special education’ (Artiles et al., 2010). Special education classes, particularly in the US, can often be a proxy for additional supports with little consideration given to whether they are able to provide the type of support needed by that child. Additionally, there often seems to be a corollary ‘complex role’ played by school poverty level in these placements; students on FSM or from low-income backgrounds are disproportionately likely to be placed in special education programs (ibid). EAL / EL students are often positioned in these nexuses of intersectionality where they are simultaneously ‘invisible’ (Artiles et al., 2010) and ‘further penalized’ (Darling-Hammond, 2007, p.249) for their divergence from the narrative of ‘the normal child’ (Mac Naughton, 2005, p.29). Barbara’s linkage of her EL pupils with her Hispanic ‘high risk’ students references the same phenomena as Arthur’s linkage of EAL students with his SEND populations. Barbara also draws on raciolinguistic (Rosa and Flores, 2017) and intersectional (Crenshaw, 1991) understandings to equate her English learners with ‘high risk’, ‘low income’, ‘housing insecure’ pupils. By equating all of her EL students with all of her Latino populations, Barbara is resurfacing characterisations of Latinos as ‘a highly racialized, culturally distinctive and stubbornly unassimilable group’ (Rosa, 2019, p.13) that is a “problem” in society generally and schools specifically. EAL / EL pupils are characterised as “abnormal” in both situations, and as requiring more supports than the “standard” pupil. This raciolinguistic characterisation draws on CRT ideas to develop an idea that those differing from the norm are a problem (Gillborn and Ladson-Billings, 2019).

The myth of the normal child (Mac Naughton, 2005) is highlighted when educators ‘construct relationships and institutions around what we see as the normal child’ (p.29) which can then be used to ‘classify, distribute and regulate children’ (p.33). This normal child narrative lends itself obviously to deficit thinking (Bell McKenzie and Allen Phillips, 2016) but can also become an area of ‘policy silence’ (Bradbury, 2019a) such as that demonstrated by the linkages present in Arthur and

Barbara's comments. These policy silences draw upon Foucauldian ideas of power (1982) and are 'as important as what is included' (p.7) in a discussion or a policy. By merging distinct populations with different needs into one, such as the perceived equivalence between English learners and the Hispanic population in California, policy silences can be created (Flores, 2020). Instead of conceptualising supports for English learners specifically, supports are designed for the Hispanic population or the SEND population and English learning needs are left to the side. In California in particular, this policy silence has manifested into an unequal system of support such as when accommodations are provided for English learners in the classroom that assume an underlying knowledge of Spanish:

'one of the options of taking the test was a Spanish early lit but, I didn't give it to my kids because that's not fair to my Punjabi students' (Tessa, kindergarten teacher, CA)

Tessa, a kindergarten teacher in California, is required by her district to give a literacy test to her students. She is given the option to give students the test in either English or Spanish which, as she notes, is not acceptable for all of her EL pupils. The underlying assumption that all EL pupils in California are Spanish-speakers is discriminatory towards the large numbers of EL pupils who have an alternate first language and represents an imbalance of power (Foucault, 1982). As seen from demographic data in the first chapter, only 83% of EL students speak Spanish as a first language. With recent data from California stating that just over 2 million students are classified as ELs (Education, 2023), that leaves 340,000 non-Spanish speaking ELs who are unable to participate in supports and accommodations designed for Spanish speakers. Those students, for Tessa her Punjabi speaking pupils, become invisible in policy in a different way. It is assumed that because a Spanish language version has been provided that the needs of all EL students have been met. Once again, students are lumped together, even with a label that is intended to make things easier and the minority is ignored in favour of the majority (Gillborn and Ladson-Billings, 2019).

Even policies and programs that are specifically built for EAL / EL students can be affected by the muddied waters around the definition of EAL / EL pupils, as was described at length in Chapter One. Afterall, 'EAL is seen as a supra-subject phenomenon; it is regarded as a general teaching and learning issue' (Leung, 2005,

p.98) and as such it often acts as ‘a proxy for minority ethnic groups where the heritage language is other than English’ (Strand et al., 2015, p.14). This overlap between EAL / EL and more general concerns can also be seen in the ways that Liv, a local authority project manager with a specific remit for EAL pupils in England caveats her program’s goals. When asked, Liv highlights the support they provide to groups other than EAL pupils:

‘the remit of the service really, is to support schools with EAL pupils, to support schools with underachieving ethnic minority groups, some of which will also be EAL, and we support schools in their drive to become anti-racist as well’

Similarly to Barbara’s reference to her EL pupils as her Hispanic population, while there may be overlaps in these groups presented by Liv, it is notable that the overlaps are highlighted repeatedly. By frequently emphasising these intersections, participants are potentially silencing the specific needs of EAL / EL pupils. Repeatedly participants deflected questions about EAL / EL pupils towards a different pupil group. It is possible that this could just be a means for participants to ‘[focus] their attention on the more immediate threat’ (de St. Croix, 2011, p.54), however, the narrative of silencing EAL / EL students, or deflecting their concerns, was common across all participants. Indeed, several participants seemed not to have even considered that their EAL / EL students might need extra support:

‘would I say it’s disproportionately affected those children? Um maybe’ (John, SLT / Yr 6 teacher, Eng.)

‘I have to be honest, I mean I would imagine there would be... we had children who wouldn’t have been speaking English at home hmm... I can’t imagine that that wouldn’t have been an issue because, because certainly some of them would have been huh’ (Susan, Headteacher, Eng.)

Susan and John both seemed surprised by the question, even though the interview was specifically framed as being concerned with the experience of EAL pupils during Covid. Neither of them appeared to have considered the potential impacts of Covid on these students – a particularly surprising fact considering both were members of school senior leadership teams in schools that had EAL pupils on the register. In nearly all instances, when asked about the supports provided to EAL / EL children, participants deflected by discussing supports for other pupils such as Barbara, Arthur

and Liv, or indicated that they had not considered the needs of this group such as Susan and John.

It is likely that the unclear labelling process for EAL / EL pupils affected the disappearance of these students in the minds of their educators in part. However, this overlooking of certain children not only demonstrates that the definitions of EAL / EL are lacking (Leung, 2005) but that these children are 'invisible in research, policy and practice' (Mitchell, 2013, p.340). No wide-spread specific supports for EAL / EL students were put in place by governments in either England or California during Covid and, from speaking to participants, it is clear that these Foucauldian 'policy silences' have resulted in children missing from the narrative in the Covid classroom. When repeatedly asked about EAL / EL pupils in an interview framed as being about these students' Covid experiences, participants seemed confused, surprised and unaware of the supports provided. When supports were discussed, they were often under the umbrella of supports designed for other student groups and adapted for EAL / EL pupils.

It would be remiss not to acknowledge that these invisible EAL / EL students are often additionally raced by policy and teaching staff, as:

'US educational classifications such as long-term English learner, heritage language learner, and standard English learner, which are often associated with distinct racialized populations and analyzed separately, function in similarly stigmatizing ways by positioning racialized speaking subjects as deviant and inferior from the perspective of white listening subjects' (Rosa and Flores, 2017, p.628).

As this is often true in British contexts as well (even 'White' EAL learners can be raced (Tereshchenko et al., 2019)), 'race, language, and governance must be analyzed collectively' (Rosa, 2019, p.2). Though it is not possible to say that race definitively played a role in the marginalisation of these students during the pandemic,

'failing to acknowledge language-minoritized students' common racial positioning and the ways that such positioning suggests deficiency, which has been typical in appropriateness-based approaches to language education, normalizes these racial hierarchies and provides them legitimacy' (Flores and Rosa, 2015, p.166).

CRT principles can be clearly seen here through the ways that an unquestioning majority focuses on their interests instead of those of their minoritised counterparts (Gillborn and Ladson-Billings, 2019). Even without acknowledging the race and class elements that are likely affecting these students, it is clear to see that the structures of a White, middle-class, English-only identity do not enable participants to see the needs of students that do not meet that ideal. When race and class are added back in, it only serves to clarify the way in which participants pivoted away from their EAL / EL pupils as soon as it became difficult for them.

There is, of course, a possibility that there was truly no need for supports to be put in place for these students; in order to avoid focusing on deficits - i.e. that EAL / EL pupils *require* additional supports in order to succeed - it is important to review the above comments from this angle. However, research shows that language and communication development was at the heart of educators' concerns about students coming out of the pandemic. There is no viable reason why that would not include English language learners, particularly when in California. School submitted Learning Continuity Plans (LCPs) for provision during Covid anticipated English language development among EL students to be a big need for students in the 2020-21 school year and wrote out strategies on how to support them (Reed et al., 2022). Reed et al.'s research calls for investigation into what schools actually did, as opposed to what they submitted as their intentions. My research shows that they did not live up to their expectations. Interviews were conducted with school and district staff that would have been charged with writing LCPs and within six months of their submission they cannot seem to recall what they submitted as their plans, let alone what they were actually doing on a daily basis. It is clear in this case that performativity, or being seen to do the right thing, which is grounded in Foucauldian notions of governmentality (1982), held more sway than actual execution. Overall, it appears that there was some recognition that EL students would be affected, but no supports were put in place in many schools.

5.3 - Labelling Confusion in Action

In addition to the disappearance of these students in the minds of their educators, the confusion around the labels EAL and EL was exacerbated during the

pandemic. Many teachers and districts use labels and grouping to '[make] the differences between children visible to them' (Bradbury, 2019d, p.6) but if the 'statistical category lacks sufficient granularity to represent characteristics of a unique student group' (Creagh, 2015, p.110) as is the case with the English label EAL and the American EL, then it might be the case that the label itself is problematic (Creagh, 2014). Though these labels were discussed in depth in Chapter One, it is important to recap that, in England, one should not 'interpret EAL as a measure of fluency in English but simply as a marker of exposure (at home or in the wider community) to a language other than English (Strand et al., 2015, p.43). In California, the label is affected by the expectation from No Child Left Behind that all States must have an 'assessment for English proficiency for ELs' (Morita-Mullaney, 2017, p.243) therefore 'EL-identified students are often required to...pass an exit exam' (Cuba et al., 2018, p.9) to move out of the label. The EL label is therefore slightly more meaningful than EAL as it does imply an element of English language proficiency, though it does mean that 'students are assigned to these subgroups *because* they cannot meet the standard, and they are typically removed from the subgroup when they do meet the standard' (Darling-Hammond, 2007, p.249) keeping overall attainment within the label low. Furthermore, moving out of the EL label only means moving into an alternate label (RFEP or Reclassified Fluent English Proficient), ensuring that the child is still tracked even though they have technically met the standard they were being held to. Students can never escape the 'reclassified' label, ensuring they are never as "normal" as their peers and that the two groups are always separate (Gillborn and Ladson-Billings, 2019).

Labels such as these are used in classrooms every day to sort students into relevant pedagogy groups (Atkinson, 2015; Bradbury, 2019d), denote which students are in need of interventions (Liu et al., 2017) and allocate funding (Flynn and Curdt-Christiansen, 2018). As James, a district leader in California notes, these labels are also used as proxy measures for student ability:

'there are students that are falling off that were doing better when we were open...in reading for example, it doesn't follow what the historical patterns were. You could have had, there were predictability things right, where you could say 'gosh you're an English learner, low socioeconomic, your parents had low education', all of these things you could have said...'well

this kid's up against it – probably not going to be doing so good' and nine times out of ten you'd be pretty accurate right?'

James highlights how labels such as EL are used to classify students and judge if they are making 'appropriate progress' in relation to their label. This is a form of deficit thinking an idea grounded in CRT (Gillborn, 2010), as often those students are believed to be making 'appropriate progress' even if they are far behind their peers – they are never held to as high of expectations as other, non-labelled students. Covid, as James goes on to note, has altered how useful these labels are as:

'the kids that are growing and the kids that are falling off is very individualized...based on things that we didn't typically measure right? So we don't really know what's – how to sort them out and identify them ahead of time other than to look at their individual data'.

In other words, the effects of Covid on students are much more individualised and even less about labels and categories than pre-Covid. Instead, home life and parental availability for home learning support have become much more significant, likely permanently altering for this group of students which variables are best able to categorize them. James highlights his immediate concerns with the usefulness of these labels as he suddenly finds himself in labelling confusion.

That is not to say that there is widespread agreement about how useful these labels have always been. Even before the onset of Covid, the usefulness of labels in general and the EAL / EL label specifically have been called into question by research and participants:

'I'm not a big believer in them' (James, district leader, CA)

'there's never any trends or patterns that we can identify with EAL or with pupil premium children. We don't, we really struggle to identify those trends, because it's just different' (Kasia, SLT / Yr 6 teacher, Eng.)

'I think, because we've got such a high proportion of EAL and pupil premium children that actually if we were just to use those labels it wouldn't be helpful for us - we've got children under those labels that are you know spanning the whole breadth of attainment so they're just not necessarily always the most helpful' (Rachel, SLT, Eng.)

James acknowledges that he is not personally a big believer in the usefulness of labels, sentiments echoed by Kasia and Rachel. Both Kasia and Rachel state that, in

their schools, the with-in group variations between their EAL and pupil premium children are so large as to make the grouping meaningless. This is backed up in research by Strand & Lindorff (2020) who make similar claims about in-group variations in the label. Kasia and Rachel, and James in the earlier quotation, are using the labels to attempt to predict pupil progress and find the variation too great to provide meaning in their data. Concerns about data and pupil progress will be discussed more in depth in the following chapter.

However, these labels remain, according to James, in order to allocate funding:

‘here’s how it works, the States and the Fed, they have to allocate money, and they have to allocate money ironically under the umbrella of equity...so the accountants come up with a way based on student groups’ (district leader, CA)

Rather than using labels such as EAL / EL to help teaching staff track trends and measure progress, James claims that the purpose of labels is to help state and national departments for education determine how to allocate funding. James is particularly disparaging of this idea, as the breadth of students that fall under these labels can create problems in allocating that funding:

‘our CEO for example, she’s an accountant [she’ll say] ‘hey you’ve got these dollars for these kids you can only spend those dollars on those kids’ and [I’ll say] ‘oh really? Because I’ve got this EL over here that’s an honors student, that just got national merit scholarship, do I really need to remediate him because he’s got an EL on his forehead?’”

James here outlines how, in order to allocate money for students in an equitable manner, the State and Federal governments have to come up with a system that means that students most in need get the most money. The way they have come up with is based on student label categories. For James, this method has always been questionable, particularly in relation to English learners. As he explains, too often labels like EL become synonymous with students who need extra support, even when that might not necessarily be the case. In his narrative, James attempts to push back on this idea that all English learners need the funding for extra support. He argues that the label itself is not useful in determining the needs of pupils in his district. James values his ability to speak “common-sense” and his words always appear to ring true on a surface-level. Taking a deeper look from a CRT angle

though, it is worth noting that some of what James is saying aligns with model-minority myths (Maddamsetti, 2020). A critical lens might ask why James is so intent on rebalancing funding away from EL students. It is also unclear why James equates funding with ‘remediating’. Even if the funding is being used to support EL pupils with extra teaching time, for example, that does not mean that those students are being remediated.

Either way, this back and forth over the usefulness of these labels is indicative of larger Foucauldian debates around how to distribute funding in schools (Anderson et al., 2017) and how data should be collected on students (Abedi, 2004) but, overall, particularly after Covid, it is clear that the EAL / EL label is no longer as useful as it once was. For teachers and district leaders, the lack of usefulness in the label as a system of categorisation is clear from these conversations.

5.4 - Labels and Data Measurement

Where the labels might still hold some use is for teachers when they are reviewing data from their classes. Kasia talks about using the labels for data in two excerpts from our interview:

‘it’s useful for teachers, obviously the children we don’t label it to them, but for us... to get the context of our class’ (SLT / Yr 6 teacher, Eng.)

‘if data is lower in a class then it's good to know, actually, the reason why it's lower is because half of the children are EAL and...they've only been with us for a year and so that is useful, but then...I think it's a difficult one really because it's such a generic label, but the ones who need it, like it's like well, then it also that also works in your favour because you could get 75% at age related for reading, but actually you've got 60% of the children in your class that are EAL...So it can work in your favour’ (SLT / Yr 6 teacher, Eng.)

In these two quotations, Kasia highlights how the label is useful for her in defining ability in her classroom. Labels such as EAL allow her to ‘get the context of her class’, a phrasing that calls back to James’ comments earlier about using labels as proxy measures. Once she has understood ‘the context’ of her classroom, Kasia is able to make sense of the data and assessment results of her students. It is notable that, earlier, Kasia stated that labels such as EAL were not useful in broad strokes

because she was unable to use the label to identify ‘trends and patterns’ among EAL students. However, later on in this section of the interview, Kasia notes that she does consider the label EAL useful in identifying a rationale for why students might be lower performing. Even more so than other participants, Kasia showcases deficit thinking in this excerpt. For Kasia, it is okay and indeed even acceptable and comforting to find that the reason a student’s achievement is lower is because of their EAL label. In this way, Kasia draws on CRT-based raciolinguistic thinking (Rosa and Flores, 2017) and deficit discourses (Gillborn, 2010) in her explanation.

Additionally, Kasia explains that she finds the EAL label can work in her favour in relation to her own accountability as a teacher. For her, it is okay that her data is ‘lower’ because ‘half of the children are EAL’. She even explains how it can be useful at times to show how her data is actually more favourable than it could have been. Kasia is content to draw on deficit discourses to highlight how scores are likely as good as they could be, because it is anticipated and expected that her EAL students will have lower scores in reading. Concerns around using labels in this way have been written about extensively elsewhere (Atkinson, 2015; Campbell, 2015; Bradbury, 2019d) and their influence on the questionable use of data to measure progress by teachers and schools will be discussed in the next chapter.

It is important to note that these labels are contested by participants and researchers and, post-pandemic, might not be as useful as they once were. It is unlikely, but possible, that the disappearance of EAL / EL children from policy and practice during the Covid years is entirely due to the utility of the label. Rather, it is significantly more likely that the underlying deficit thinking, such as that shown by Kasia, has framed participant responses to questions about their EAL / EL students and has prevented these pupils from being top of their minds anyway.

5.5 - Rationales for a Lack of Support

While the overwhelming initial response to questions about EAL / EL students in practice during the pandemic was confusion or a lack of outlined support, many teachers and district leaders followed up those concerns with statements about the lack of time they had to provide individual support for pupils. Once it was clear no answer would be forthcoming about what supports were provided, a decisive turn

was made by participants to noting the lack of time and resources available to provide the individual supports that participants felt EAL / EL students needed. In many cases, this meant technology-based distance learning needs. Distance or home learning was a key element of pandemic teaching in both locational contexts (Greenhow et al., 2021; Moss, 2022) and providing the necessary technology to implement this was a concern for schools, districts and governments. This usually took two forms – finding tools such as computers for pupils to access the internet and school materials and providing internet access itself. Most participants spoke about the challenge of delivering these necessary tools to their students, though here it was always made clear that this was not specifically a problem for EAL / EL students. Instead, this was a problem particularly for low-income students, of which EAL / EL students were considered to be part. Once these issues had been resolved, however, it was clear that there was more trouble ahead in relation to providing supports for EAL / EL students. Many teachers and district leaders expressed resignation about their ability to support EAL / EL pupils through home learning, with the previously noted language and technology barriers in place, as explained by Kasia:

‘I think teaching through Zoom and teaching through Teams has been very very difficult for EAL pupils’ (Kasia, SLT / Yr 6 teacher, Eng.)

Technological issues were not the only concerns relating to distance learning and EAL pupils. One teacher also acknowledged that they had many new-to-English pupils arrive during the pandemic:

‘over lockdown [we’ve] acquired a number of new to English children who have come into the country, so that was very very interesting to try and establish that level of provision for them when they don’t speak any English and during the middle of the pandemic...now they’re in school they’re getting, a few of them are getting specific new-to-English provision’ (John, SLT / Yr 6 teacher, Eng.)

John, a teacher in England, noted that they had many new students during the pandemic. Once again, we can see a ‘policy silence’ here. By calling out that these pupils are getting new-to-English provision now that they have returned to the classroom, the implication is that, while they were being instructed in a distance

manner, they were not receiving that provision. John is here calling out that for many students who were new-to-English (and it is notable that John calls out new-to-English and does not simply use EAL as a proxy) they were unable to receive instruction in a language they understood during distance learning. Upon probing, John is unable to provide commentary on what these students did during the time they were learning at a distance, but it is concerning that there remains some question about if these students received any supports at all, and how long they might have been waiting when supports did come through.

There were instances where teachers like Anne felt that their EL students really benefited from home learning –

‘because I was on zoom, I could have breakout rooms and I worked extra hard with him and I have a friend who got a separate certificate in English language learning and so she told me what to do and what to get because the district wasn’t doing anything for him’ (3rd grade teacher, CA)

Her ability to have extended breakout room one-on-one sessions with one of her EL students would not be possible to the same extent in a live physical classroom as there would be too many distractions present. Anne felt that the opportunities for individual support were actually increased through distance learning as she was able to create individual moments of connection facilitated by technology. Anne was the only participant who highlighted this as a benefit, however, and it is likely no coincidence that Anne was teaching in California, as the United States focused more on synchronous teaching sessions during the pandemic as opposed to the United Kingdom that emphasized more asynchronous opportunities (Greenhow et al., 2021). Anne does make several additional points here about the lack of support provided by the district which will be discussed later on.

5.5.1 - Parents as the Solution? Or the Problem?

While supports for students were specifically questioned, most participants felt that the key extra support they were offering EAL students was actually support for their parents:

‘my last meeting was the most well attended, but it was because of our liaisons really reaching out to their community and saying ‘hey I’m here to help’, ‘right we’ll get through this

together', they got on the phone, they text you know, 'log-on to your', 'this is how you do it'" (Barbara, district leader, California, talking about difficulties with logging EL parents onto home learning systems)

Barbara suggests that technological issues are not confined solely to students. Many of the parents of her EL students also have a language barrier and struggle with gaining access to technology and platforms that are mostly in English. She only managed to get a significant group of them to log-on and join a meeting when step-by-step phone instructions and personal support was provided. While this worked in the instance that she needed it to, this solution involves a hefty time commitment, one that Barbara and her team cannot commit to regularly. She goes on to say that she does believe, however, that providing this support to parents will in the end be useful support for EL pupils themselves.

Those sentiments are echoed by Josh, another district leader in California:

'because those are our neediest kids and they've been the least, they've had the hardest time accessing their learning in a distance environment, you know? I mean we've given out hotspots and Chromebooks and all that, but the language, you know, barrier is, is hard and mom and dad sometimes are working two, three, jobs' (Josh, district leader, CA)

Josh, unlike Barbara, is unable to provide personalised support. Josh and his team were able to provide the core technology, 'hotspots and Chromebooks', that was necessary as discussed earlier in this section, but that was the extent of what he was able to provide. Josh concedes that the language barrier is difficult and EL students have the 'hardest time' with accessing their learning. Josh makes several comments in this section about EL children being the 'neediest children' with parents 'working two, three, jobs'. It is possible that these comments are drawing on CRT-derived deficit discourses of EL populations having unengaged parents (Gillborn and Youdell, 2000), however, from the conversation it is unclear if those were judgements or if Josh had direct contact with parents and was speaking about conversations he was involved in. In a non-Covid year, Josh's role at the district would have extremely limited interaction with parents and students, but Covid had turned that structure on its head. Either way, in this section Josh admits that the technology is not enough but, unlike Barbara (who focused on parents), does not have a proactive solution to support EL students.

Both EL in California and EAL in England are demarcated by what language is spoken in the home, meaning parents of these children are likely to speak a language other than English, as highlighted in the excerpts from Barbara and Josh. It is widely agreed that parents took on an outsized role in education during the pandemic – ‘parents nationwide took on new roles with more responsibility for managing learning’ (Greenhow et al., 2021, p.15). More than anything else, ‘students needed parents/caregivers with time, skills and willingness to provide home learning support’ (Greenhow et al., 2021, p.16-17). This support became crucial for student success during the pandemic years. James, a district leader in California, acknowledged parent support as the most important “variable” or label in measuring student progress during Covid. The supports teachers, schools and districts were able to provide to parents, particularly of EL / EAL students, are undoubtedly extremely beneficial, arguably more beneficial than providing supports directly to students would have been.

For EAL / EL students, however, the support given by parents was often framed using deficit narratives highlighting the absence of an acceptable level of language support. This parallels the CRT-derived deficit narratives discussed earlier (Gillborn, 2010) and often used to explain the experiences of EAL / EL pupils in classrooms. Some of these comments were made in throwaway lines, such as that by Tessa,

‘In kindergarten I would say my kids are pretty much where they always come in, the difference is that their language, like this year I had the highest number of ELs that I’ve had in a while at least in my school, and I can imagine that that’s because they weren’t exposed to a lot of language outside of their home’ (Tessa, kindergarten teacher, CA)

Tessa starts out by stating that her students are generally at the same achievement level as she would have expected, even with Covid. As she goes on to note, however, she has the ‘highest number of ELs’ that she has had in a while. She offers the explanation that her pupils ‘weren’t exposed to a lot of language outside of their home’ as a rationale for why this might be the case. However, as outlined in Chapter One, this is not how the EL label works. In California, students are given the EL label if their parent indicates that they speak a language other than English in their home, it does not provide any contextual information on the levels of English that a child

may know. High numbers of ELs in a single classroom do not equate to a lack of parental involvement in language learning. The two pieces of information do not have any significant connection when viewed from a technical level. It is possible that Tessa is referencing how many students she would have expected to test out of EL status and into RFEP or IFEP status instead, but her comments do not make that clear. Tessa would be aware of these statuses and the role that the ELPAC plays in confirming reclassification as she would regularly be required to send her kindergarten students for testing, so it is unlikely that that was her intention. Instead, we see a direct link made between parental involvement in language exposure and EL status. This incorrect linkage carries raciolinguistic connotations and links to critical race theory (Rosa and Flores, 2017) around the concerns that Tessa has with EL parents and the assumption that they are uninvolved in their children's learning.

Rachel, a school leader in England, makes similar comments to Tessa:

'I work predominantly in the early years, and we found like communication and language our baseline assessments when the children came back, so it was a massive area for us, we found that their just speaking of English and their understanding of English had dropped almost back to you know September levels or pre-September levels'

Rachel does not directly name EAL children in her comments. Instead, she makes generalised assessments about all early years students having 'dropped back' in their speaking and understanding of English. Rachel also does not provide a rationale for why this might have occurred. Ellie, on the other hand, does name parents as the reason that her EAL children have 'dropped back':

'I've got quite a few EAL children so again some of the vocab obviously got lost on some parents because you know they were working with, they were used to speaking a foreign language at home' (Ellie, Yr 2 teacher, Eng.)

Ellie's comments bring together points from Tessa and Rachel, that EAL pupils in particular, have 'lost' vocabulary and communication skills and that their parents speaking a 'foreign language' to them at home are to blame. Similarly to Tessa, Ellie here is exemplifying both deficit discourses and a misunderstanding about what information can be gleaned from the EAL label. While the EAL label is given when a parent indicates that they speak a language other than English at home, it does not provide any details on English level, if English is spoken at home, or what additional

English language-based activities parents might have enrolled their children in. Additionally, Ellie is calling on deficit discourses as she makes the assumption that parents are uninterested in their students' English language education, a common raciolinguistic narrative (Rosa and Flores, 2017), rather than allowing for the myriad other reasons that an EAL learner might have difficulty showcasing their knowledge of English in the classroom.

Julia, another school leader in England, makes similar assumptions about parental support in education:

'a third of our school is pupil premium and I think PiXL, going back to the assessments and the therapies, that's why we know where those gaps are because you know some of those children there's a little bit of a low parental engagement, a low sort of like values of education at times' (Julia, SLT, Eng.)

Julia here references PiXL, a program that will be discussed more in the next chapter for its data management and testing properties. In this excerpt, Julia references PiXL's ability to provide data on student learning from in-platform assessments. Julia uses this data to understand where the 'gaps' are in the achievement of her EAL pupils. In attributing that gap to a 'low sort of like values of education' to the parents of her EAL students, Julia draws on raciolinguistic, racial and class-based assumptions from CRT narratives about parents where they are framed as being disinterested, unaware and unsupportive of their children's education (Gillborn and Youdell, 2000). These narratives are overwhelmingly assigned to parents that do not match the White middle-class English-speaking idealised parent (ibid). Specific issues with 'the word gap' have been highlighted by Cushing (2022) as a raciolinguistic discourse 'reimported to education policy in England from the USA'. Cushing calls out the word gap, referenced by both Ellie, Julia, Rachel and Tessa, as a deficit, racialised narrative and it is worth reviewing his comments in full. The word gap, according to Cushing, is:

'another way of finding faults in the activities of working class, Black families – a manifestation of a culture of poverty theory where it is deemed that the reason low-income, racialized children do poorly in school is not because of systemic inequality, but because their families have failed to equip them with adequate linguistic and cultural practices' (ibid, p.3).

Though Cushing is speaking about working class Black families in this quotation and not necessarily EAL / EL students, it is clear to see that when analysing the comments made by participants in this research on their EAL / EL pupils through a CRT lens, the narrative holds astonishing similarities.

Kasia, another teacher in England, makes this link even clearer in her comments below:

‘our children come in with very, very poor and very low language acquisition, so when they come in the big, the estate that our school is on is um an estate where children are coming from other countries’ (Kasia, SLT / Yr 6 teacher, Eng.)

Kasia here goes a step further than Ellie, Rachel, Tessa and Julia by specifically referring to children that are coming from ‘other countries’. While there is likely to be an element of fact to the idea that children arriving from other countries likely have lower levels of English language acquisition, other comments by Kasia make it clear that there is an element of raciolinguistic deficit discourse (Rosa and Flores, 2017) present here.

Arthur, a Deputy Head in England, also referenced these raciolinguistic framings of a word gap, but in a more subtle way than other participants. Arthur spoke at length about the work they had done with idioms and more unusual vocabulary with their EAL pupils:

‘we’re looking at things beyond just words, an increase in vocabulary we’re looking at those cultural references and also things like idioms that can be a real stumbling block for children who have English as an additional language and that extends to those pupils whose parents have English as an additional language, and it could be, you have a child born in England to Polish parents, grown up in England, but they’re not hearing those, that type of nuanced language at home’ (Arthur, SLT, Eng.)

Arthur does not make the same claims as other participants about a word gap with basic elements of vocabulary, instead he discusses how EAL pupils or, for instance, ‘a child born in England to Polish parents’ will not have the same ‘cultural references’ and ‘idioms’ as a child who might be hearing that ‘nuanced language’ at home. This comment very carefully walks the line of drawing on raciolinguistic deficit framings. Arthur’s comments are harder to analyse as they form a Foucauldian ‘common sense notion’ (Maguire et al., 2012). According to Maguire et al., these sort of

'common sense' discourses are some of the hardest to make sense of as they draw upon natural narratives and beliefs. Is it reasonable to claim that EAL students will have a harder time utilising and understanding idiomatic language? Perhaps. Does that mean that it is not an example drawing on deficit discourses? Perhaps not. In context, this quotation from Arthur makes up the bulk of his response about supports for EAL students, supports which we saw earlier were originally designed for 'autistic children'.

These excerpts from Tessa, Rachel, Ellie, Kasia and Arthur all highlight the view that these children 'cannot succeed due to a deficit' (Bell McKenzie and Allen Phillips, 2016, p.27). In this case, the deficit is the lack of English spoken at home which has held these children back in their development. These children return to school positioned as 'low-ability' (Bradbury, 2021) and with parents being blamed for the 'differences' of their children, 'which [causes] issues in the schooling of children and perpetuates practices that divide teachers and parents' (Mitchell, 2010, p.375). Though many EAL / EL pupils were made invisible by the lack of support provided by their educators, when support was provided, as these excerpts show, that support was framed in an accusatory manner, highlighting a narrative commonly seen in CRT analyses that 'variation from a White, middle-class, standard-English, monolingual norm is problematic' (ibid, p.360).

Amanda, a Deputy Headteacher in England, describes a different problem in relation to student-parent interactions during Covid:

'from my point of view... the problem I had was a little bit different in my class, I had a couple of children whose parents didn't speak much English, the kids were fine, but they were pulling the wool over their parents' eyes about what was being set and what the expectations were because the parents couldn't read the letters and things like that so there, there was issues around that as well'

For Amanda, her greatest concern with EAL students' access to English during home learning is that, in her eyes, they have gained a newfound ability to '[pull] the wool over' their parents' eyes. Amanda is quick to draw on these raciolinguistic narratives of EAL learners as 'deviant' (Rosa and Flores, 2017), even though she offers no details as to how this occurred. Amanda was part of a group interview and her fellow participants remained silent during this interaction, offering neither support nor

condemnation for this take. Amanda was the only participant to reference these deviant narratives, and this discourse was never brought up again by her. It is notable how confident Amanda was with this explanation for parents not being as aware of classroom expectations as Amanda would have wanted, however she provides no further evidence to back up these claims. As such, they must be treated as a slight outlier, or an example that allows the other variations of this discourse to shine through.

Amanda consistently discussed her students in negative terms. Often, she associated them with cheating or being tricksters – conning teachers and parents into believing they had completed the work when the truth was anything but:

‘We said to all our teachers on our assessment system you can flag things up that you have delivered as being delivered, but you cannot say that a child has met that objective for sure while they've done it at home, because you don't know whether they've had support with it, you don't know whether they can do it independently, you don't know how shallow or how deep that learning is, so people are having to go back over those assessment statements in class to verify that they actually can do it’

In her position as Deputy Head, Amanda directs her teachers to use class time to re-outline work that was done at home as she does not believe that you can count objectives met via distance learning. It is clear from this that she believes her pupils are more likely to be attempting to cheat the system than to have learned an objective while completing at home learning. She shows a distrust of her students and, specifically at Amanda's school, that means the one third of pupils that are on free school meals and one third that have English as an Additional Language, with an additional quarter registered for SEND support. In a discussion on their school's intake, Amanda mentioned that ‘the majority of our non-English speakers speak Urdu or Punjabi,’ using language as a proxy for race (Rosa, 2019). This unwillingness to believe that her students are most likely cheating was a ‘common concern’ (Cooper et al., 2022, p.9) during the pandemic but it is grounded in racist deficit narratives (Ford, 2014, p.148). This relentless focus on students' presumed cheating also precludes these students from succeeding in a meritocratic world – if they are cheating then they are not putting in the effort and hard work needed to succeed and they are not deserving of having their progress documented. Amanda, in other

instances, noted a lack of time and resources for supporting EAL / EL pupils but in this excerpt we can see that she is guilty of requiring materials to be learned twice. She does not consider her students capable of learning at home and therefore they become requiring of even more resources than anticipated.

5.5.2 - Lack of Teaching Resources

Teaching resources for EAL / EL pupils during the pandemic years, or the lack thereof, was a notable concern from all participants. In this instance, resources could be: suggested workplans for teachers on how to engage EAL / EL students at home; translations of new materials for working during Covid; one-on-one materials for breakout sessions and more. Crucially, however, there did seem to be some confusion over who was meant to be providing these resources. For example, Liv, a participant from a council in England who was specifically tasked with providing support for EAL pupils, noted that she 'linked them all to the good ideas from the Bell Foundation'. While the Bell Foundation in the UK put out multiple resources and reports during the pandemic (Scott, 2021) for supporting EAL learners during home learning and on the return to the classroom, it is notable how critical they were to the support provided by councils. Liv's role at the Council was to provide these sorts of resources for schools in her care, and, rather than build and create them herself, she served as a 'pass-through' for materials from others. This is not meant to be a criticism of Liv's work ethic – the materials from the Bell Foundation are widely regarded by her peers as excellent – instead, it is an example to highlight how even the individual specifically responsible for EAL / EL students at the Council level had other priorities and was not able to devote the amount of support needed to these pupils. That is not to say councils did not provide resources; both Liv and Karen from councils spoke extensively about the worksheets and websites they provided. But they were hampered by a lack of funding, minimal direct access to teachers and families, and an inability to mandate schools use their resources –

'we encourage because we obviously can't tell, but we encourage' (Liv, council, Eng.)

Reflecting this, many school leaders did not reference the Council when asked if they relied on outside support for their EAL / EL resources. Some

participants commented on the support and resources they received from third-party companies, such as Kasia:

[we] worked with a company...so during Covid during the first lockdown last year the class team would send out work to the children to help them acquire their vocabulary and then they would provide them with envelopes for them to send them back so [the company] would work with it, and then they give all the data back to us um and then throughout when we came back in September, they again were still providing work for those children as well' (Kasia, SLT / Yr 6 teacher, Eng.)

Kasia describes here how they worked with an outside company to provide both resources and marking support for EAL / EL students. Rather than the Council serving as a 'pass-through', here it is the school itself that is serving as a conduit. This third-party company creates worksheets and materials for EAL students which Kasia then passes along to those students. Students then send their completed work directly to the company which marks it and creates data points for each pupil which they pass back to Kasia. This cycle continues year on year. Earlier comments from Kasia indicate the large number of EAL students in her classroom, but it is unclear how many of those students are receiving their work from this company. Either way, at the end of the day, Kasia's interactions with these students are largely reduced to tracking their data points over time. This comment from Kasia foreshadows much of the analysis that will be done in the next chapter on data.

The situation was slightly different in California, where participants noticed much less support from their districts and city governments than expected:

'I don't really want to diss the city [scoffs] but there was a woman who like she tells us when we have to do like ELD folders and this and that online but I emailed her about this kid from China and she was like that's not my job that's your job and it ticked me off because I thought you know what I'm only one person' (Anne, 3rd grade teacher, CA)

In this excerpt, Anne describes her concerns with 'the city', her terminology for the district head office, Mountain City Unified School District. Anne opens by stating that she does not want to 'diss' the city, but her tone and following statement makes it clear that she intends to do exactly that. California requires schools to complete a certain number of hours of ELD, or English Language Development, instruction each year and capture students meeting that standard via a portfolio of writing that is

collected by teachers over the course of the year. This requirement is for all students, and has no specific carve-outs or adjustments for EL pupils. In advance of submitting a portfolio for ‘this kid from China’, Anne emailed the staff member at the district responsible for portfolio collection to inform them of her concerns around this new student being able to successfully submit a portfolio in English. Anne felt that the portfolio requirement was not suitable for this student and was hoping to avoid having to submit a portfolio for a student with very low levels of English. In response she was told, ‘that’s not my job, that’s your job’. In other words, the response is that Anne is required to teach English to her students alongside her role as 3rd grade teacher. Anne feels it is unfair that she is expected to act as both grade level teacher for all students, and English language teacher for this individual student at the same time. In her mind, Anne is attempting to do right by her student who would struggle to meet the requirements for a writing portfolio and comes up against a wall in her attempts to support him. Overall, teachers in California felt that resources and support were not available to them to support their EAL / EL pupils at home. When those resources were available, they came through private partnerships or charities, not from districts and councils, even when those entities had departments devoted to supporting EAL / EL learners.

From these excerpts it is clear that, even though participants indicated that they did not have the time and resources to support their EAL / EL pupils as needed, there are reasons to believe that that is not necessarily the full story. Several participants indicated that they outsourced material building for their EAL / EL pupils to outside companies, while others drew on deficit narratives to explain how they were required to teach everything twice, once at home and once in-person, and therefore valuable resources were used up. CRT-derived deficit narratives (Gillborn, 2010) featured heavily in most participants’ comments.

5.6 - California Only: Supports for the ELPAC

In California, all schools were required to continue running the ELPAC or English Language Proficiency Assessments for California during the pandemic. As discussed in Chapter One, in the United States, EAL / EL children ‘have the additional requirement of *demonstrated improvement* in learning English, based in

most states on a standardized English language proficiency exam' (Menken et al., 2014, p.601). These exams are part of national policy as, under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974, 'school districts must identify potential English learner students, assess English language proficiency on an annual basis, and continue to monitor former English learners for at least two years after English proficiency is established' (Barrow and Markman-Pithers, 2016, p.160). More recent laws such as the No Child Left Behind Act (No Child Left Behind Act, 2001) and the Every Student Succeeds Act (Every Student Succeeds Act, 2015) continued these policies. All states are required to have a version of the ELPAC. Before Covid, the ELPAC was available only in-person but, during the pandemic, forty-five percent of districts offered the assessment remotely and an extended testing window was also provided (Gao et al., 2021). The federal Department of Education offered waivers to states submitting the results of their regular standardised testing for accountability purposes, but no waivers were provided for English language proficiency assessments:

'we were required, so there was no waiver on that, that's the only testing mechanism that there was no waiver and, and we have to test 100% of our [eligible] kids. Even if they're distance learners so, and that's district wide. And that has been quite the feat' (Dennis, Principal, CA)

Dennis, a principal in California, here confirms that they were required to run the ELPAC and provide data on the results for accountability purposes as well as for classification of students. One hundred percent of EL students were required to be tested during the pandemic, even if those students were currently learning at home and not coming into the physical classroom. Running the tests online and often in a distance learning environment provided an additional set of worries and concerns for principals, district leaders and teachers in California:

'my academic coach and my reading specialist are doing the tests for [that], and since it's just two of them testing, it's taking time, but the hard part is, when you're in school for just three hours a day, and you can't necessarily test in person it has to be on zoom you have to have the teacher make sure they remember to tell them to get on the zoom for that test or, if they're distance learning they're at home again you have to have the teacher remind them and if they don't get on it's - there's a lot of obstacles' (Dennis, Principal, CA)

Dennis here comments on a new difficulty that arose during the pandemic around operation of the ELPAC tests. In order to lift the burden of testing, the ELPAC was allowed to be taken on computers operating at a distance. This required teachers and other staff members to work to ensure that students were online at the right time and ready to participate. Josh, a district administrator, describes the situation in detail below:

‘the way the State had set it up was if I’m going to administer ELPAC...to you, you know we would get on zoom like this and we’d talk and I give you directions and...I tell you hey Erin you’re going to log out of your Chromebook now, you’re going to go into the secure browser, you’re going to type in this long number digit thing that is your student ID and you’re going to type in your first name, and I hope it’s really your first name and not some nickname, and then I’m going to hope that you can pick the right test and get to the point where I can see you on my end right?...there’s this sort of like ‘Godspeed I hope you make it, I hope to see you on the other side guys’ right? And so, when only half of them show up, that’s...the problem right, because the way the secure browser works is you can’t be in anything else. The kids can’t be in zoom and the secure browser with you at the same time, so the frustration for...the folks administering the test was that, you know I sent Johnny and I haven’t seen Johnny and now I’m just hoping Johnny realizes he can come back to the zoom session, and we can talk again right? So, I think that’s a big one, and then, once you know, once we are in this session, like oh your audio is not working or you press the wrong button...it’s just very, very time consuming and there were more than a few tears’ (Josh, district leader, CA)

Josh here shows the pitfalls of working through these tests in a distanced way. In order to preserve the integrity of the test, the ELPAC is offered in a secure browser that does not allow any outside windows to be open and accessible while the test platform is running. Though this required secure browser arguably also calls on raciolinguistic-based deficit discourses such as those exemplified by Amanda earlier, this also raises many operational concerns for Josh. Josh describes the perils of attempting to talk students through accessing these tests while not being present to help with any concerns. Notably as this is regarding the ELPAC, there is also a potential language barrier to Josh supporting these students. Multiple attempts were often required over several days, resulting in this test taking up an outsize portion of

EL students' school days. Josh did his best to provide support for his EL pupils, but that support resulted in time-consuming methods that ensured EL students spent longer out of the classroom than anticipated during ELPAC weeks. Even when attempting to provide support, the ELPAC resulted in EL students receiving less educational class time than their non-EL peers.

Even with all these difficulties, participants did not seem to have concerns about the data gathered during the testing process due to the 'lower stakes' of the ELPAC test as compared to traditional high-stakes standardised testing:

'I think we feel you know okay about the data, there's less, you know, less desire to try to, not cheat but you know, get assistance' (Josh, district leader, CA).

The ELPAC is often characterised as a low stakes test even though it is the key criteria that students need to pass to 'exit the English learner designation' (Gao et al., 2021, p.22) and remove themselves from the need to continue to take the ELPAC during class time. This belief that the ELPAC is low-stakes permeates the discussion around data collection – that the low-stakes high-stakes divide affects the validity of the data gathered – and was frequently discussed by participants. Josh in particular feels confident that the data will be 'okay' as he does not feel students are likely to 'get assistance'. These comments by Josh completely ignore his comments from moments earlier about how difficult the process was. He does not consider the possibility that data could not be 'okay' due to concerns around the testing process itself, instead he jumps straight into deficit discourses about his pupils. Concerns about data reliability and the high-stakes nature of the ELPAC and other standardised tests will continue to be themes throughout the remainder of this work.

5.7 - Conclusion

In this first results chapter I have outlined the responses and thoughts of participants in relation to their EAL / EL pupils during Covid. Overwhelmingly, participants attempted to pivot away from these students as a point of concern during the Covid years. Participants spoke instead about concerns of all pupils related to language development, linked their EAL / EL populations to SEND groups, spoke about 'Hispanics' and low-income pupils and indicated in myriad ways that they did not see EAL / EL students as particularly in need of support – all narratives

that can be strongly seen as examples of interest-convergence and interest-divergence in CRT theory (Gillborn and Ladson-Billings, 2019). It is possible that there was concern about the labels of EAL and EL that resulted in these responses. For example, it is possible that for these participants, their populations of EAL / EL learners had high levels of English proficiency and therefore no concerns about additional supports for these learners. However, participants also expressed confusion about the labels and on multiple occasions did not appear to understand how the EAL and EL labels actually worked, making it unlikely they were aware of the inconsistencies of the labels in relation to English proficiency.

Overall, it is striking that so many participants were reluctant to talk about how they supported EAL / EL learners. This reluctance called to mind discourses in the US around police shootings, with many individuals pushing back on Black Lives Matter discourses to state that, in fact, attention should be drawn to the notion that All Lives Matter and there was no need to privilege those of a specific race. This interest-divergence narrative ignores the fact that, in this specific context, it is Black lives that are most at risk. Interviews in this study felt framed along many of these same lines, with participants repeatedly reinforcing the idea that EAL / EL students should not be considered separately from all students. Participants instead highlighted that all students needed support with their language and communication skills post-pandemic, with supports for EAL / EL students largely targeted at parents and building vocab. These ideas, when analysed through a critical race theory lens, have clear raciolinguistic, racist and classist bases (Gillborn and Ladson-Billings, 2019). Regardless, all participants were informed that this was a study particularly focused on EAL and EL pupils, a fact which did not change their reluctance or their stance. From these data, many concerns about the depth to which teachers and school leaders in both locations are willing to go to support their EAL / EL pupils are raised. It is hard not to feel as though, when the going gets tough, regardless of rhetoric, students who deviate from 'the normal child' (Mac Naughton, 2005) are likely to be the first on the sacrificial altar.

When participants were able to discuss how they supported EAL / EL students, they were more likely to provide rationales for what went wrong with their anticipated support systems. Some participants claimed that parents were the

solution and geared all their supports towards parents, anticipating that supported parents would be best able to support students. Others claimed that, actually, parents were the problem, and blamed parents for students' expected lower achievement, regardless of if resources had been provided by the teachers. Finally, teachers claimed a lack of support in time and resources from their districts and councils and argued that they were unable to support EAL / EL students as a result. In each of these situations, the overarching narrative is that supports were not provided to EAL / EL pupils as they were not a priority, regardless of how well-intentioned that attempt to provide support might have been. In California, the requirement to continue delivering the ELPAC furthered difficulties for school leaders and district staff to ensure that at minimum operational support was possible for these learners.

Interviews with participants highlighted instances of the principles of CRT in action. Many interviewees focused on the majority instead of the population being asked about. This likely reflected structural factors inherent in the policy. When analysing data from an institutional frameworks angle, it is clear that the respective departments for education, as funding is not tied to EAL / EL status, do not reinforce the importance of supporting these groups. As there is a lack of support from the highest levels, it is hardly surprising that support is not common at the teaching levels. As will be reinforced in later chapters, teachers and schools, particularly during Covid, were overwhelmed and struggling to navigate a series of overlapping policies (Moss, 2020). CRT and Foucault argue that structures and institutions underpin most actions taken by individuals – often to the detriment of the non-majority. Additionally, CRT's principle of interest-convergence argues that apparent advances in support for minority populations only appear when they converge with majority needs. Participants have made clear that all of their students were in need of additional language support, particularly in the early years and KS1, which undoubtedly resulted in benefits for EAL / EL pupils as well. For once, their needs converged (Gillborn and Ladson-Billings, 2019) with the majority population. What is most clear from this data is that participants did not want to discuss their EAL / EL pupils. All participants pivoted from this group as quickly as possible, often towards discussion of the assessments and data measurement processes themselves.

This chapter also set out to analyse results relating to EAL / EL students in relation to the policy questions from Bradbury (2019a) derived from Foucauldian analyses by Ball (1992). As a reminder, Bradbury's framework asked researchers to question how policies produce practices that result in disparities in attainment through seemingly neutral mechanisms. While there were no official policies around EAL / EL students put out by either government, we can utilise the statements made by participants as 'policies in practice'. I argue that interviewees' statements about the importance of supporting all students in developing communication skills is a 'neutral policy' that results in disparities in attainment for EAL / EL pupils. I would also argue that it is likely that the absence of policies to support language development for these pupils will perpetuate inequality. In this way, we can continue to see that 'neutral' 'colour-blind' policies do not result in neutral outcomes.

The remaining two chapters of results and discussion cover what participants wanted to talk about instead. Where possible, results discussing EAL / EL pupils will be woven in to deepen the narrative and arguments made.

Chapter Six – Performativity, Progress & Datafication

6.1 - Introduction

In the first results chapter, I focused on EAL / EL students and their disappearance in my data. This chapter will analyse participants' perceptions of low- and high-stakes testing and how a need for 'accurate data' was overwhelming during the Covid years. This chapter and the following chapter contain data that were highly driven by participants – they did not want to talk about EAL / EL students; this is what they wanted to talk about instead. This chapter will start with an analysis of participants' views on assessments for accountability, highlighting the anti-assessment stance many of them take, before moving on to ask questions of the role of data in ensuring teachers are 'doing a good job' during the pandemic. Through a focus on 'doing a good job', I will show that decisions about data were increasingly based in wishful thinking, with participants discussing how they created situations to see what they wanted to see. This slippage between data types and validity has consequences for student progress measures and reports, one of the key ways that teachers and schools show they are doing a good job. This chapter will show how, over time, and especially during Covid, standards about objectivity and validity in data have dropped. This chapter will highlight how the overwhelming need for student data and the increasing datafication of school life has affected most every aspect of primary schooling. This chapter will also show how the increasing datafication of schooling is driven by Foucauldian ideas as developed in Ball (2003). At the end, this will come full-circle to re-analyse participants' thoughts on high-stakes testing in light of what has been learned about the importance of data. I will argue that participants have begun to internalise processes of datafication in a way that results in high-stakes testing systems being recreated by teachers and schools. This chapter will focus on what occurred in schools with Chapter Seven postulating why such actions might have been taken by participants.

6.2 - Are teachers anti-assessment?

In the introduction and literature reviews, it was shown that, while there is a pop-culture narrative of teachers as anti-assessment (Richardson, 2015; Strauss,

2015; Weale, 2019), that narrative does not necessarily hold up in reality. Even when it does feel accurate to say that specific teachers in a specific context are against statutory assessment, there is always more to say. That anti-assessment sentiment appears to be more of a spectrum than a binary swing from anti- to pro-assessment. Most teachers and school leaders interviewed as part of this research indicated that they were opposed to assessments for their students in some way shape or form, however, there were a variety of ways that that anti-assessment belief manifested itself.

Most participants indicated they held anti-assessment beliefs, particularly about high-stakes standardised tests. These beliefs coalesced around two main points. First, many participants indicated that they were anti-assessment due to the pressures the high-stakes exams put on students themselves. Cameron, for example, the policy lead of a national teaching union, summed up his members views as follows:

‘our concern is the very high stakes attached to these assessments and they’re used in performance tables which really can’t tell you what they purport to tell you about what schools are doing with children whom they are responsible for.’

Cameron is clear that it is the high-stakes nature of summative standardised tests that his members disagree with. He also indicates concern over how the assessments are used, arguing that they ‘can’t tell you what they purport to tell you’. Cameron also makes reference here to performance tables, which arguably are a key feature of the modern school system driven by Foucault’s theories of governmentality (Ball et al. 2012). Amanda, a deputy headteacher in England agrees with Cameron’s concern about the high-stakes nature of the tests:

‘I think it is grossly unethical to put the children through what we put them through. I think, whatever system is put in place, it has to be something that first and foremostly has the child's interests as its core purpose’ (Amanda, SLT, Eng.)

Amanda argues that the exams are ‘grossly unethical’ as they do not have the interests of the children that take them at heart. Kristina and Anne both express similar concerns, if rather more succinctly:

‘I hate state testing. I hate watching kids suffer and they do.’
(Anne, 3rd grade teacher, CA)

‘We don't need that pressure’ (Kristina, Yr 5 teacher, Eng)

Cameron, Amanda, Anne and Kristina all frame their anti-assessment positions as being about the pressures that tests like the SATs and CAASPP place upon students. They critique the high-stakes nature of the exams and argue for a system that puts much less pressure on pupils. In this way, their anti-assessment stance becomes a key element in their policy-enactment identity (Maguire et al. 2012) as child-centric educators. Ironically, though they are taking strong anti-assessment stances, none of the four of them is taking a strong stance against the idea in these excerpts, only against the effects of such tests on children. This possibly allows them to make space for the requirements of their job.

Of these participants, Anne is the only one who calls out specific pupils that she is worried about participating in the CAASPP:

‘I can't even imagine with this group of kids, the four that I have that are special day material [scoffs] they're going to have to just sit there. They're not even allowed to read a book what the hell are they going to do for two hours?’ (Anne, 3rd grade teacher, CA)

Anne mentions that she has four students in her class that are ‘special day material’ by which she means that they have special educational needs. These students are required to take the CAASPP the same as all other students in Anne’s class, but Anne does not believe that they are capable of completing the exam. She is annoyed that the state requires these students to sit at their desks for two hours with a test in front of them which they cannot complete. Her concerns about the tests are wrapped up in worry about the effects on these students.

While Anne’s statements are meant to be supportive of her SEND students, they contain worrying threads of CRT-based deficit discourses (Gillborn, 2010). Anne does not believe that these students can complete any element of the tests satisfactorily, though the comment about them not being allowed to read a book implies that they might have the ability to attempt at least some of the English exam. Anne, as shall continue to be apparent, holds very strong anti-assessment views and it is possible that they influence her concern for these students.

While some participants argued against high-stakes assessments due to their effects on students, others provided no rationale other than their seemingly deep-seated anti-assessment beliefs:

‘It is high stakes testing, and...I'm completely against it...I don't think it's a good thing for children at all.’ (Susan, SLT, England)

‘So we had standardised tests last year, I thought it was completely ridiculous, I thought given, I mean I already am someone who thinks standardised tests are completely ridiculous’ (Lindsey, 5th grade teacher, CA)

Susan and Lindsey expressed vehemently anti-assessment views but, notably, they did not have much rationale behind their beliefs that they were able to share. It is unclear why they did not provide further comment and rationale, perhaps they felt that I was well-versed enough in the subject for it to be obvious to me. Most likely, however, I feel that it is because their anti-assessment beliefs were so integral to their identities as teachers (Buchanan 2015) that it did not seem to them to be something that they needed to explain – it was just obvious. Susan, and Lindsey continually expressed quite “hard” beliefs throughout our interviews, and I believe that the difficulty they showed in expanding on these to be a symptom of this nature.

While not all teachers expressed anti-assessment beliefs as clearly as these, no participant indicated full support for high-stakes assessment. As shall be discussed in the next section, while participants were anti-assessment, they did not hold the same beliefs about the data gathered from those assessments. For example, the last chapter ended with a discussion of the ELPAC exam in California and how it continued to run during the Covid years. Participants felt that the data it provided was still valid and useful as it represented a “low stakes” test and therefore did not fall under the remit of concern in an anti-assessment viewpoint. This dichotomy of high stakes / low stakes is a recurring one throughout this data set and is undoubtedly influenced by ideas of governmentality (Foucault 1982).

Next, I will turn to teacher identity and professionalism and how teachers navigate the role of data in their teaching practice. Some data are viewed as “low stakes” and therefore are “allowed” as they are seen to benefit teaching. These data can be used to help teachers answer a question common to professionals everywhere – am I doing a good job? This desire to show progress is so powerful, I

argue it begins to alter teachers' self-perceptions and the nature of high and low stakes data itself. Much of the research data used in this portion of the research were spontaneously generated by users during the research interviews.

6.3 - Am I Doing a Good Job?

The neoliberal education system in place in both locational contexts requires teachers to ask themselves if they are doing a good job. As outlined by Ball (2015a), neoliberal subjects in a Foucauldian governmentality system need to constantly improve to be worthy. However, what it means to be a good teacher has been the subject of much discussion over the years. It is a question that prompts answers both incredibly specific to an individual and also extremely generalisable to others teaching in the same system and with the same cultural touchpoints. Braun and Maguire (2020) offer some suggestions for what makes a good teacher in the UK's neoliberal panopticon-derived (Foucault 1982) system:

‘targets can act to control and confine teachers’ work and revision what it means to be a ‘good’ primary teacher as producing the required results. The professional culture of primary teaching has traditionally been imbued with notions of altruism and reward linked to student care and children’s ‘success’ in a broad sense. In a performative, neoliberal education context, caring for students has become redefined as ensuring that children achieve academically’ (p.443-4)

Their comments are heavily focused on targets and other symptoms of a PBA-driven governmentality culture. As they outline, in the current US and UK educational systems, being a good teacher is ‘producing the required results’ and ‘ensuring that children achieve academically’. Holloway and Brass agree that a good teacher is one who ‘willingly aligned their work with external defined standards and welcomed self-surveillance paperwork that fed schools’ performance monitoring systems’ (2017, p.9) and Reeves (2018, p.23) goes one step further to say that good teaching is ‘a simple matter of standardized, research-based instruction, which can be verified with students’ standardized exam scores’. Though these definitions all have slight variations, these definitions are all based on accountability, standards, targets and exam scores. In the neoliberal, PBA-focused contexts of the US and the UK, good teaching is therefore about results, a notion derived from Foucault’s panopticon

(Foucault 1982). In this study, many participants expressed variations on the idea that they wanted to be good teachers doing good teaching. They leaned into these narratives to support their desire to show that they were performing appropriately in their roles during the Covid crisis:

‘because I think that you’re judged on what your results are. So if you have a year where you know the children at their SATs, in year six for example, don’t pass and make their age-related expectations that was a negative judgement to the school’
(Samantha, SLT / Yr 3 teacher, Eng.)

Samantha, a teacher in England, explicitly states the principles outlined by Holloway, Brass and Reeves. She feels as though students not making ‘their age-related expectations’ reflects poorly on the school and her own teaching. For Samantha, being a good teacher means ensuring that children get good results on their SATs and are meeting ‘age-related expectations’. ‘Age-related expectations’ in this context refers to the minimum results needed to pass the SATs, in other words the expected results. This category is the middle of three: (1) working above age-related expectations, (2) working at age-related expectations and (3) working towards age-related expectations. Samantha, here, is concerned about showing that her students are at category 2 and that therefore she has not received a ‘negative judgement’. Rachel, an Assistant Head in England, agrees that these results put pressure on teachers as well as schools:

‘it is a judgement on you, as much as it shouldn’t be’.

Rachel confirms that judgements on whether teachers are doing a good job are made using results from high-stakes accountability tests. This is backed up by research from Bradbury (2013, p.41) who concurs that ‘assessment is often the main way in which a teacher’s individual performance is judged’. For those who want to be good teachers, it is therefore important that their students receive good marks on their high stakes tests, be that meeting age-related expectations in England or results above average, in the green colour code, in California. Most participants explicitly expressed their desire to be seen as good teachers, as professionals doing a good job, a desire that is grounded in ideas of performativity and professionalism which grew out of Ball’s (1990) analyses of Foucault. Those that did not make explicit comments made many more subtle allusions to their similar goals.

Sarah, for example, another teacher in England, is concerned that her results will be lower than she would wish due to the 'low' start that their students arrive at school with:

'I think, because our children do come in, so low. I do think it's a comfort to know that actually they come in lower at reception and by the time that they get to Year Six they have caught up with their cohort with their peers and they will be able to compete' (Sarah, SLT / Yr 2 teacher, Eng.)

Sarah here highlights that, while she knows that her results in Year Six are low, actually they came in even lower at reception. Even with data showing less desirable results on the SATs, Sarah is able to shift the narrative into one where she still comes across as doing a good job. To do that, Sarah focuses on the progress that her pupils have made over their time in primary school, enabling them to 'compete' with their peers. Focusing on what used to be known as 'value-added measures' allows Sarah to be a good teacher in her mind even without meeting results-based requirements, which is deeply 'comforting' to Sarah. Much like Samantha and Rachel above, Sarah knows that it is important to show progress as 'progress measures' (Bradbury and Roberts-Holmes, 2017, p.947) are key elements of the Ofsted judgement process and therefore key in establishing what good teaching looks like. Ofsted will be discussed heavily in the following chapter but here it is important to highlight that Ofsted judgements and ratings are key to the definition of good teaching and therefore part of a framework where positive results equate to good teaching. As will also be discussed more heavily in Chapter Seven, Ofsted often functions as the key 'watcher' at the centre of Foucault's theory of the panopticon (Goodley and Perryman 2022).

Nancy is a Deputy Headteacher and Year Five teacher in England who spoke about the responsibility that leaders such as herself feel during SATs week. She describes herself as anxious and wanting to ensure that every child does their best:

'it's that level of responsibility, I say that leaders would feel during this week during SATs week um that we wouldn't normally feel um throughout the rest of the year. And it's also that level of anxiety and anxiousness just wanting every single child to do their best'.

This anxiety that Nancy feels reflects her desire to be a good teacher, even though it is cloaked in commentary about supporting students. As discussed in the first

chapter, for the children involved, results from the SATs theoretically do not follow them into secondary school. There should be no reason for Nancy to feel anxious about her students doing their best. The level of anxiety felt by Nancy is for herself and her team rather than the students. In other words, the pupils need to do well so that Nancy does well. There is some evidence that students also experience stress around these exams, even if they do not ostensibly have a direct impact (Campbell, 2015), however that stress has been shown to be in no small part due to student desire to not fail their teachers – a cycle of reinforcement that results in continual pushes to ensure that teachers are able to see data showing them to be doing a good job.

Lindsey, a teacher in California who sees herself as a strong advocate against the testing system, felt it was her duty to work to mitigate pressure on students:

‘a lot of times they would be like well what happens if we don’t pass. It’s like nothing, you still go onto the next grade, when you’re in high school you have to pass in order to graduate but like you’re in Fifth Grade nothing happens. And they’re like ‘well do you get in trouble?’ and I’m like ‘nope.’ And I would just tell them if you leave the test and told me you did the best you can that’s all I care about’.

For Lindsey, it is important to push back on students feeling judgement in relation to the tests. Lindsey is one of the teachers newest to teaching in this study and, for her, being a good teacher involves standing up to what, at this point, are more “traditional” ideas of ‘standards and accountability’ (Holloway and Brass, 2017, p.9). Lindsey is one of Wilkins et al.’s ‘neoperformative’ (2021) teachers who has never known a world pre-performativity, so PBA culture is standard, traditional teaching for her. As discussed in Chapter Two, performativity and neoperformativity are ideas grounded in analyses of Foucault’s work (Ball 2003). Contrary to Wilkins et al.’s (2021) argument that resistance should be difficult for those teachers who have not experienced a pre-performative era, Lindsey continually resists.

Lindsey’s comments help illustrate the point that notions of what makes a good teacher are not immutable, rather they are driven by teachers themselves. Teachers, eager to know they are doing a good job, as anyone might be in a performance review at work, reinforce their own ideas of what it means to be doing a good job. Lindsey’s ideas of what it means to be doing a good job are different to

many other participants' but that does not inherently mean one is better than the other. Lindsey sees herself to be doing a good job when she tells her students of the lack of consequences of success in the CAASPP.

Interestingly, however, Lindsey does, in the end, echo comments made by Nancy. Lindsey asks all her students to do their best. Though she claims a different rationale than Nancy, she still uses the same framing: 'do your best and I will be proud of you'. While she is doing her utmost to counteract narratives promoting particular scores, Lindsey still asks her pupils to get the best scores possible. Lindsey does acknowledge that notions such as Nancy's are still widely prevalent in schooling, even if she tries not to abide by them herself:

'I know a girl who teaches at a school somewhere in Texas and her end of the year evaluation has a contingency thing of student performance'.

Lindsey admits that she knows of fellow teachers who are held to account for their students' results. In fact, pushing back against these standards was something encouraged by Lindsey's principal – a move that likely encouraged Lindsey in the strong stance she took:

'I'm also pretty lucky in that the principal was very – like encouraged parents to opt-out. I don't care it's not a determining factor in anyway in my performance'.

"Opting-out" of standardised testing such as the CAASPP is an option across the United States, but it is not typically an option that is publicised by schools and states even though it falls into the bracket of encouraging 'consumer choice in public education' (Furlong, 2013, p.31). For many schools and school leaders in practice, the need to acquire data on students wins out over choice in the small scale, resulting in these options not being publicised. Only parents with an insider understanding of school systems tend to be aware of the option to 'opt out'. Lindsey admits that she is lucky to have a principal that supports her in her push to provide parents with information on opting-out of standardised testing. Through this excerpt it becomes clear that Lindsey is given an alternate way to show she is doing a good job; pushing back on "traditional" ideas is encouraged and valued in her school, perhaps encouraging her own strong feelings on the topic.

In the end however, Lindsey pushed back on end-of-year standardised assessments so strongly she was actually curtailed by even her normally encouraging principal:

‘I sent weekly emails home and I put it in every email for the last two months like ‘hey if you want to opt your kid out here’s the form you need to fill out. It’s attached to this email’. I think after the fact we were told we were maybe pushing it too hard but whatever I thought it was necessary that parents know it was an option’.

It is clear from her language and tone - ‘but whatever’ - that for Lindsey this critique from above is more a badge of honour than something that affects her perception of herself as a good teacher. An element of Lindsey’s perception of good teaching is to do what she thinks is best for children regardless of the potential for a reprimand by her superiors. This is unique to Lindsey among participants; though others discuss the pushback they would like to give to directives from their school leaders, Lindsey is one of the few who actually follows through. In these excerpts, it can already be seen that Nancy and Samantha are operating within the governmentality of schools and Lindsey is attempting to reject the demands of power relations in her perception of herself as doing a good job.

It is important to note that I am not attempting to endorse one notion of doing a good job or another. Rather, it is worth highlighting that differing perceptions of being a good teacher exist among the participants. Those perceptions range from getting good results on accountability measures, to being an “activist teacher” who pushes back on conceptions of accountability. No participant expressed truly alternate views, where they were not interested in being seen to be doing a good job according to their own perceptions of what that looked like. Even with these differing viewpoints, participants were united in their desire to prove that they were doing a good job. Self-perception was not enough however, they needed data that showed their self-evaluations to be true. Similarly to Foucault’s ideas of the panopticon (1982), participants needed others to see and understand that they were ‘successful’, it was not enough that they viewed themselves as good teachers.

6.4 - The Need for Data (part I)

Among these participants, in order to know that you are doing a good job, it is necessary to collect some form of evidence, or data, to show that you are meeting standards and expectations. Collecting data to prove a point like this is a longstanding part of society in both locational contexts. This pattern shows up in the scientific method, in performance reviews and even in the operational processes of high-stakes tests. All participants in this study expressed a need for data, of as many types and quantities as possible. This next section will begin to delve into why and for what purpose they felt this data was necessary.

In both the US and the UK, Covid did not mean a downturn in data collection at schools. Instead, in many ways it represented maintenance, if not an increase, of the status quo. Data was continually gathered with an eye towards being able to report on what worked during the pandemic. From as early as March 2020, governments, the media and schools themselves were looking for guidance on how to know that they were in fact doing a good job with teaching during the pandemic. As one participant put it:

[the government] want data from during the pandemic to try to get what we can out of it. Probably not really knowing at this point what they'll use that data for or how they'll use it, but they want ... the opportunity to at least get a measurement right?'
(James, district leader, CA)

In this excerpt, James, a district leader in California, discusses the government's need for data in contradictory terms, arguing that they do not know what they will use it for, but they know they want it. This view was pervasive across participants – with most noting in some way that they were being asked for data by higher-ups; they felt a sense of a Foucauldian 'governance through coercion' (Lipman, 2013, p.558). Over time, 'governance has changed from applying implicit assumptions and highly contextualised knowledge to one in which performance is made visible and transparent' (Piattoeva, 2015, p.322) ideas grounded in Foucault's theories. As performance must remain visible and transparent, governments required data to be collected during the Covid years – without it, it would be impossible to see how students and schools were performing. This was encouraged even if that meant collecting data without, as James noted, a clear use for it. Instead, data became 'evidence' (Hardy, 2021) with the principle of *more is better* being applied by both UK

and US governments. The more evidence that exists the clearer the ‘data story’ that would show how students and teachers were faring and where they were falling down. The pervasive belief in both locations was that students were behind and needed to ‘catch-up’ (Moss, 2022) and this increasing datafication of schools was going to provide the road map to show how.

6.4.1 - Summative data: Validity, Reliability & Performativity

In initial conversations with participants about data collection in schools, the focus was solely on data from high-stakes testing. However, based on participant conversations, that focus expanded over the course of this research. While governments and schools were seen as focused on collecting as much data as possible, many participants raised concerns with the validity and reliability of data gathered by high-stakes testing in general. Validity refers to whether an assessment is actually assessing what it claims to be, and reliability refers to consistency – whether the same answer would be arrived at time and time again. The two concepts are linked and often go hand in hand as ‘in order to be valid, an assessment needs to reliably assess what it has been designed to [assess], so reliability is a necessary condition of validity’ (Earle, 2020, p.222).

Validity concerns raised by participants ranged from implied malice on the part of teaching staff to more technical concerns as discussed later on:

‘So, the whole idea of ... using that previous attainment group as an accountability measure ... is always going to be fraught with difficulties, and I do worry that people's first port of call will be to try and [think about] how they can play that system, a little bit, and how it could possibly be manipulated.’ (Arthur, SLT, Eng.)

Arthur, a school leader in England, raised his concerns that teachers would be likely to be focused on ‘how they can play that system’ and attain results showing they are doing a good job through fraudulent means. Arthur’s concerns about manipulation of results by fellow teachers reflect a common conception wherein ‘school leaders will be encouraged to manipulate their results in some way in order to produce the right narrative’ (Bradbury and Roberts-Holmes, 2018, p.13). The right narrative in this case is one of progress – where ‘progress’ is the ‘rise in pupil’s attainment over time’ (Pratt, 2016, p.892). In both the US and the UK, ‘pupils’ progress over stages in their

educational life against centrally defined levels of performance has become the key measure by which schools have been judged' (p.892). I would argue that showing student progress on testing has become more important than all other aspects of teaching. Teaching's emphasis on progress is driven from a culture of performativity that requires measurements of efficiency 'even if there is no progress (yet) to demonstrate, or if such demonstration takes time from teaching' (Goodley and Perryman, 2022, p.10). Throughout the 21st century, this narrative has become more and more prominent in both the US and the UK, with Ball (2003, p.226) remarking 'it is not that performativity gets in the way of 'real' academic work or 'proper' learning, it is a vehicle for changing what academic work and learning are!' This culture of performativity driven from Foucauldian analysis is exactly as Arthur described, where the appearance of receiving good results becomes more important in the minds of school leaders than the actual receiving of good results and, over time, schools are subtly encouraged to create good results for themselves. In this performative schooling culture, validity and reliability are less important than the *appearance* of validity and reliability.

In a performative schooling culture, a 'culture of competition' is fostered where 'teachers are no longer encouraged to have a rationale for practice...but are encouraged to produce measurable and 'improving' outputs and performances, what is important is *what works*' (Ball, 2003, p.222, emphasis original). Over time, this discourse of 'what works' becomes the operating mode in schooling – focus is shifted to doing what works to get the results needed to show that students are progressing and teachers and schools are doing a good job. What is important is that the results show progress, not necessarily that real progress has been made. These ideas call back to Foucault's panopticon where the appearance of repentance is more important than actual atonement (1982). Assessment results therefore become the 'main way' (Bradbury, 2013, p.41) in which teachers and schools are evaluated, as seen in Arthur's comments above which question the validity of the results from SATs. Arthur wants to ensure that his results are graded fairly and are not going to be unfairly situated in a context wherein some schools manipulate their results.

James, a district leader in California, references more technical validity concerns with the assessments:

‘this year in order to answer kind of the political pressure of testing especially at home the state cut the CAASPP test in half - the number of items - to shorten the time and you know there’s an argument about testing time obviously right but what that’s going to do is nearly double the margin of error on the assignment.’ (James, district leader, CA)

James, as will be shown more deeply later on in this chapter, saw himself as a very technical person focused on the science of teaching and data collection. James raised a specific concern with the validity of the CAASPP test during Covid wherein, in order to facilitate testing, the number of items, or test questions, was cut in half. This served to shorten the test making it easier for teachers to deliver, but it also raised concerns about the margin of error for James. James is concerned that with fewer test questions, the difference between passing marks will be lessened resulting in greater possibilities for errors. He is concerned that the data collected by the CAASPP will not be accurate and therefore it will be of little use to him in understanding how his district is doing in the context of other districts around the state; in other words, he will not be able to tell if he is doing a good job. Notably, during the Covid years, the CAASPP was not meant to be used for accountability purposes, i.e. the ranking of districts against each other. Instead, its use was only intended to ensure that some data was available on student progress. Even though ostensibly it is the accountability purpose that ranks James against other teachers, it can be seen here that he also has concerns about the quality of the data for his own purposes, arguably answering the question of if he is doing a good job in his role.

For Barbara, there were other reasons that the data would not be valid due to Covid:

‘my personal opinion is that the data we collect is not valid... [students’] situations at home are so varied that there’s no comparability of data’ (district leader, CA).

In Barbara’s mind, then, because students could not be compared to one another, there was no way to make the data valid. While each individual piece of data might have been reliably collected, the lack of commonality between students resulted in data that she did not feel was useful. Both James and Barbara, though their concerns are different, highlight concerns with the validity of the data that is gathered. These concerns hinge on how useful the data will be to them in understanding student

progress and their own success in leading their districts. James in particular had many concerns about the data.

6.4.2 - An individual's perspective: James

James was very concerned with being seen as a contender in the field of big data so popular among tech companies in California. He expressed multiple times how well connected he was with high-net-worth individuals in the area and viewed his work overseeing assessment in his district in those frames. He spoke at length during our interview about the technical concerns with data collection during the Covid years, and it is worth walking through some of those considerations here to get an in-depth look at one individual's perspective:

'you know I'm a data person I'd love to have data but at the same time I'm more interested in whether the data is high quality or not right and it was clear that it wasn't going to be the case this year for a number of reasons.' (District leader, CA)

Initially, James wanted to highlight concerns with how the CAASPP was analysed. Notably, he was concerned that results for accountability were explained in terms of a growth model – one where students' scores 'grow' over time from kindergarten through to fifth grade. Results are not actually calculated in a year over year manner, but rather a grade over grade analysis is used by State Department of Education analysts. For example, instead of comparing fifth graders in 2021 with fourth graders in 2020 which would show you how those students progressed over the fifth-grade year, results are analysed by comparing fifth graders in 2021 with fifth graders in 2020. This model:

'might look like a growth model at the state level where you have millions of kids and the variability of testing group from year to year is minimal but you look at a school or you look at a classroom or you look at even a school district even - unless it's a really really large school district – the variability in that is so volatile from one cohort to the next it becomes meaningless' (James)

California is one of only a few states in the US that calculates their end of year assessments in this manner (California Assessment of Student Performance and Progress (CAASPP) System, 2022). James correctly ascertains this as a key flaw in how the state conducts their data analysis – certainly when viewed from a

perspective of having accurate data on a district level it is so. It is always difficult to compare children on an individual level and qualitative stories abound about why Child A should not be compared to Child B, but it is easy to think that those differences might be washed away on a large scale. James argues that they are not and that, without a proper growth model, he is unable to ascertain meaning from the results and is unable to show that his district is adding value and helping students progress.

As discussed earlier, James also had concerns with the large margin of error in the results:

‘at the student level, the margin of error... it could be anywhere from about 25 points to about 75 points plus or minus and that’s a pretty big margin of error - a pretty loose-fitting tool’.

As he pointed out:

‘with that size margin of error you could put a kid almost in the middle of the performance band and their margin of error will reach to the performance bands on either side so now we might not even be able to say with confidence that they’re a three out of four performance bands’.

Margin of error is another way in which James is concerned with the accuracy of the results. He is worried that even when a data point is selected for a student, the degree of error is such that that data point might be in a completely different band. Students might pass the test or not based entirely on a data collection error which means that, once again, James will not be able to accurately understand the value added by his staff. While the validity concerns expressed here by James are notable and critical flaws in the CAASPP tests, this paper will not analyse them in depth as an analysis of the measurement instruments utilised in standardised testing is beyond the scope of this work. Instead, it is more important to this work to focus on the level of umbrage that James took with the state test in relation to the validity of the measure. The following excerpts were all gathered from one sixty-minute interview:

‘The only thing I’ve ever been able to get from anybody at the State is that they thought it was too much information and people wouldn’t be able to understand. They didn’t like it when I asked and so it’s like oh no you actually don’t want anyone to know how crummy your test is.’

‘You know we have to kind of create the illusion to students and their families that this test actually is meaningful to them [laughs] because their individual results actually will not [be accurate] - what’s the use right?’

‘We’ll change the number of colors on a row... and just [lay] Band-Aids on what’s bleeding when they haven’t really addressed the underlying issues that are really caused, a lot of it by the methodology of trying to misrepresent growth by change right?’

‘At the level of the district and the school it makes the measurements so volatile that you don’t know whether you’re going up, down or sideways year to year’.

‘this is so fraught with ridiculousness it amazes me’.

Throughout these excerpts, James highlights the performative elements of the State testing system, such as changing the number of colours on a row in the Dashboard system used for league tables in California. The CDE recently added a fifth colour, blue, in order to further highlight ‘excellent’ schools. James calls this a ‘Band Aid’ that does not deal with actual concerns with the tests. What is notable throughout, however, is that James’ concerns are not about data collection or testing itself, rather they are about his belief that the system does not collect data that is accurate. In the second quotation, James speaks about having to give the illusion to parents and students that the test is useful for them when in fact it is not, because the test results are not accurate enough. James never mentions that the CAASPP is for accountability purposes and is not intended to be a test that indicates student achievement as they move up grade levels. He takes no issue with misrepresenting these tests in this way. The idea of using accountability tests for measuring student achievement should trigger all of James’ concerns about the validity of the data – after all the results are being used to measure something that the tests were not designed to measure – but they do not.

For James, being ‘a data person’ was integral to his identity as an educator and professional in California. In his eyes, this granted him a bit of prestige in the community and among his peers – many of whom went on to high-powered positions in the tech industry and who had children in schools in his district, the same district James and his peers attended. By diving into ‘education data science’ (Williamson,

2017, p.106) James is able to position himself as at the forefront of technology and policy. James sees Silicon Valley and big data as an ‘inspiration’ (Buchanan and McPherson, 2019, p.33) and uses it to drive his educational philosophy and personal career development. Yet James, for all his concerns about validity and accurate measurement, never expressed concerns that the tests were being pushed as a measure of student progress for the students’ sake. Instead, James was excited about the prospect of increasing datafication – as long as it met his personal standards of validity. In James, we can see that even those participants who purported to be ‘data people,’ who were concerned about ensuring the data was accurate, were willing to forego other concerns about whether the data was being used colloquially to measure things it was designed to measure. This slippage of data will continue to be seen throughout participants’ discussions and understanding of data.

6.4.3 - Formative data: Data Slippage in the Classroom

It is important to be clear about the many kinds of data found in schooling and classrooms. There is data from high-stakes testing of course, but also data collected from formative assessments, teacher observations, regular classroom interactions and more (see discussion in Chapter One utilising Richardson (2022) for more depth on formative and summative data). Data collected by end-of-year testing has always been supplemented, supported and developed further by in-class assessments conducted throughout the school year. Many teachers and school leaders would tell you that there is a difference between this data, with formative data being seen as good and positive and summative data from high-stakes accountability testing being classified as bad and useless. This section, however, will start to delve into the slippage between these types of data that was seen in participants by focusing initially on the importance of formative data.

When beginning with formative data, many participants commented on how frequently they reviewed and analysed this data in order to make judgements about student progress:

‘as a senior leadership team, we will look at it once a half term. But we ask our Year Leads to kind of drop into it every week in their yearly meetings, just to kind of note anything that they've

noticed, any trends or anything like that, to kind of help them with their planning and forward thinking' (Rachel, SLT, Eng.)

Rachel sits on the senior leadership team at her school which sets half-termly meetings for the SLT to review formative data from across the schools. Year Leads are asked to review data even more frequently. The goal of these meetings is to help them measure progress, note trends and plan out their next week of teaching.

Lindsey's school would also bring teachers together regularly to review formative data:

'my old Principal was also very big on data so you [had] half-days where she would get us all subs and we would meet as a team and we would talk about data and talk about who are the students who are not consistently, not meeting the goals and what can we do to help them and so it was pretty cool especially when we would all sit down together' (Lindsey, 5th grade teacher, California)

Lindsey's school went as far as to hire substitute teachers so that all teachers could get together at the same time to discuss data and plan for upcoming teaching. This is something that Lindsey considers positive as she describes it as 'pretty cool'.

In Rachel and Lindsey's schools, data was reviewed frequently and at regular intervals, a common pattern across participants. In these cases, 'data [are] central' (Hardy, 2021, p.52) as teachers 'need data to push their teaching'. Both Rachel and Lindsey review the data they have collected at standard intervals. For example, Rachel asks her year leads to review the data every week to look for trends and to plan their next week's teaching. This frequent 'iterative' (Singh et al., 2013, p.474) analysis places the focus on the data itself rather than the results the data purports to show. Collecting data as a progress measure lends itself to 'practices of continual tracking and monitoring' (Bradbury, 2021, p.117) which Bradbury notes are ideas grounded in Foucault's ideas of governmentality. Problematically, with continual tracking, schools are unable to take a break – even in situations like Covid, where more pressing concerns abound for teachers and students, a continual flow of data is needed. The more data that is produced, the more data that is necessary to support an 'objective' (Hardy and Lewis, 2017, p.673) measuring against the previous data. Ensuring the class can be properly assessed on a weekly basis can easily slip into an all-consuming process of datafication.

At Lindsey's school, teaching staff are not normally asked to review data weekly, however, once a term, the school pays for supply teachers for the whole teaching staff in order to allow them to sit down and analyse the data in depth. While this removes some of the 'continual tracking and monitoring' (Bradbury, 2021, p.117) it results in a single higher-pressure analysis. Like any high-pressure situation, the stakes around what data is collected and what the analysis shows will eventually create a 'pressured environment' (Maguire et al., 2018, p.1067) where focus is continually on making forward progress. After all, 'the production of data does not reduce anxiety' (Bradbury and Roberts-Holmes, 2018, p.132) but rather prompts more questions such as 'are we collecting the right data' and 'what can we do to improve our data' – all questions which require more datafication to answer. In both cases, frequent, iterative data review is seen as a positive and important element of schooling.

This importance also brings up issues of funding and resources for Lindsey. Having changed schools during Covid, she noted that at her old school they had:

'a lot more money and a lot of resources'

which enabled them to devote more attention to data collection, review and analysis. In this instance, Lindsey is using resources to mean additional teaching support in the form of teaching assistants and supply teachers to help cover gaps in classroom coverage while Lindsey was analysing data. At her new school however:

'we don't have any coaches, or anyone in that role who can really sit down with me and be like let's look at this data. So, I think they care about data here but less so because we don't really have the resources to be like oh get a sub for the day and sit down and look at this data'.

Even while acknowledging that her old school had the money and resources to afford day-long data analysis sessions, Lindsey takes her new school's failure to do the same as an indication that they care less about data, something that is negative in her eyes. She expressed how much she wished they cared about the data, a feeling that veers dangerously close to a form of critical race theory deficit narrative by saying that the '*culture* does not value education' rather than that the socioeconomic needs in question do not allow for education to be valued in the way in which she expects it to be (Bell McKenzie and Allen Phillips, 2016).

Lindsey and Rachel show that data review is something that is important for teachers in both locations. They must both collect it and analyse it regularly, ideally in big groups with all teachers in a section working together to understand student progress and map out next steps. This data review is so important that it is worth teaching staff stepping out of the classroom and substitute teachers being hired so that the data review can be done. In other words, it is more important that teachers review data than teach. Not being able to undertake those sorts of data review meetings is seen to be an issue of not valuing education and not caring about student progress. This assumption is maintained even when it is made clear that the reason those meetings are not possible is because of the availability of resources. We can see from these excerpts just how important having good data and the time to analyse it is.

6.5 - Classroom Data vs. / & Assessment Data

While formative and summative data are framed in a way so as to indicate a gulf between them by some participants, that gulf was both never really as large as purported, and diminishing all the time. In a previous section, James showed difficulty in grasping the complex elements of data usage that mean slippage is likely happening between formative and summative data; this section will develop that idea further and show that James was not an outlier among participants.

For example, Rachel noted that they were continuing to conduct assessments throughout the pandemic:

‘we as a school, have made the decision that we're going to continue to make the assessments, at the end of this year and we're going to use the testing stuff anyway’. (SLT, England)

Here Rachel comments on the fact that as a school they have decided that the summative data is useful and they are going use the testing data anyways. Anyways exists here in reference to the fact that officially these exams were cancelled. Rachel and her school were not outliers in this, with many other participants noting how valuable they found the data from summative testing, such as Arthur in this excerpt below:

‘There's nothing more valuable for a teacher then marking those papers and seeing where each individual pupil's

strengths and areas for development lie. That's the, that's the powerful thing within summative assessment tests is as you're marking it, I always was able to make notes and ... that helps you know your pupils and that's why I feel it's got such an important part to play' (SLT, Eng.)

Arthur finds the ability to know where his students are to be an important part of his teaching and he believes that it is only through summative data collection that he will be able to know that. The data gathered from these summative tests is high value, good quality and lets teachers understand their pupils better according to him. Arthur and Rachel highlight how critical they find the summative data gathered to being able to understand their students – even though for each of them the types of data they gather and their methods of analysing it differ. Their comments show 'data-driven decision making' (Park and Datnow, 2017, p.285) as a necessity to be able to make choices about their students, reflecting the 'increasing pressure' on schools 'to be "data-driven" and "data-intensive" in all that they do' (Selwyn, 2022, p.96). Arthur and Rachel are data driven in that they rely on the data to know their pupils and inform their teaching, this data is the power/knowledge they need to become better teachers (Foucault 1982).

Arthur and Rachel, as well as other teachers, believe that the summative data they gather is objective and not subject to the 'complex and conflicting teaching and learning contexts' (Atkinson, 2015, p.35) of their classrooms. Objectivity of data is critical in education 'because it represents a claim to authority' and 'what works' (Williamson and Piattoeva, 2019, p.74). Summative data is inherently likely to be believed to be more objective than formative, reflecting the preference for summative data seen so far. Josh, a district leader in California, agreed with Arthur and Rachel that 'good' or 'objective' (ibid, p.74) and 'valid' data is:

'gosh, yeah, really, really um *really* important'.

Students in his district were tested three times over the course of the year in autumn, winter and spring in order to have 'consistent data' that would 'show growth'. Increased frequency of testing was believed to aid in verifying the objectivity of data as it would allow variations to be smoothed out. The more consistently data was collected the better chance that results could be analysed objectively and that the data would be worthwhile. Even though the data discussed so far has been

considered summative, many teachers and school leaders would consider these new tests to be formative; in other words, to be fundamentally different from the summative standardised testing. In fact, teachers in Josh's district felt that the summative end-of-year data collected by standardised testing would not be valid on its own due to the pandemic. The district therefore implemented their own enhanced testing program to increase the frequency with which students were tested. In his words:

'our conclusion was we're probably going to end up doing some sort of pre-assessment at the beginning of next year to kind of just set a baseline and figure out where are our students... So that's why using [our own tests] was an easier solution for us because we can either demonstrate growth or not, because we've given it three times and we can be pretty sure we'll get all of our students on it because it's more accessible to them'.

Josh clearly outlines the thought process that led him down the path of implementing more tests – this way he could compensate for data he knew was going to be potentially questionable. By collecting more frequent data, he could guarantee its accuracy and would therefore still be able to 'understand' his students. This is reminiscent of research by Bradbury and Roberts-Holmes, who discussed how 'the school needs to produce a narrative of progress, from low attainment to high attainment as children progress through the school' (2017, p.947). For these teachers and district leaders, Josh, Arthur, Rachel and Lindsey, continuing to collect and utilise data is 'really important' (Josh) for them to be able to know their students. This system of datafication has created a situation wherein 'teachers can only know themselves and their practice as data, and these data will, in turn, tell them what and how they need to improve' (Lewis and Holloway, 2019, p.48). Josh here demonstrates the first slippage, wherein a summative test is used for formative purposes. As I outlined the argument put forward by Richardson (2022) in Chapter One, it is worth recapping that the boundaries between summative and formative are not hard and unchanging. However, in the minds of participants, these differences are solid and unmoving. The slippage indicated by Josh then is notable as it demonstrates an incongruency in his understanding of data collection and usage. In other words, though his understanding of the need for data collected originally

represented a high-quality form of power/knowledge, he is willing to sacrifice the quality in the pursuit of ever more knowledge (Foucault 1982).

During the pandemic years, California allowed schools to substitute an alternate test from an approved list for the CAASPP. Josh and his district felt that this was the right path forward for them; they used their own tests instead of giving the CAASPP. The tests they used, however, were designed to serve a summative purpose. Then, schools in Josh's district began using them formatively as well, to take stock during the year and ensure that they had 'a baseline' to understand the data collected at the end of the year. This initial slippage is compounded by the fact that it is now difficult to tell if these tests, taken at finite points in the year to track progress towards the end-of-year summative tests, are formative or summative. Increasingly we can see that that distinction matters less than the fervent overwhelming need to collect any and all data for analysis.

Josh, Arthur, and Rachel felt a personal drive to collect data – it was a key part of how they understood themselves to be doing a good job. Their professionalism was 'tied up in producing the right data' (Bradbury, 2019b, p.12). This is notable as it is possible to enact these policies – running frequent assessments in the drive to collect "good data" – without a personal driver to do so. Thinking back to policy actors (discussed in Chapter Two) some policy actor types do not endorse the actions they take even though they know that they need to commit to the policy - i.e. 'doing without believing' (Braun and Maguire, 2020). Josh, Arthur and Rachel, however, do not feel any hesitation or concern over their actions. They are committed to their actions - to gathering data to show that their students are making progress – and believe that they are taking the right actions to show that they are doing a good job teaching. They are doing *with* believing, or maybe believing with doing as their belief in the need to collect data supersedes their belief in the quality of the data.

6.5.1 - An individual's perspective: Kasia

For other teachers in this study, such as Kasia, data collection was something to enact for others. Kasia, a Year Six teacher in England, felt that assessment data must be collected in her classroom to pass along to her students' secondary schools, but she was not enthusiastic about that requirement:

'a lot of the high schools have actually asked for scaled scores data and obviously you can't get that until you've had your teacher assessment ... So I was asked for loads of different information from all of the different high schools, so we just said, it would be easier, rather than just going off teacher assessment to just go off [the scaled scores and teacher assessment from a sample SATs paper]... what they've actually achieved this year really, go with the scaled scores rather than me just saying yeah they should be working towards at least then I can give them a more accurate like assessment of where they're at.'

In the above excerpt, Kasia highlights that the secondary schools her students are heading to usually ask for scaled scores data, in other words the data which comes from Year Six SATs tests results. Because SATs were officially not happening, secondary schools were asking for a variety of data, 'loads of different information', to understand what levels their incoming students would be at when they arrived. Kasia and her fellow Year Six teachers played around with a few ideas on how best to provide schools with the information they needed and landed, in the end, on a novel idea; they had students take old SATs papers and provided the scores to secondary schools. Though the initial pressure came from an external source (secondary schools in the area), the decision to sit an old SATs paper in order to provide secondary schools with a scaled score, came from the primary school as a response to that pressure. It is notable that the school came to the decision that this option provided the most 'objective' data for secondary schools. Even though SATs had, up to this point, been considered questionable at best (as seen earlier in this chapter), when looking for the best way to provide accurate and objective results to secondary schools, SATs were the obvious answer. Here we can see an even further blurring of the lines between data collection as a *progress measure*, generally viewed as positive by teachers, with data collection for *accountability*, which has largely been seen as a negative. Though the purpose of collecting data is to show student attainment for local secondary schools, the instrument used by Kasia's school is an instrument designed and used for accountability testing - i.e. it is a measurement of student's attainment in order to measure teaching and schools. Their choice to use this exam paper as opposed to a traditionally formative testing mechanism shows that there is increasingly no difference between accountability testing and testing for

progress in the minds of participants. Even as participants made arguments against the SATs measures, they were happy to substitute one for the other as convenient.

Selwyn, Henderson and Chao (2015, p.777) in a study in Australia, had previously outlined that ‘the distinction needs to be made between schools’ engagement with the high profile ‘compliance data’ of national tests and accountability measures...as compared to schools’ own ‘shadow’ generation and processing of ‘useful data’’. In their study, however, ‘schools were also involved in innovative forms of procuring and (re)using externally generated data for their own purposes’. In other words, schools found it easy to distinguish between accountability data and the data they generated for their own purposes and the authors encouraged readers to do the same. In this study, however, I argue there is a blurring of these lines wherein schools and teachers are not finding it easy to distinguish between these data. When running a standardised test unsanctioned to meet internal pressures, does that count as ‘compliance data’ or ‘own data’ (Selwyn et al., 2015, p.777)? Arguably, in Kasia’s mind, it would be ‘own data’ and yet these assessments have high-stakes attached to them (by being passed along to a pupil’s secondary school) and consist of the exact same exam as would have been used in the situation of ‘compliance data’. Officially, Kasia was under no obligation to report data from SATs papers, in any year but most particularly in a year in which SATs were officially cancelled, to her students’ secondary schools, but she and her school chose to do so as it was ‘easier’ and more accurate. This blurs the lines even further as there is an explicit acknowledgement that the ‘quality’ of the data is better when using the standardised high-stakes instruments. If the quality of the SATs is so much better than an internally designed benchmark, why should the benchmarks be used at all? Why not just continue to follow the pattern Kasia set out and give SATs papers at all points in order to create the benchmarks that Kasia and her fellow teachers feel are important?

6.5.2 - External Pressures Lead to Unexpected Results

Though Kasia has set out the blueprint, she was not alone in utilising the SATs to alleviate a perceived external pressure to provide results. Arthur, too, felt external pressure to know how well his students were doing – though for him, that pressure

was professional and came in the form of keeping up standing on Twitter, a popular social media platform for prominent teachers:

‘Have you heard of a teacher called [name] ...you can follow him on Twitter, he’s got his own blog, he’s a very prominent he’s like there are a few sort of um I call them rock star headteachers, ...he asked people to send their data and he collated it from people that were voluntarily [sending it in], so you could ... benchmark against other schools and things like that... I've been able to track and compare cohorts, the previous cohorts. I know that say this cohort, in January, were performing very similar to the cohort the previous year, that came out above national expectations.’ (SLT, Eng.)

For Arthur, knowing that his students are doing well, even in Covid, allows him to maintain his professional status as a teacher in good standing, and might one day allow him to be considered a ‘rock star headteacher’ of his own, calling back to narratives of the ‘good teacher’ discussed earlier in this chapter. For this reason, he took it upon himself to find a way to measure his students’ progress against a national benchmark. Arthur managed to find a form of progress measure that would play into his own self-worth as a teacher. While there would have been no punishment associated with not performing well in this Twitter benchmark, Arthur found a way to be accountable to himself and his peers through using the social media platform. He has created ‘a hyperperformative culture’ (Bradbury and Roberts-Holmes, 2018, p.129) where he cannot afford to go an entire year, much less two, without everything ‘quantified and accounted for’. Unlike Kasia, Arthur did not reimplement the SATs in his school, but he did work to recreate a national ‘league table’-esque system wherein schools from across the country were ranked against each other.

For Arthur and Kasia, the need to show that they are doing a good job and their students are making progress is so great that they have reinvented systems of high-stakes accountability. Kasia has created a high-stakes testing environment using the SATs and Arthur has created a national accountability measure. Notably, both Arthur and Kasia highlighted earlier on in the interview their dislike of standardised assessments and accountability systems – something they saw as a key part of their identity as teachers. However, when those systems were taken away due to the Covid pandemic, they lead the charge to put a version of them back into

their classrooms. As much as they reported rejecting the PBA system that is in place in the UK and the USA, they were equally quick to reject the disappearance of that system. This directly links to ideas of a 'post-panoptic' which is grounded in experiments where Foucault's panopticon has continued even after participants are officially relieved of their requirement to be performing well at all points (Courtney 2016).

When asked what her classrooms did instead of run the SATs, Miriam ran through a long litany of tests:

'they've done Form B it was last week and next week we're going to be doing the Form A...that's for maths, English and I think it's science as well...those are the ones that are multiple choice and it kind of gives you, from what I understand, gives you like sort of levels or indicators of how the children are doing' (Yr 2 / Yr 3 teacher, England).'

These tests she claimed, were run because otherwise, 'there would be nothing to use' to show progress for her students. Miriam outlines how the school decided together 'it was kind of like we all do it or none of us do it' that they needed some way to show progress. Through this system of tests, Miriam and the other teachers at Fir School were able to build a suite of tests that they could use to show progress over the whole primary school.

Arthur, Miriam and Kasia were not alone in their interpretations and actions. In fact, most participants described undertaking very similar actions in their classrooms. Nancy, a deputy headteacher in England, actually brought in the term accountability to describe her process of collecting data to pass to secondary schools –

'we'll be doing tests as well, we will be doing STAR assessments, math assessments and writing that's ... really, really important and that information will be passed on to the secondary school as well at the end of this year. But it's important for our own, as I said, it's, it is about accountability'.

For Nancy, it is important that she is accountable for her student's progress both to appease outside pressures, to their secondary schools and to parents, and for herself. Without direction from any entity in a position of power, Nancy chose to run formal assessments in a manner very similar to what would have been done with the SATs and she did so out of a desperate need to show progress. Once again, there is a clear slippage between divisions of formative and summative data. Nancy runs

STAR assessments, theoretically a formative assessment used to provide teachers with information about how well their students are doing throughout the year, but she uses them in a summative manner, to pass along to secondary schools and for their own internal accountability. Not only has Nancy re-built what is essentially the SATs, but she is even using the language of accountability to define it.

All the participants described so far have worked to re-create the data-driven systems of high-stakes assessment and reporting that were ostensibly removed from the school system during Covid. Even though many of them expressed concern about these systems in the abstract, theoretical portion of our interviews, when it came time to discussing what they actually did during the Covid years, they all had taken actions to ensure that their school year looked as similar to a high-stakes PBA system as possible. When analysed from a Foucauldian perspective, it is clear that notions of panoptic governmentality are deeply embedded in the school systems and professional identities of schooling in England and California. There are many possible reasons for this, ranging from an in-ability to comprehend a different form of schooling to pressures exerted from an unusually high-stakes year wherein the easiest path forward was the most feasible for stressed and over-worked school staff. Attempts to understand the 'why' behind these actions will be discussed in the next chapter. Before then, it is necessary to turn to progress measures, one of the key types of data teachers and school leaders claim to need.

6.6 - The Unrelenting March of Progress

In many of the excerpts that we have seen so far, teachers and school leaders have explained that it is not enough to have just one summative measurement at the end of primary school. Rather, a series of assessments are needed in order to understand the progress students have made. More than anything, teachers and schools noted their need to show progress, as 'pupil's progress over stages in their educational life against centrally defined levels of performance has become the key measure by which schools have been judged during inspection' (Pratt, 2016, p.892). Progress data must be collected as 'the quality of teaching is understood to be validly and reliably represented by the measured progress'. Achievement at one end-point is insufficient; schools must

show how they have added value through the progress that students have made. Teachers, school leaders and district leaders all focused on how important measuring and showing progress was to them:

‘If we get data that shows [the student’s] progress that would be success. I don’t believe we can get equitable data that will show their progress – some of it will – but not through CAASPP. I feel that our formative assessments and our interactions with teachers and the data they collect is more valuable’ (Barbara, district leader, CA)

Barbara here outlines how important showing student progress is; it is her measurement of success. Interestingly, the way Barbara phrases this, it is not that students progressing equates to success, it is that having data that shows students are progressing equates to success. The elements of a performative schooling culture are clear here as Barbara emphasizes that it is the data and not necessarily the actual progress that is more important to her. It is notable that Barbara is willing to admit that it might not be possible to get data that shows progress that is also ‘equitable’. Even still, she is happy to consider the year a success if that data is collected. In the absence of equitable data being available from the CAASPP, she has directed schools in her district to undertake enhanced data collection to supplement CAASPP data in order to maintain a focus on progress. While just earlier we saw how important objectivity was to the justification of continuing to gather data and test students, Barbara shows how the gathering of data becomes the end in and of itself. For her, showing student progress is ‘worth it’ (Clutterbuck et al., 2021, p.7) even when she needs to sacrifice objectivity to do so. Similarly, in Foucault’s understandings of the Panopticon, it too becomes something where the continuation of observation becomes the end itself (1982). It is important to note that Barbara does have a plan that she believes will result in more equitable progress data being available for review, but it is unclear if this plan will actually result in more equitable data. It is possible that it does not matter for Barbara, and that similarly to the data collection itself, the appearance of equity is more important than the reality. This draws on CRT notions that the appearance of equity is more important than actual equity through principles of interest-convergence and interest-divergence (Gillborn and Ladson-Billings, 2019).

In their study on data collection practices in Australia, Clutterbuck et al. (2021) discuss how the lure of data collection allows schools to overlook the fact that ‘some data were not simply precluded but actively omitted’ (p.10). This omission calls back to the invisibility of EAL / EL students that was shown to exist earlier – the overwhelming narrative of progress is more important just as the need to support all students won out over an “unnecessary” ideal of providing strong support to those students that needed it most. Unsurprisingly, the data precluded in Clutterbuck et al.’s study was ‘the omission of Indigenous languages spoken by students’ which ‘prevented these students from being recognised as specific First Nation language speakers’ and had negative financial and policy implications for those students affected (p.10-12). This example from critical race theory literature highlights the point made by Barbara – that equitable data is less important than the narrative of progress. While in the above study data was actively omitted rather than purposely added, both show that data practices can be malleable if they result in favourable data. Concepts such as equity and objectivity can be moulded to fit the needs of a performative schooling culture.

Barbara is not the only participant whose focus on progress has the potential to result in data practices that are not as progressive as they might seem to be. The idea of constantly needing to make progress also lends itself to an increased focus on deficit narratives as was seen in Chapter Five:

‘I would say a third of our school is pupil premium so... with pupil premium can come sort of low starts coming into school so... quite a lot of foundation work goes on in Key Stage One... and children make really good progress actually’ (Julia, SLT, Eng.)

In this excerpt, Julia explains that pupil premium children come in with lower starting points than their non-pupil premium pupils. Julia comments with surprise that:

‘children make really good progress actually’.

That progress is deemed to be unexpected but encouraging and something that reflects positively on the school and on Julia herself. And yet, upon digging deeper, it is clear that this progress is masking a narrative where a ‘low start’ from a working-class child is something to be expected. In this way the focus on progress allows for deficit discourses to pervade, as making progress is deemed to be more important

than meeting specific attainment goals (Bradbury 2019, Gillborn 2010). Kasia, another teacher in England, makes similar comments about her EAL students:

‘often, EAL pupils are labelled at below or working towards, when actually they’re really clever they just haven’t got the language acquisition yet. So, it’s giving them a platform to actually show that they’re making progress as well, rather than just ‘below age-related-expectations’ for their whole time throughout school’ (Kasia, SLT / Yr 6 teacher, Eng.)

Like Julia, Kasia suggests that being able to ‘show progress’ is a positive for her EAL pupils and, like Julia, this masks her deeper assumptions about how expectations for EAL pupils are low and would expect them to be ‘labelled at below or working towards’. From this quote, it is clear that Kasia expects her EAL students to be ‘below age-related-expectations for their whole time throughout school.’ She highlights that she wants them to be able to show progress, rather than to move into meeting their age-related expectations. Low attainment becomes the norm for these students since, as long as they are making progress, Kasia believes she has been doing a good job as their teacher. Once again, we see evidence of the EAL label being more harmful than helpful through the prevalence of CRT-derived deficit discourses (Gillborn 2010).

Rachel also expresses this same rhetoric, drawing on deficit discourses to highlight progress measures:

‘Our baseline data has always been so important because our children come in so much lower than average. We have to be able to talk about that and for us, it’s a really good measure to be able to talk about progress’ (Rachel, SLT, Eng.)

Unlike Julia and Kasia though, Rachel references the importance of their baseline assessment conducted at the beginning of Reception. She states that ‘we have to be able to talk about that’ in order to show progress. In previous discussions about her intake, it is clear that Rachel considers her school to have a ‘difficult intake’ (Bradbury, 2013, p.76). While she discussed her difficult intake throughout the interview, here Rachel spins it as a positive. By conducting a baseline assessment early – they ran baseline assessments before the advent of a requirement from the DfE – as a school they are able to spin their difficult intake into a positive, by highlighting the progress that students make over their time at the school. Like Kasia,

it is not their achievement data that matters, instead it is progress data that is important. She is not alone in highlighting this spin:

‘to be honest we are quite an academic school, so the children come in very low, but they make excellent progress’ (Sarah, SLT / Yr 2 teacher, Eng.)

Like Rachel and Kasia, Sarah highlights that, though her students ‘come in very low,’ they make excellent progress over their years at school, which Sarah considers to be a mark of her success as their teacher.

Sarah, Julia, Kasia and Rachel all use their positive stories of progression to mask their assumptions and beliefs about their students. Lasater et al. discussed this in a wide-ranging study on data equity. They identified that ‘using data solely to identify student weaknesses “primes” teachers to recognise and focus on student deficits’ (2020, p.6). Sefton-Green and Pangrazio go further, arguing that education systems’ focus on data and progress ‘requires a paradigm of deficit’ (2022, p.2074). They argue that, without being able to assume a deficit, there is no way to show progress and highlight how students’ knowledge was ‘rectified by formal teaching’ (ibid, p.2074). Sarah, Julia, Kasia and Rachel all showcase this point by utilising their assumed student deficits as ways to spin a positive narrative and justify the strong performance of their teaching (Bradbury and Roberts-Holmes, 2017, p.948).

It is not of course that focusing on progress is inherently bad, but rather that this unrelenting focus on progress can serve as a mask that hides the potential concerns associated with this path. There are indeed concerns with focusing purely on achievement data as well, mainly that it has the potential to result in students who cannot meet those standards being held personally to account rather than that focus rightly being placed on societal factors, a core element of critical race theory (Gillborn and Ladson-Billings 2019). What is important about how intently Sarah, Julia, Kasia and Rachel focus on progress is that they are encouraged to begin accumulating data for data’s sake, in order to prove progress has been made. It is showing progress that becomes key rather than ensuring that students are actually making that progress. Once again the power/knowledge is more important the means of acquisition and the veracity of the knowledge itself (Foucault 1982).

In the world of progress, students with lower than desired data points are often pulled for interventions, ‘where specific children are targeted and removed from the

class at regular times for additional support' (Bradbury, 2021, p.42). These interventions target students 'at risk' (Atkinson, 2015, p.43) of not making the progress expected of them and are often led by teaching assistants and learning support assistants (Blatchford et al., 2012). Interventions can alternately be seen as beneficial due to the one-on-one support students in interventions are provided, but they can also be harmful to students as they remove them from their peers and force them into a cycle of constant catching up. Matthew and Kasia both mentioned interventions when discussing how they measure progress:

'we also run intervention groups based on the data we get and those groups, we pick them for a variety of reasons, but one of them being their predicted attainment at the end of Key Stage One and the progress they've made towards that' (Matthew, SLT / Yr 6 teacher, Eng.)

Matthew highlights that intervention groups are based on the data, particularly expected attainment at the end of KS1, while Kasia has a similar strategy:

'we have termly pupil progress meetings after we'd submitted the data... we discuss the children who haven't made the appropriate progress... so that we can then create a strategy and then we can plan intervention for the next half term and hope that ups the impact on the children that need it' (Kasia, SLT / Yr 6 teacher, Eng.)

Kasia pulls students for interventions based on who has not 'made the appropriate progress'. For each of them, their intervention groups allow them an opportunity to work with students that are believed not to have 'made the appropriate progress'. It is not entirely clear what the appropriate progress is meant to be, but it is clearly something inherently understandable to Kasia and Matthew – they both seem to have a fixed idea (Gillborn and Youdell, 2000) of what progress should be being made and expect that I do too. In many ways this idea of 'appropriate progress' as something objectively knowable calls back to ideas of ability as something for which 'there is an established scale we can all agree on' and that 'the teacher is able to assess accurately' (Bradbury, 2021, p.34) as discussed in Chapter Two. This unknowable understanding of ability has some predictable outcomes, namely that if everyone knows the established scale, then data collection can be increasingly done via assumption, judgement and quick review. Miriam expressed this idea clearly in her comments on how she measures progress:

‘I haven’t done any sort of formal assessments I’d say. It’s just sort of what I’ve seen in class, using progress I can see in their books and a lot of the time it’s our class discussions. So, when I’m writing the reports, I’m just kind of thinking back about how they’re sort of interacting within the lesson, what they’ve kind of said to me, that I can kind of take away from that’ (Yr 2 / Yr 3 teacher, Eng.)

Miriam knows that she is able to assess student progress from ‘thinking back’ to what happened in the classroom, highlighting the primacy of teacher professional knowledge. She believes that her experience as a teacher allows her to accurately judge how much progress her students are making. Even without collecting data in the moment, Miriam has a professional memory that lets her remember accurately and objectively whether her students are making progress. Regardless of concerns about the accuracy of Miriam’s memory, it is notable that Miriam does not feel the need to collect data at all to measure progress. Earlier in the chapter we saw how data slippage occurred between summative and formative data. We also saw how it was more important to participants that data appeared to be valid, objective and equitable than that it actually was. Miriam takes this a step further, however, by being able to report on data that she has not actually collected. For Miriam, ideas of the objective accuracy of panoptic observation (Foucault 1982) are so clear and obvious that she is able to show that her students are making progress just because she knows that they are.

Kristina and her school took a similar approach to that taken by Miriam:

‘we even sent reports out at the end of last year saying, ‘if your child had been in school...if Covid did not happen we would have expected your child to get this, which, I don’t even know what the point in that was because we tend to map their progression throughout the year... so you know, if they’re following the map they will always be expected to get that final grade.’ (Yr 5 teacher, Eng.)

At Kristina’s school, a physical diagram of expected progress was made where children were ‘mapped’ to various points on the diagram based on their test scores throughout previous years. While Miriam avoids collecting data because she knows what that data will be inherently, Kristina’s school avoids collecting data by using predictive measures as data points. Teachers at Kristina’s school are able to ‘follow the map’ and find the final expected grade for students. Kristina already knows how

well her students will do at making progress – no assessments are necessary in this version. These judgement maps were provided to parents to give them an understanding of where their children were in relation to their anticipated progress in a non-Covid year. In order to further notions of accountability and progress, in the case of both Miriam and Kristina, data is allowed to exist entirely independently of the students it purports to describe.

Kristina also outlines here that her school has clear and fixed notions of the progress that students are expected (or even allowed) to make:

‘if they’re following the map, they will always be expected to get that final grade’.

This tracks quite closely to ideas of ability as a fixed characteristic (Bradbury, 2021; Gillborn and Youdell, 2000) that students either have or not, ideas which critical race theory argues often result in students of colour being determined to be of ‘lower ability’ (Bradbury, 2021). In these characterisations of ability, there is only so much that school staff can do to mitigate fixed ability in students. This discourse can be seen in Kristina’s comments that they should always make the grade that they are expected to.

Kristina also alludes in the above excerpt to the importance of parental pressure – her school felt that they needed to send out reports alleging where students might have gotten to in their achievement without Covid, even knowing that that was not the case. These reports did not contain any useful information other than, perhaps, an understanding of a students’ potential ability, but they were provided to parents nonetheless. Parents, in this instance, are ‘co-workers towards the raising of performance’ (Ball et al., 2012, p.527). Other teachers, including Ellie and Sarah, reported parents as a strong influence on their schooling, though it was not a major theme of the research.

6.6.1 - Pupil progress meetings

The influence of the concept of progress has become far-reaching in schools with many teachers commenting on the focus on ‘pupil progress meetings’ where teachers and school leadership come together to review data about their students:

‘once a term it’s kind of like pupil check-in meetings – I think some schools call them pupil progress meetings – just to kind

of see which children are we still concerned about... like time out of class, just a quick meeting I think ten to fifteen minutes with the Headteacher' (Miriam, Yr 2 / Yr 3 teacher, Eng.)

Miriam here outlines the standard pattern of pupil progress meetings – once a term, on average, teachers are pulled out of class to discuss pupil data with the Head. Pupil progress meetings allow teachers to get together and look at data for individual students from across classrooms with the aim of getting a bigger picture of a particular student's performance. While Lindsey and others have spoken about data meetings before, naming it a pupil progress meeting has specific connotations. It is clear from this that the data is more important than the teaching – an idea we also saw earlier from Lindsey, a teacher in California whose principal hired substitutes for half-days across the school in order to allow teachers to review classroom data. We can see something similar to what Bradbury (2019b, p.14) described as how 'the pressure to collect and record data affected how teachers organised their classrooms' but, in this instance, it is the organisation of the entire school. It is also clear here how the 'focus on managing data is time-consuming, reducing the time available for other tasks, and there is a risk that the use of data damages the very purpose it aims to monitor' (Bradbury and Roberts-Holmes, 2017, p.949). Managing data in this instance requires teachers to leave the classroom, the one place they most definitely should be in. We can also see here that progress as a concept has become divorced from data collection as an idea. "Managing progress" is now possible without teachers in classrooms; it is undertaken in pupil progress meetings instead. It is more important that teachers are tracking progress than that they are the ones actually collecting data on that progress. To utilise the example of Foucault's panopticon, it is more important that guards are documenting the 'correct' actions of prisoners than that they are actually guarding the prisoners (Foucault, 1982).

As anticipated, Amanda uses her pupil progress meetings to discuss more than just the data – she also uses them to discuss future data collection strategies as can be seen in this excerpt:

'they've actually asked me to bring the pupil progress meeting for early years forward by two weeks, because they are very concerned about how on earth we're going to get this assessment done. Because you know it's seventeen areas of learning isn't it for every single child it's a lot of observation and

to gather evidence wasn't worth it. What we're probably likeliest to say is get the best evidence you can and make the best assessment that you can on what you've got, but don't expect to have the level of evidence you would normally have because it's just, you know, you've lost three months you just can't' (SLT, Eng.)

Amanda was asked by her headteacher to bring forward the pupil progress meetings for the early years due to the requirements of the EYFS profile and the trickiness of collecting data to evidence attainment during Covid. Though this is a formal assessment, it is designed using teacher assessment of seventeen areas of learning based entirely on classroom observation. The assessment is not without criticism, with teachers known to be 'very critical of the vagueness of the EYFSP and their ability to assess it accurately because of its length' (Bradbury, 2012, p.182). This concern is echoed here in Amanda's excerpt – 'how on earth we're going to get this assessment done'. It is notable however, that the strategy taken to deal with these concerns by Amanda and her headteacher is to decide that gathering evidence 'wasn't worth it'. Amanda states that it is not possible to accurately undertake this assessment in the allotted time, shortened as it was due to the Covid pandemic. In this conundrum, though, her best-case scenario is that teachers should 'make the best assessment that you can on what you've got'. In other words, make it work. Amanda does not suggest devoting more support to teachers to ensure that they can make these judgements, for example looping in headteachers or other school staff; she suggests that they should utilise the evidence available to them, even if it is not strong evidence. For Amanda, it is more important that teachers complete the EYFS profile rather than that they accurately gather data and assess children on their attainment. Notably, in the year in question the EYFS profile was not mandatory due to Covid (Education, 2021), but Amanda wanted it completed regardless, even with an admitted difficulty in collecting evidence. Interestingly, Amanda uses the pupil progress meeting to pass this message along. While on the one hand this is a logical and potentially time-saving measure as she has all early years teachers already gathered, on the other hand it indicates that pupil progress meetings hold an outside importance in the school structure. Not only are these meetings about working through student data, they are also a spot to pass along key messages and make decisions about goals and next steps for both teaching and non-teaching activities.

Pupil progress meetings therefore become a central element of school functionality – no longer are they just about reporting on and analysing data to determine student progress, but they also serve as key staff meetings where decisions about future data collection and assessment patterns are made by headteachers and staff. Pupil progress meetings also enhance ‘the individual teacher’s accountability for pupils’ progress’ (Sturrock, 2021, p.18). These meetings require teachers to defend their teaching against the progress made and to highlight ‘the strategies necessary to enhance both the pupils’ performance and their own’ (p.18). In this way, progress continues to maintain primacy in the school and these meetings, devoid of ‘objective’ data, now become a site of accountability.

6.6.2 - Reporting on Progress

While schools want progress data for themselves, they also often feel pressure to report that data to others – to be accountable for their students progressing in an appropriate manner. Ellie, a teacher in England, feels pressure from her headteacher to show progress:

‘Because we work in an independent school, there’s pressure from the head to make sure that the children have made lots of progress in the year. Obviously, they keep saying it’s a business, so parents won’t want to pay if the children aren’t doing well. So, you do feel like there is a big pressure that the children have to make progress... I would say it comes more from the actual head. So, we have to do their report at the end of the year – we have to give them an attainment grade – and no child is really allowed to be satisfactory. They all have to be good or excellent.’

In this excerpt, Ellie states that her headteacher asks her to ‘make sure’ that the children have made progress over the year. Notably he does not ask her to make sure she’s doing a good job with teaching them, or supporting them in their learning; instead he asks her to ensure that the children are making progress. In case that message is not clear enough, he follows up by reminding her that parents are paying to send their students to their school and that they could “take their business elsewhere” if they are not seeing the results they expect. Ellie here taps into discourses of marketisation that are common in the public narrative, such as the *school as business* and *parents as consumers*. As Roberts-Holmes and Bradbury (2018, p.38) outline, ‘schools’ constant rendering and reading of themselves as

numerical-laden spreadsheets, graphs and data-handling software, tracing the rise and fall of their performances is analogous to business activity'. This in turn, is further analogous to Foucault's theories of governmentality (Foucault, 1982). Schools must track these elements in order to ensure that they are competing with other schools in their area. Parents become consumers who want to ensure that, if they are paying for a product, it is satisfactory and that their students are progressing as expected. Education becomes a product instead of an action.

Ellie also makes an interesting remark here that 'no child is really allowed to be satisfactory'. In a world where marketisation of education is the norm, student results are considered to be something that parents are purchasing when they make the choice to send their children to an independent school. Ellie is highly encouraged to make sure that there is a positive story of progress for parents to experience in order to gain a good review and the possibility of more students the following year. In the world of meritocracy, her fee-paying parents need to believe that their children are better than average and the fees are worth it. Progress is therefore the measurement used to ensure that parents are getting value for money.

Julia also experiences external pressure to show progress, though hers comes from the school's governors:

'We have a governing body that will ask us about data and will ask us about children and how they've progressed and how we know that they've progressed' (SLT, Eng.)

Not only does Julia's governing body want to know that students have made progress, they want to know *how* teachers and school leaders know that students have made progress. Her highlight of how as a separate item that the governing body is checking for shows its importance. Governors here are specifically asking for Julia's data showing that her students have made progress. This data becomes for Julia the power/knowledge she needs to showcase her 'correct' teaching style (Foucault, 1982).

Several teachers also mentioned feeling pressure from secondary schools to show positive data on their pupils, and show that their students had made progress:

'Now in the summer term we'll be looking at progress... we still have the data – they will be doing tests as well. We'll be doing star assessments, maths assessments and... that information will be passed on to the secondary school as well at the end of

the year. But it's important for our own, as I said it's about accountability... so we need to make sure that every day is a learning day' (Nancy, SLT, Eng.)

Nancy, a deputy headteacher, acknowledges that they need to show progress both for themselves to know that they had done a good job and for the secondary schools their students would be carrying on to, in order that they could have a clear understanding of where their arriving pupils were starting from. Here, Nancy's definition of accountability is for her own benefit and the secondary schools', considered to be the higher authority. Specifically, though, by using the notion of accountability, Nancy must ensure that her school is doing a good job at teaching students and, in order to create that narrative, she needs to have data that shows progress.

Other participants mentioned the local authority or the district as the key stakeholder that they felt accountable to:

'our district is really pushing for [the data] as well...to see progress' (Tessa, kindergarten teacher, CA)

'we had to come up with some sort of test that still measured the students' growth or decline if you will' (Dennis, principal, CA)

For Tessa and Dennis their district was the key driver of accountability data – they were the ones asking to see progress. While districts and local authorities usually have a role to play in the accountability regime, it is important to re-highlight that, in the time period we are discussing, the formal accountability system has been switched off – neither English schools or California schools are required to be accountable for progress. Tessa and Dennis, however, experienced a continual push for progress from the district.

6.6.3 - An individual's perspective: Amanda

Amanda, a deputy headteacher in England, also felt pressure from the local authority to report progress data; in fact they had asked for it both in 2020 and in 2021:

'they've done it the year before, so in 2020 we reported [data to the LA] as well, so again, I think people were just assuming they were going to ask for that. And certainly, I can't speak for other schools

but certainly from our point of view, I think we would have done the assessments regardless, because we need a baseline and a progress measure whether it's used for accountability purposes or not'.

It is clear from the way Amanda discussed it that this 'ask' from the local authority was not so much a request as it was a requirement. In response, Amanda and her school had their students sit old test papers. This, they felt, was the most accurate way to get a measure – after all, these tests were the most consistent and would be the only ones able to show year-over-year progress. As Amanda highlighted 'we need a baseline and a progress measure whether it's used for accountability purposes or not'. This rationale is the same as Kasia's, whose school earlier made the same choice for different reasons. It is notable that Amanda earlier in the interview stated that

'if the whole purpose of [testing] is accountability for schools, I think it is grossly unethical to put children through what we put them through'.

This comment, made in relation to standardised tests, clearly does not hold up against the allure of a clear and precise progress measure. On the one hand Amanda feels that they 'would have done the assessments regardless' because they 'needed a progress measure' and on the other hand she thinks the assessments are 'grossly unethical'. This dichotomy does not appear to bother Amanda though, who at no point acknowledged the discrepancy. Amanda and her local authority ran the entire suite of standardised assessments for their students from the early years up to the Year Six SATs:

'I know that the SATs are officially speaking off, but our local authority, and I believe we're not the only one, have requested that we run some kind of SATs and report the results to them. So the children are still going to have some kind of end of key stage assessment and we will share that information with secondary schools as well because any information is helpful, so that we're in this weird position where they're off but they're on and that is actually true of all of the so called statutory assessments so we're still having a multiplication tables check for Year Four, we're still doing the Key Stage One assessments we're still doing the early years assessments.'

They were not by any means the only ones. Most participants gave their students older versions of the standard, end-of-year high-stakes assessments. Those that did

not ran one of their own tests given frequently during the year with a high-stakes element. Those tests were elevated to a position of higher standing through school decisions and teacher action. For all intents and purposes, though they had lost their formal standing in league tables, the SATs and CAASPP tests were run by schools across both locations. For once, there were no official consequences for not doing so, but in much the same way that data and progress have become detached from any 'rigid set of criteria' (Perryman, 2009, p.615), so too has accountability and high-stakes testing become detached from its initial mandate.

6.7 - Conclusion

In this chapter, I have shown how data is gathered on students in an attempt to show that students are making good progress and that teachers and schools are doing a good job in educating them. This process can be described as 'datafication' where many aspects of education are '[transformed]... into quantifiable information' (Williamson, 2017, p.9) that '[intensifies] processes of performativity' (Bradbury and Roberts-Holmes, 2018, p.129). This has created a situation where teachers 'can only know themselves and their practice as data, and these data will, in turn, tell them what and how they need to improve' (Lewis and Holloway, 2019, p.48). Initially, this data was required to be 'objective' (Williamson and Piattoeva, 2019) and meet certain standards of rigidity. However, in this chapter I have shown how, over time and during Covid, those standards have been dropped. Teachers, schools and district leaders have become so focused on collecting the data that they have been willing to utilise data that they themselves believe to be questionable in order to meet the all-consuming need to show progress. Many of them have internalised that need and, as a result of that internalisation, in the end of the chapter we saw how a high-stakes testing system began to form spontaneously during Covid. The underlying factors of data collection and progress measures have reached their inevitable conclusion of recreating a high-pressured system of 'objective' tests even without the 'external enemy' of Ofsted (Perryman et al., 2018, p.152). In Foucauldian terms, the panopticon is fully replicated by participants when they have been instructed that the panopticon has been removed (Foucault, 1982).

Participants were overwhelmed by the need to collect data in all aspects of teaching. They needed it for themselves to prove that they were doing a good job at teaching, they needed it to resolve external pressures from secondary schools, districts and local authorities and, more than anything, they needed it in order to maintain a narrative of student progress. The need for data allowed them to hold many incongruencies in their own minds. They could be anti-assessment while promoting assessment, they could believe exclusively in formative data without understanding what makes formative data formative and they could promote objective data while collecting results that they acknowledged were anything but.

This chapter also showed how, once again, the students who lose out in this system are those that are already marginalised – those students who differ from the English and American default of White, middle-class English-speakers. This critical race theory narrative was shown clearly in the first results chapter but it is worth highlighting again here how; even though the initial goal was to gather data in a way that was truly objective and equitable to students of all backgrounds, in the end, as the process institutionalized, those aims were silenced as that default becomes a ‘structural position’ (Rosa and Flores, 2017, p.629) and the initial focus is glossed over in the name of efficiency which is ‘seen as a ‘good thing’ irrespective of the cost to people’ (Perryman and Calvert, 2020, p.6). CRT-derived deficit discourses prevailed with many participants alluding it was alright if EAL / EL learners had lower data as long as they were making progress.

While datafication in schools was prevalent and intensifying before Covid, Covid showed exactly how deeply the discourses of datafication have embedded themselves. Interviewees needed the data, they believed in it, perhaps no more so than when the external need for collecting data was taken away. This chapter began to show the floundering experienced by participants when fundamental aspects of the school system changed unexpectedly and without warning. In the following chapter, I will delve more deeply into these ideas and begin to posit some rationales behind their development.

Chapter Seven – Hypervigilant Enactment

7.1 - Introduction

In the previous chapter, I analysed how data took on a life of its own in schools during Covid. Teachers and school leaders are professionals who want to do a good job in their work. In order to show that they are teaching well, individuals become more and more wrapped up in generating data that proves they are doing a good job. This need is so strong that it results in breakdowns between types of data. While initially I looked at data by analysing summative and formative data, I did so to show that those differences in data type increasingly became meaningless. Teachers and school leaders showed a willingness to shift seamlessly from one to the other in usage, data collection and analysis. Participants also expressed a willingness to ‘fudge’ the data by creating data points that matched the narrative they were interested in spinning. Overall, though, the previous chapter showed that the need for data is overwhelming and never-ending. Data are everywhere and using data to show progress has become the most important task of a school. Notably, however, it is the appearance of progress, the appearance of doing a good job teaching, that is key.

The previous chapter also discussed datafication – ‘whereby that which is measurable and quantifiable is important’ (Bradbury, 2019c, p.317). Teachers and schools were initially focused on collecting data that they felt was ‘good data’ as Josh, a district leader from California, put it. This ‘good data’ could be described as that gathered through ‘objective measurement’ (Smith, 2018, p.92), as ‘that is a reliable method of assessing ‘quality’” (Bradbury, 2019b, p.12). Initially, this data was tied to standardised testing as the ‘only reliable instrument’ (Moss, 2022, p.14) and as was seen in the previous chapter, participants still felt strongly that their standardised tests were best used for this purpose. Eventually however, teachers and school leaders felt that these results were not accurate enough as they did not reflect where students began at the start of the year – they did not reflect the ‘value added’ (Bradbury and Roberts-Holmes, 2017, p.949) by teachers and schools. They began to test more frequently and then, as showcased by Barbara, a district leader from California, among others, the testing itself became the ends. It was enough to

be collecting data, no matter what quality the data turned out to be. Selwyn found similar results in a study in Australia – ‘while the examples found in our research schools might not be technically ‘good’ analyses of data, they were clearly ‘good enough’ for the schools’ purposes’ (2022, p.110). In Foucauldian terms, the teachers and schools in this study replicated the panopticon for themselves, something Courtney (2016) describes as ‘post-panoptic’, where they internalise the measures of accountability and performativity even without an external pressure.

I also looked at how progress, initially countenanced as a positive change between two data points, eventually stopped needing the data points at all. Amanda, a deputy headteacher in England, among others, spoke about how pupil progress meetings became core elements of teaching – central to the basic premise of being a primary school teacher – even as they took teachers out of the classroom for extended periods of time and became devoid of data actually ‘[related] to a child’s learning’ (Bradbury, 2019b, p.13). Measuring progress became the end goal - without requiring accurate data or even any data at all other than ‘teachers’ judgements’ (Sturrock, 2021, p.11). Kristina for example spoke about how progress is measured at their school through predicted achievements that require nothing other than ‘sprawling Excel spreadsheets and ad-hoc algorithms’ (Selwyn et al., 2015, p.778).

I also began to examine how this relentless focus on the end goal of measuring progress recreated a system of accountability – driven entirely from within. In this chapter, that concept will be explored further using Foucault’s ideas and theories. This chapter will also attempt to answer why questions, postulating the underlying rationales behind the actions seen in the previous chapter. This chapter will argue that the seemingly incongruous actions taken by participants in the previous chapter are actually part of a pattern of policy enactment behaviour. In this chapter, while Covid is undoubtedly a factor in the expression of these attitudes and beliefs, the underlying rationales have been building for some time. To be clear, it is not the case that these actions were only taken due to Covid, rather Covid allowed certain traditional modes of operating to be stripped away resulting in a clearer look into the underlying thought processes undertaken by participants.

As a reminder, the Covid years resulted in high-stakes testing being officially cancelled in England and, while not cancelled in California, the State and Federal

Departments of Education were not allowed to use test results as measures of accountability (Greenhow et al., 2021). This meant that traditional expectations were missing for teachers and school leaders who were left out on their own for the first time in many years. This newfound freedom allowed underlying rationales and theories to come to the forefront.

7.2 - The Need for Data (part II)

At the end of the last chapter, I looked at schools such as Amanda's in Castleshire, England, who ran the entire suite of SATs tests voluntarily as they
[needed] a baseline and a progress measure whether it's used for accountability purposes or not'. (SLT, England)

Amanda and her school felt pressure from the local authority to provide data that showed progress and that was more reliable than the tests they selected themselves – tests that were initially selected as they were believed to be more accurate than the end-of-year standardised alternatives. This circular logic encompasses several years of actions and patterns of behaviour grounded in Foucauldian analysis (Ball, 1992). The process can be clearly understood as follows:

1. Schools are required to undertake PBA assessments at the end of teaching (*i.e. the SATs at the end of a Key Stage or the CAASPP at the end of each year*)
2. Schools implement their own assessments during the year to track progress towards the high-stakes assessment. They continually measure progress via data collection and eventually come to feel that the progress measures are more important than the end results. Schools and teachers devalue the high-stakes assessment as they get more and/or better data from their own assessments.

For many years Steps One and Two have been recurring in both locational contexts. The Covid years resulted in a removal of Step One, high-stakes assessments with accountability controls were removed for two years. For Amanda, this resulted in a new step:

3. The removal of the end of teaching PBA assessments meant there was no obvious "end point" for progress to be measured towards. Amanda felt

there was no way to therefore be sure that progress was being measured and accounted for, that teachers were doing a good job teaching and that Dogwood School was “successful”. Amanda and the rest of the SLT concluded the best option was to have students sit older, released versions of the PBA assessments so that they would have the “end point” data they felt they needed. Even though they had previously concluded that the assessments in question were flawed and not as accurate as their own assessments, the need for confirmation that progress was being made was a greater need in the end.

Amanda and her school were far from the only ones who felt this way and implemented a version of this system. Of nineteen school-based participants, eighteen selected a form of PBA standardised testing as their end-of-year assessment. The one that did not was Tessa, a kindergarten teacher in California, who said she did not regularly end her school year with a standardised test (it is not a requirement at that age in California) and saw no reason to start now. Tessa’s outlier status works to further reinforce the point, for teachers who *did* end the year with a standardised test, they were unsure how to proceed without it. Without an endpoint data mark, they were unable to understand how well their students were doing. Even though when the end point summative data point was introduced teachers felt that their own assessments did a much better job of assessing student progress, that is no longer the case. That data point is still, at the end of the day, held in higher regard than internal results and the data that ties to accountability is needed by participants in order to understand their place in the system. The need for data in this case, won out over many participants personal feelings on standardised high-stakes testing.

In this case, policy is being enacted by participants through an almost conscious disregard for the policies themselves. I argue in the next section that this system represents a new form of policy enactment – hypervigilant enactment.

7.3 - Hypervigilant Enactment

Most participants in both locations undertook actions during the pandemic as outlined above. Eighteen of nineteen school-based participants indicated they had their students sit the end-of-teaching standardised tests they had previously indicated

they found harmful and inaccurate. When queried on their underlying rationales for these actions, many highlighted accountability concerns. Many participants felt that running these tests were necessary due to fears that they would eventually be held accountable for this data:

‘I think that what we’re going to end up being held accountable for is, possibly not the final results, but I think there will be an emphasis on their progress, especially with the catch-up funding. I think we will be scrutinized on how we have used the funding that has been provided to us. I think that’s what [Ofsted] is going to want to see’ (Samantha, SLT / Yr 3 teacher, Eng.)

Samantha, an SLT member and Year Three teacher in England, believes that she will eventually be asked by Ofsted to provide details on how much progress their students made over the Covid period. She feels that there might be some leeway given on final results, as long as schools could show that their students had made progress over the two years of the pandemic. In particular, she felt that Ofsted would want to know that the additional funding, ‘the catch-up funding’, provided by the Government had been well-spent. Even though, at the time of this interview, Ofsted had publicly stated that this data would not be requested, Samantha was convinced the data would eventually be asked for; she did not believe the public statements from Ofsted. Her experiences in the Foucauldian panopticon of schooling have primed her to believe the central watchtower is omnipresent (Goodley and Perryman, 2022). At the time of the interview, Samantha was already beginning to prepare this data for them to review:

‘We’re already preparing, so I’ve been in charge of looking at how the catch-up funding is being spent because I’m SENCo as well... you know we’ve made sure that we’ve got exactly the hours, what interventions happened when, and we take a lot of the soft data as well. So, for example, we know that possibly their data, they might not do as well, so if they haven’t made the progress, or if they haven’t reached age-related-expectations, we talk to the children, so we get... how they’re feeling’

Samantha here expresses her concerns about ‘how the catch-up funding is being spent’. “Catch-up funding” was a major feature of UK education policy during the Covid years as ‘the government announced a catch-up fund to be split between a centrally organised and run National Tutoring Programme (£350 million) and funding

made available to schools for pupils who had fallen behind (£650 million)' (Moss, 2022, p.4). Samantha was nervous that she would be called upon to show that that money was used responsibly and effectively as the money was 'coupled with obligations for schools' (Moss, 2022, p.4). To this end, she has already begun to gather data, both in her role as an SLT member and as SENCo. She was gathering data on progress and length and usefulness of interventions alongside other data points. Notably, Samantha is tracking against categories such as 'age-related expectations', the term used by the PBA assessments run by the DfE at the end of the teaching year. Even though those tests are not being run, she makes sure to collect her data against those categories; she is intent on speaking the language of Ofsted's panopticon (Foucault, 1982) so that her school is ready and prepared for what she feels is an imminent request for data.

Samantha, like Amanda, decided the solution was to run the SATs as the SATs would provide the clearest data, in terms Ofsted would understand and would allow her to easily gather data against categories such as 'age-related expectations'. In-fact, she went even further beyond running a version of the SATs by gathering qualitative data as well to support their claims of progress even when the numbers might not be as strong – 'so if they haven't made the progress...we talk to the children so we get... how they're feeling'. This qualitative data is seen as necessary in order to cover their backs (Daliri-Ngametua et al., 2022) against a concern that their school would *not* be able to show that students were making progress. She hoped that by showing that her students were feeling positive, they were enjoying school and they felt as though they were making progress, that that might be enough to alter a narrative of low progress.

Samantha's fear of Ofsted asking for this data has driven her to provide a full range of data collection and information as a 'second-guessing of policy' including both standardised assessments and a programme of qualitative data collection. Even though it goes against their purported professional feelings on high-stakes assessment as outlined earlier in the interview, Samantha and her headteacher have internalised the role of Ofsted by taking on the role of 'external enemy' (Perryman et al., 2018) for themselves. Perryman et al. wrote in 2018 using Foucault's theories of how 'Ofsted is a more hidden power... working as a subtle influence on school

practices and normalities such that inspection does not have to physically take place for a school to be governed by its perceived judgements' (p.149). Samantha's concern for a future inspection shows how Ofsted has taken on a governmental power (in Foucauldian terms) in her mind; she is acting as though an inspection is imminent, even when Ofsted had announced that no inspections were forthcoming due to health and safety concerns. Their hidden power was shaping Samantha's actions which in turn were altering the structure of her entire school. Covid has shown that that 'hidden power' goes further than previously understood – it exists for Samantha even when Ofsted itself has said that they were pausing inspections taking a few years off. She is enacting a policy that does not exist. Perryman et al.'s writings about the Foucauldian panoptic power of Ofsted argue that Ofsted plays the role of central watchtower, constantly ensuring schools feel under inspection even when no physical inspection is occurring as they cannot be 100% sure if Ofsted is watching or not. During Covid the central watchtower has publicly stated that they are taking a break, leaving the tower in order for teachers to focus on their students. Instead of taking this opportunity, Samantha and colleagues essentially feel that Ofsted is lying to them, attempting to catch them out. They continue acting as though Ofsted is watching, including going as far as to ask students to sit the SATs as though nothing had ever happened.

In 2020, Braun and Maguire outlined a process of 'pre-enactment' where schools undertook a 'second-guessing of policy'. They started a 'great deal of activity 'just in case' and completed a 'large amount of additional work in order to 'cover our backs' (p.443). These 'performative policy enactments' were driven from a need to always be one step ahead to 'drive up our numbers, our performance, our outputs' (Ball, 2015a, p.299). I argue that Covid shows that this went one step further beyond 'pre-enactment'. In the example highlighted above, Samantha shows what I call 'hypervigilant enactment'. Hypervigilance is a 'state of or persistent tendency towards being acutely or overly aware of one's environment and the potential dangers it presents' (OED, 2022, hypervigilance entry). In psychology, hypervigilance is a symptom of anxiety and can be triggered by PTSD (Lebow, 2021). Samantha has been explicitly told that she will not be called upon to provide this data and yet, she goes out of her way to collect it, to run the SATs and to put together a package of

data to build an 'Ofsted story' (Bradbury and Roberts-Holmes, 2017, p.948). As an SLT member, Samantha coordinates across the school to ensure that they are ever-ready for inspection, for accountability, for being able to show student progress.

This need to prepare for Ofsted persisted even when Samantha acknowledged that her focus should be elsewhere. For example, when asked what her biggest concern with her students was, she called out their independence:

'I think that was the really big thing I noticed – that independence really dropped when they were at home'.

Samantha notes that the biggest concern she had with her students was their ability to work on their own, and yet her priority is on building out a key report highlighting how much progress students are making 'even if there is no progress (yet) to demonstrate' (Goodley and Perryman, 2022, p.10). The 'discourse of accountability is internalised' (Perryman, 2009, p.619) so much that Samantha actually feels positively about the process they have built:

'I think the way we use assessments in schools since coming back from the pandemic has really changed for the better'

She believes that in re-creating the SATs in form, function and prestige the school is now free from the 'tyranny of standards' (Gillborn and Youdell, 2000, p.18). Arguably as the SLT is now in charge of the SATs, they have begun to morph into a positive feature of the school's assessment system. I would argue that the school has merely internalised processes of governance and surveillance and has become a fully self-sufficient panoptic power in Foucauldian terms (Foucault, 1982). I am struck by metaphors of highly abusive relationships in the way Samantha spoke and as such, believe that the psychological term hypervigilance does a better job at capturing what occurred during Covid. More so than 'pre-enactment' and 'doing without believing' (Braun and Maguire, 2020) which implies a passive enactment, Samantha is actively engaging in her own surveillance. With the guidance of her headteacher, they have reconstructed the very thing they purport to dislike and, though Covid was hoped to be a moment of clarity, they are unable to see their way out of the cycle to safety and freedom. In this sense, power, as described by Foucault, has become truly all-encompassing. There is no longer a vision for teaching that does not include datafication, accountability and performance standards. Arguably there are so few teachers left who were teaching before the large rise in accountability in the 2000s

that there is no longer an alternate path forward (Wilkins et al., 2021). Though hypervigilant enactment became clear during Covid, I would argue that it is not a Covid-specific phenomenon. Hypervigilant enactment might occur all the time in schools in both locational contexts, however, without Covid which removed the policy to be enacted, it would not have become obvious. Covid allowed us to move past constructions of school staff as ‘doing without believing’ (Braun and Maguire, 2020) and begin to understand that they do believe in their own way.

Samantha is not alone in her enactment strategies – her comments were joined by many others expressing variations on hypervigilant enactment. Kasia, for example, spoke about the new Ofsted framework:

‘we’ve been told with the new framework that Ofsted aren’t going to ask for data and that we should kind of thrust it upon them if it’s good. So, I suppose we need the data to show that the data is actually having an impact on learning and it’s not just data for data’s sake... I think for us data is strong in school and so because although attainment isn’t strong, progress is strong and it’s strong in all year groups. We have to use [data] to our best ability and not let Ofsted pick out any negative trends, we want to show them the good trends, how it’s affected our school development plan... and then obviously ultimately, the effect that the analysis of our data has had on the children’ (SLT / Yr 6 teacher, Eng.)

Kasia acknowledges in this excerpt the changes to Ofsted’s review process that have recently come into force (Ofsted, 2019b). However, she then goes on to completely disregard them. She has been told that even though Ofsted will no longer be asking for data, they should ‘thrust it upon them if it’s good’. Kasia’s school does not believe that the policy has changed, and that Ofsted will no longer be asking for data. As such, they will continue to collect it and ‘thrust it upon them’ if they are unwilling to receive it. This supports research from Bradbury and Roberts-Holmes (2017, p.947) where ‘the school needs to produce a narrative of progress’ particularly where ‘the school does not compare well with others on raw data’. In Kasia’s case, her school consistently ranks low in their borough and creating a successful progress narrative was a key theme of our discussion:

‘with relation to achievement...we normally fall just under...but we did get the best progress in the borough... we got the best progress from Key Stage One to Key Stage Two... and we were also in the highest 10% in the country for progress...so

although we don't attain as high... the children are making the progress that they need to make' (SLT / Yr 6 teacher, Eng.)

The need to create a narrative of progress is so overwhelming here that not only is Kasia's school also developing hypervigilant enactment, but they are taking it upon themselves to drive an accountability narrative. Kasia is looking for results so that her school can prove progress and ideally, show an increase in position among nearby schools in a league table. Similarly, to Samantha, Kasia and her school are pushing the Ofsted agenda forward even when Ofsted themselves are no longer participating, calling back to Courtney's notion of post-panoptic power (2016). For Kasia, hypervigilant enactment ensures that they have a clear narrative which will sway Ofsted, neighbouring schools and parents, and the general public to their point of view on progress.

Varying examples abound in the data, such as that of Susan, a headteacher in England who was asked by her multi-academy trust to provide a data report for her students. The goal was that that data could be compared nationally with other schools in their trust, but in the end,

'only a third of the schools in the country have done it...so the comparisons weren't usable'.

Susan was disappointed that the lack of participation from other schools meant that she was unable to use the collected data to understand her school's position in the trust's internal league table. Susan very much saw herself as an executor of the will of the trust and felt she had no other choice than to collect assessment data from students, a fact illustrated by a conversation she had with her assessment leader:

'in fact, my assessment leader had quite an argument with me about data ... "you know it should be hard data that we're putting in here and we can't get hard data so it's a waste of time" and I said, "I know I'm really sorry, but we've been asked to do it so". And I thought that it might have some use, but once I got the report it just had no use and...I would normally spend a lot of time at the end of each term breaking down data to report to the trust and to report to governance ... it was just guesswork'.

Susan felt that the data she had had her teachers collect would not bring value to them nor to their trust and governors, but she still felt hamstrung by the pressure to collect and report data – she knows she is accountable to the trust for the data of the

school and sees no other option than to continue to collect it. In this situation, Susan feels a loss of control. Even if she acknowledges the concerns her staff have about data quality, she is powerless to resist 'the discourse of what is important' (Perryman et al., 2011, p.191). While her multi-academy trust does not have the same national power as an organisation like Ofsted, might they have had the same powers for Susan and her school? Indeed, in 'Ofsted's role as a monitoring and disciplinary force' which ensures 'progress is a key focus for senior management' (Bradbury and Roberts-Holmes, 2017, p.949) the trust entirely takes up this Foucauldian governmentality role. The trust here takes on the role of hypervigilant enactor responding to fears of a presumed Ofsted return. Though Susan's actions feel slightly incongruous and counter to hypervigilant enactment, I would argue that that is because it is members higher up in the trust that are exhibiting hypervigilant enactment. Susan, as headteacher in a trust, is not in the end, most responsible for the school's data and Ofsted standing. Instead, Susan is powerless to resist the goals and narratives of the trust and finds herself forced to procure the data that they are asking for. Though Susan attempts to fight back, she is eventually unable to halt the all-consuming anxiety around data collection. Susan's excerpt shows us that factors we looked at in the previous chapter – how data quality becomes less important than just providing data – play a role in hypervigilant enactment. I would argue that hypervigilant enactment is a key reason that the quality of data can be allowed to slip into just 'good enough' (Selwyn, 2022, p.110) – the fear and anxiety forces corners to be cut in order to keep afloat. Susan's admittance that the data is not necessarily of good quality, shows that, as seen in Chapter Six, data quality is not a key factor in its analysis. The multi-academy trust in question is happy to accept data that is of an unknown quality as the need for some form of data is more important than the need for good data. Susan's case shows that hypervigilant enactment is a feature of the group that is most responsible for Ofsted reporting, in this situation that is not Susan even though she is the headteacher. Susan herself therefore does not demonstrate hypervigilant enactment, the multi-academy trust does instead. I would argue that this is due to the fact that for Susan, policies are still in place, and she can therefore react and enact them in more traditional ways as described by Maguire et al. (2012).

7.4 - Hypervigilant Enactment in Action in England

Samantha, Kasia and Susan as well as Amanda have set the stage for hypervigilant enactment. It governs actions by school leaders in particular, in situations where policies have been altered. Leaders exhibiting hypervigilant enactment are unable to accept that the policy has been altered. Instead, they carry on 'as normal', creating for themselves the very policies and procedures that they have previously pushed back on and rejected. Hypervigilant enactment is characterised by high levels of anxiety, low levels of trust and an inability to imagine a different future, as linked to 'post-panoptic' readings of Foucault (Courtney, 2016). Though hypervigilant enactment was found in both locational contexts, the manner in which it exhibited itself was slightly different – this is likely due to the variations in Covid-era policies. First then, I will look at how hypervigilant enactment was seen in action in schools in England before moving onto schools in California in the next section.

In England, for schools that had previously received low Ofsted rankings the fear of an Ofsted inspection was particularly strong. These schools exhibited high levels of hypervigilant enactment by the SLT. Rachel, a member of the SLT at her school, continually highlighted her school's recent performance in Ofsted inspections:

'for us our data is, we're a requires improvement school, so our internal data for us is really important. And we know, ...when Ofsted come next year, we need something to show them, so we decided to kind of keep going ahead with it.' (Rachel, SLT, Eng.)

Because Rachel's school was recently rated as requires improvement, she is expecting an inspection by Ofsted sooner rather than later, as is outlined in Ofsted policy. Even though at this point in time Ofsted has suspended inspections, Rachel still believes that her inspection is coming 'next year'. She does not consider an alternative that Ofsted might be delayed in returning to inspect her school due to either continued health concerns or a backlog of inspections from the year off, or even that the suspension of inspections might be made permanent. She is convinced that Ofsted is coming and therefore feels that they need to continue to have their students sit exams such as the SATs and Phonics Screening Check. By doing so

she will be able to be prepared for the inspection. Rachel here shows hypervigilant enactment due to her inability to envisage a future in which Ofsted, the panoptic watchtower (Foucault, 1982), does not implement inspections as a key part of primary school life. She expresses high levels of anxiety over the future of her school based on their success against Ofsted's ratings scale.

John, another SLT member in England, expressed similar feelings:

'So I took a leadership position here to work in school improvement, to move the school forward, but we now don't have any data to prove that our curriculum and our improvements have been effective - summative data - so we're actually getting our Year Sixes to sit the SATs over the course of the next few weeks...So, then, I can say, well, actually no we didn't sit the papers, but if they'd have sat the 2019 papers I've still got 70% that have passed and here's the kind of data from that. So at least I'm creating a bit of internal data for that accountability measure should anybody hold us accountable at some point which they probably will.

Interviewer: Is Ofsted asking for anything from you at the minute?

John: Um they're not but it's very difficult for us to prove anything if we don't have data. If they come in September and they say prove to us that your maths curriculum is effective, well how? Go and see some math lessons, but at that point in the year there'll be nothing in books, you can speak to the kids but you know they've just been through a pandemic and they're not wholly reliable always to say what you want them to say though they are quite good at it, quite articulate in explaining what we've taught but we're almost creating an accountability measure for ourselves, so we can say, well, actually, we know it's still working, even though this is all going on, because we've still got this mock data.' (John, SLT / Yr 6 teacher, Eng.)

In this excerpt, John acknowledges that Ofsted currently is not asking for any data from his school. His anxiety and fear is clear though in his comment that 'if they come in September and they say prove to us that your maths curriculum is effective, well how'. He is hypervigilant about the fact that he does not have any data to share with Ofsted which has resulted in him creating mock data so that he is "safe". John expresses an urgent need to be in the clear, to ensure that when Ofsted comes he is ready, and thus believes it makes sense to have his students sit the SATs.

John and Rachel also both engaged in hypervigilant enactment by utilising the 'discourse of Ofsted' (Perryman, 2009, p.616) which was a key motivating factor for many in choosing to have their students sit an old version of the SATs papers. To borrow Perryman's metaphor, 'even if a school is not being officially inspected, 'the dark central tower' of Ofsted is always invisibly watching' (p.617). Neither Rachel nor John had any guarantees that Ofsted would be reviewing their data, however, both schools felt it prudent to collect the data *just in case* and assume the role of 'the dark central tower' for themselves. We saw Nancy and Amanda assume similar roles in the previous chapter and Susan's multi-academy trust also took on this role, but it is a feature of hypervigilant enactment that that role can also be internalised to schools and even individual teachers such as Rachel and John. Rachel and John explicitly noted that they felt Ofsted was on its way and would be asking for data eventually. They felt this way without a notice that an Ofsted visit was imminent and even with an official cancellation of Ofsted visits and SATs testing by the DfE due to Covid, displaying a textbook reaction to Foucault's panoptic theories (Foucault, 1982). This fear turned out to be prudent - while Ofsted had officially cancelled inspections from March of 2020 to August 2021 during which time these interviews occurred, Ofsted returned to a full suite of inspections in September 2021 claiming that 'the best way for it to support schools is to carry on inspecting them' (Roberts, 2021). While participants wound up being correct that Ofsted would return eventually, accurately predicting the future is not necessary for hypervigilant enactment to be seen. Fear and anxiety about a potential future are the key elements of hypervigilant enactment which these participants exhibited.

In a variety of ways participants shifted their rationale for data collection from a *progress measure* to an *accountability measure* either for themselves, parents, a secondary school, a multi-academy trust or a mistrust of Ofsted's stated aims. Many schools and teachers felt that due to the situation with Covid, organisations like Ofsted and the California DoE were going to want data in order to know what had happened in their schools. As Ball put it nearly twenty years ago in his analysis of Foucault's works, management has become 'embedded in everything we do' (2003, p.223) and has resulted in 'ontologically unsure' teachers: 'we become... unsure whether we are doing enough, doing the right thing, doing as much as others, or as

well as others, constantly looking to improve, to be better, to be excellent' (ibid). Datafication has officially resulted in 'changes in what people do, [and] who they are' (Bradbury, 2021, p.104) and has changed what academic work and learning are (Ball, 2003) for better or worse. While the anti-assessment rhetoric discussed by participants is still culturally prevalent in the US and the UK, an overwhelming majority of participants in this research found ways to create their own assessments for accountability during a time when they should have had everything they wanted – an official cancellation of the tests they hated. Many used those exact tests to measure accountability for themselves, something I would argue is hypervigilant policy enactment in action. By undertaking the exams for accountability, individuals are not just looking for the data, they are looking for the data in order to know that they are doing a good job and that they and their students are performing well.

For some, they felt that they needed this accountability data to mitigate previously concerning results such as scores of requires improvement on Ofsted rankings. For those teachers and schools that were instead able to show that they were making progress, the benefits are clear:

'we started to perform much better and then, we've had a period of about five years where our Key Stage Two SATs outcomes and our progress from the end of our progress measures have also been very strong, so I've had five or six years as assessment leader and deputy where I haven't had those same levels of anxiety around these outcomes' (Arthur, SLT, Eng.)

The progress he has been able to show has had a direct impact on Arthur's mental health and his ability to do his job successfully. His lack of anxiety allows him to challenge his students in different ways and focus on the curriculum as he has already been able to show success. He has "won" the Ofsted game. It is clear from later discussions however that for Arthur, that pressure to maintain high results is always floating about in key decisions. This too is a symptom of hypervigilant enactment – Arthur knows he is doing a good job, he knows his results are strong and that, when the abusive power eventually comes back around, he at least will be safe from punishment. He feels pressure to continue to be the 'good one' as he knows that that status is always precarious and could be pulled out from underneath him at any moment. Even though arguably Arthur should be in the clear and not need

to be so focused on his results, he still has anxiety about the potential for it all to go wrong. In this sense, being on top is always precarious as even when on top the anxiety about falling to the bottom persists.

Nancy on the other hand, is disappointed that she will not have the opportunity to see the results of her current year group on league tables:

‘I knew that we’re all on track and I felt a bit disappointed because they’re one of our strongest Year Sixes’ (SLT, Eng.).

While she acknowledges the rationale behind removing accountability measures during Covid, she also harbours some resentment that she will be unable to see one of her strongest cohorts in recent years reflected in those accountability measures. Like Arthur, Nancy knows that she is doing a good job and she wants that data to be reflected in her results. The results function as a performance review and Nancy wants commendation.

7.5 - Hypervigilant Enactment in Action in California

Hypervigilant enactment is not solely an English phenomenon. Californian schools were also subsumed by this need to show progress, or growth, as it is more commonly known in California, resulting in hypervigilant enactment of policies, or rather the idea of policies. That being said, hypervigilant enactment did manifest itself slightly differently in California due to the different policy situation.

Josh, a district leader, outlines his district’s ability to show growth through the data they had gathered:

‘we have consistent data, so we have fall, we have winter and now we’ll have spring so we can really use this data to show growth’

More than anything else, Josh is pleased with the consistency of the data they have gathered. By collecting student data at three points throughout the year, Josh feels confident in his ability to show growth. The pressure to consistently show growth, and the fear that teachers and schools would eventually be called upon to prove that their students made progress during Covid shifted the patterns of teaching in a way commensurate with hypervigilant enactment. In California, schools were still required to have their students sit either the CAASPP, ostensibly an external measure of accountability as required by the EESA, or an alternate exam. However, as

discussed in Chapter One, the state had been granted a 'waiver' from the Federal Department of Education. This waiver meant that while states were required to give their year-end assessments and schools and districts were required to report their data back to the State, that data was not allowed to be used in any accountability measures. While in this case it was formalised in state policy, this is very similar to what was done in England by teachers. In sum, in California the State DoE asked for data from the CAASPP (or equivalent test) even though they promised they would not do anything with it; in England, teachers generated their own data even though they knew nothing would be done with it. Is this still then hypervigilant enactment? As outlined earlier, a key feature of hypervigilant enactment is that the policy the teachers are enacting does not actually exist. In California, it does. I argue that the Californian context showcases a slightly different strand of hypervigilant enactment in the example below.

In California, data was still a primary concern and the key focus of most participants. As James, a district leader noted, '[the DoE] just want the data'. James is commenting on the requirement to continue giving the CAASPP tests even though they were not able to be reported on for accountability purposes. For him it was clear that the Department of Education just wanted the data. Even though they knew it might not show what they were hoping it would, or be accurate in relation to student attainment, those potential concerns were not worth halting the collection of data. This in turn raised issues for participants including Barbara who discussed at length her students that needed to take their tests from home while also looking after their younger siblings. Throughout our interview, Barbara complained bitterly that many of the students in her district were caring for their siblings while attending school as parents could not afford to work from home. She spoke frequently about the disservice done to these students in service of data collection. Even still however, like the teachers from England discussed earlier, Barbara did not question the need for data:

'I don't believe we can get equitable data that will show their progress...not through the CAASPP, and I feel that our formative assessments and our interactions with teachers and the data they collect is more valuable.' (District leader, CA)

Throughout Barbara’s complaints about the collection of data, such as in the excerpt above, never once does she criticize the need for data itself. Data for Barbara is valuable and necessary – she needs the data to understand student progress. Rather, she criticizes the specific methods of data collection for their lack of validity at this point in time. During the pandemic, she finds that data collected internally by their staff is better. In doing so, she uses verbiage almost identical to those used by teachers and school leaders in England.

Dennis, a school principal in California, also expressed that the data was not as valuable as it could be, though for different reasons than those expressed by Barbara:

‘doing your checking for understanding all year long every day is going to give you more valuable data and by the time the CAASPP results come out, you know it's the end of the year. It's summer really...we really just use our data that we collect daily you know’ (CA)

While Barbara is concerned with the reliability and validity of the data, Dennis is more concerned about when the CAASPP data is made available to them. Because the tests occur so late in the year and results and data are not made available until over the summer holidays, it is already too late to use that data to inform teaching for that year. Instead, he focuses on the data they collect internally to adjust their teaching strategies as necessary – teacher assessment as discussed earlier. Notably, he admits that they collect data on students daily. Like Barbara, Dennis wants to collect as much data as possible as frequently as possible in order to know how his students are progressing.

Similarly to Dennis, James also highlights the delay in receiving data back from the state as a key reason that they do not find CAASPP data as useful as they otherwise might, with faster results being crucial:

‘we give a number of benchmarks that are in house that we probably get much better higher quality information from...we use the end of term MAP test so we’re able to get faster results, greater reliability, smaller margin of error.’ (District leader, CA)

James also believes that the results they get from their ‘local benchmark tests’, those from the MAP suite (NWEA, 2022), are not only available quicker but provide better results. The NWEA or Northwest Evaluation Association which creates the MAP

tests, is a not-for-profit organisation that has as its first option under Contact Us to be put in touch with their Sales team – a team that sells assessment suites to schools and states. Their tests are built in partnership with private organisations like Khan Academy, highlighting concerns about transparency and the overinfluence of the tech industry in education (Selwyn, 2016). Though it is not the focus to delve into this element of their programming any further, it is worth pointing out that James would rather place his faith in a private institution than a public one. It is possible this is due to his data and business focus (see Chapter Six), or the frequency of their delivery. Either way, James is continually looking for more and more data –

‘we get more information from the MAP test than we do from the state test’ (district leader, CA)

That data, according to their website, is provided in the form of school, class and student data reports (NWEA, 2022) which provide real-time results for students and tracks them against a ‘projected score’ based on their previous results. It also provides instructional solutions to help teachers bring their students up to their projected score in areas they are found to be weak. This continual focus on progress is a key feature in the increased datafication in schools (Bradbury, 2021). Focusing on progress made can also raise concerns for students who are initially given a low-score as they ‘may be seen as having made expected progress even when they have low attainment later in their school careers’ (Bradbury and Roberts-Holmes, 2018, p.81). This issue is particularly prevalent for EAL / EL students (Darling-Hammond, 2007) as discussed in Chapter Five through narratives of CRT analysis.

James, Barbara and Dennis, though providing different rationales, all believe strongly in the importance of data and as a result, they have datafied their schools. Each of them has implemented benchmarks in their school that sit alongside the summative statutory tests and the data from those benchmarks is everything for them. In the steps to hypervigilant enactment outlined earlier in this chapter, they are all in Step One.

Step Two is the step that did not happen in quite the same way in California as in England. Regardless of the fact that some participants submitted CAASPP scores to the state and others submitted their local benchmarks, all participants in California were required to submit standardised test scores for review by the state.

This means that there was no policy change on the procedural level for schools. That being said, it is interesting and noteworthy that participants felt they were able to mitigate equity and reliability concerns by merely picking the test themselves. James in particular spoke proudly of the third-party tests they used, believing them to be far more valid than the state tests. However, even more noteworthy than this belief that picking their tests improved them, many participants felt that having that level of control over the tests was enough to turn the tide and shifted some of them into enthusiastic advocates of data collection and accountability. While the form of hypervigilant enactment that teachers and leaders in California were engaging in clearly differed from its English counterpart – they could not, for example, be said to have generated the idea of enacting end of year standardised tests entirely on their own – I would argue that their joy in exercising a modicum of control over tiny elements of the process – selecting which standardised test they wished to run – is also a symptom of hypervigilance. These participants were also in a state of such extreme anxiety about the dangers present in their environment that upon being offered a chance to control something incredibly minor, they leapt at the chance to reframe their entire mental narrative of the situation.

Rather than a Step Three that precisely aligns to that in England, where participants regenerated the SATs in the face of a policy removal, in California, participants were able to make one choice about the end-of-year assessments that they wanted to run. In making this one choice, even though all other factors stayed the same, participants happily altered their opinions on the whole process. Instead of continuing to express concern about the ongoing process of high-stakes assessment, participants were comfortable with the fact that just because they had been able to choose the assessment used, the exams became, in their minds, more accurate and appropriate. I posit this as a fourth symptom of hypervigilant enactment. Alongside high levels of anxiety, low levels of trust, tendency to enact policies that do not actually exist, I add a willingness to alter your stance when presented with a tokenistic element of control. Much like was shown with performativity in progress measures earlier, performativity in control is enough. Even when selecting from a controlled and defined group – each potentially as concerning as the last – the semblance of control is able to shift the minds of participants. I

argue that participants' extreme levels of anxiety in relation to the policies at hand primes them to be manipulated into seeing any change as positive. While this is distinctly different from the English iteration of hypervigilant enactment, I argue that the two stances are each half of a whole.

7.6 - The Process in Full

When building out the steps that lead to a hypervigilant form of enactment, we therefore have the following steps:

1. Schools are required to undertake PBA assessments at the end of teaching (*i.e. the SATs at the end of a Key Stage or the CAASPP at the end of each year*)
2. Schools implement their own assessments during the year to track progress towards the high-stakes assessment. They continually measure progress via data collection and eventually come to feel that the progress measures are more important than end results. Schools and teachers devalue the high-stakes assessment as they get more and/or "better" data from their own assessments.
3. Schools push back on the removal of the summative high-stakes assessments as they feel that they have no other way to confirm the validity of their progress measures. Previous concerns about the quality of data collected by these high-stakes standardised tests become less important as the need for data is greater. This could manifest itself as:
 - a. The recreation of the assessments by schools as an end-point assessment, such as through the sitting of old exam papers. Even though they had previously concluded that the assessments in question were flawed and not as accurate as their own assessments, the need for confirmation that progress was being made was a greater need. (England)
 - b. The use of a "choice" between which test paper to offer, even though the tests remain fundamentally the same and are utilised in the same manner for accountability purposes, is used as a rationale to become pro-standardised test. Individuals feel that because they

can exert some small level of control over the system the system is now positive and working in their benefit. (California)

Taken together, these steps lead into a new step four which is that high-stakes assessments become integral to the system as individuals do not know how to wrap up their school year without them:

4. High-stakes assessments become a necessary part of the system with participants feeling positively or neutral about their inclusion. Schools and teachers become willing participants as they cannot imagine a world where these tests do not exist. Even when these exams are removed, teachers and schools will push to have them reintroduced in order to check progress and confirm that they are doing a good job.

Step Four can be seen in the data as many interviewees stated early on in their interviews that they did not support or agree with standardised testing as was outlined earlier in these chapters. However, the final question of their interviews asked if they would like the SATs or CAASPP tests to return in the next school year. Teachers and schools initially pushed back on the idea of government-mandated high-stakes testing. However, when given a direct comparison, a majority of them made a surprising choice:

‘Sometimes I think yeah cancel [the SATs] it’s just silly and then I thought I’d actually keep them in - I would keep them in... and the reason why is we need to measure progress. You need to measure progress and it does have to be done in a formal way, you know, let’s see where they were from their baseline... how effective are we as practitioners? We do deliver best practice on a day-to-day basis and it will inform secondary school’ (Nancy, SLT, Eng.)

Though initially hesitant about her choice, Nancy, in the end, decides that she would keep the SATs in her school. After all, she needs to measure progress and the SATs, as already established, are a dependable way to do so. Earlier in the interview, Nancy told me that measuring progress was the most important thing she could do, but that the SATs were an unreliable measure. However, when asked to think about a possibility of the SATs not existing any further, Nancy is unable to conceptualise the idea. She chooses the SATs returning as her preferred next step, demonstrating a hypervigilant enactment style.

Nancy is not alone in this, Samantha also preferred the SATs to return. Samantha preferred this so much that she spoke about trying to bring other teachers around to her viewpoint:

‘We do also have some teachers who I think are quite used to the traditional way of well ‘they will pass their SATs’... so I think it’s just trying to encourage them that these assessments we’re doing actually they should just be to inform your planning and help children make progress’ (Samantha, SLT / Yr 3 teacher, Eng.)

Not only is Samantha speaking positively about the SATs in this excerpt, she is rejecting as not good enough the ideas of some teachers that just passing SATs is enough. Instead, Samantha is working with teachers in her school to encourage them to see the benefits of the SATs. She is acting as an enthusiastic supporter for a policy that she initially felt unsure about. Samantha is preparing her teachers not just for a return of the SATs, but for new ways of using the SATs should they return. Nancy and Samantha, two senior school leaders in England, felt strongly that the SATs should stay in place as they are a ‘formal way’ of measuring progress. To them, that element of end-of-year formality is required in order to get an accurate reading of progress. They are exhibiting hypervigilant enactment in their enthusiastic embrace of a policy decision that has not yet been implemented.

Dennis, a principal in California, made a similar comment about the CAASPP:

‘I think the CAASPP is a different rigor – it’s quite a bit more rigorous than the [teacher test that was substituted] ...the CAASPP is still quite a bit more difficult. It tests more in depth... it’s just a necessary evil’ (Dennis, Principal, CA)

Though Dennis here speaks of rigor, versus Nancy and Samantha’s discussion of ‘formality’, the implication is the same. All three of these interviewees believe that the CAASPP and SATs are better tests as they provide much needed accurate data. More accurate data they imply, than teacher assessed assessments. It is worth noting that initially, their complaints about the CAASPP and the SATs were that the data was inaccurate and did not portray how their students had made progress over the years. When pushed however, they changed their tune stating they would much rather have these tests.

Several participants, such as Kasia, mentioned how they liked the tests with the exception of the stress they put on children:

‘I do think it’s a really good focus point... it’s an excellent tool to get the children to where they need to be. It’s not teaching to a test, but it is teaching them strategies that they need to know. I think if there was no SATs at the end of the year, I think a lot of children would go up to high school and... actually they’re nowhere near where they should be... SATs week is stressful, but they get the breakfast when they come into school, they get treats, they get like a little party at the end of the week, and I think it’s all about celebrating hard work’ (SLT / Yr 6 teacher, Eng.)

Interestingly however, though Kasia admits that the tests are stressful, she is convinced that the school pageantry built into SATs week turns the children’s stress into a celebration instead. Research by Reay and William (1999) would indicate that children do hold an immense amount of stress about the SATs, and it seems hard to believe that the celebrations would be able to do away with all of that stress. Kasia uses this concept of a celebration to justify her desire to keep the SATs. Nadiya makes a similar comment that students are used to the SATs:

‘We do testing in Year Six and things all the time and they’re used to the assessments and I suppose for children it’s a way of life isn’t it? It’s just what they expect’ (SENCo, Eng.)

The implication in this excerpt from Nadiya is that though there is pressure on students, they are used to it and therefore it can be justified in that regard. While Nadiya does not mention the pageantry discussed by Kasia, her statement also implies that for students the high stakes should be acceptable and normal.

A similar comment was made by Josh, a district leader in California:

‘I actually am not completely against the CAASPP assessment because I think it’s really more in how it’s given... I mean when I was a teacher... it’s about how you set it up with your kids and how you set it up with your parents. So, I think you can really reduce the anxiety and stress if it’s presented in a way that’s without anxiety you know?... I do think that having that consistency across all districts and all schools is important.’

Josh believes that teachers are able to control the amount of anxiety felt by children and their parents. Like Kasia and Nadiya, he feels that the potential stressors can be managed by teachers and are not reason enough to prevent the SATs and CAASPP

tests from occurring. He places the blame for excess stress on individuals and not on the test. Julia also agreed that the SATs can put pressure on students:

‘I do like SATs. I’m actually quite a – I like an assessment. I like to see where children are. I understand, you know, that often there’s a story behind the assessments as well you know, it’s a test on that particular day at that particular time that can affect your attainment. What I don’t like, I don’t like the pressure, I suppose, that SATs puts upon teachers and schools. I don’t like that, however, I think there’s always got to be an assessment when you’re teaching children... I don’t know what the answer is, but we’re still going ahead having a full week of assessments. We still see the value in that’ (Julia, SLT, Eng.)

Notably it is clear that Julia is also a key provider of pressure. Julia and her school went ahead with a full week of assessments built from old papers and their own data collection methods. It is hard to believe that an entire week of exams would not put undue pressure on children. She went on to state that they also shared the data from their week of assessments with parents –

‘we always do really, I mean obviously we do from a SATs point of view... so yes, we will share that information with parents’.

There is a clear argument to be made that if Julia was concerned about putting pressure on children, conducting assessments for a week and sharing the results with the children and their parents would not be the way to mitigate pressure. However, she views the pressure as outside and unrelated to the assessments themselves, allowing her to justify their use.

Amanda comments similarly that this testing is intended to be low stakes:

‘I think that the testing that we do with them, we test Year Six every half term with SATs type assessments, now we do it in a fairly low-key way and try to keep the stakes low and try not to let the kids feel too disturbed by that, but for some children that is inevitably going to be a disturbing process.’

However, she acknowledges that some children will find the exams ‘disturbing’ and high-stakes. I argue that this belief in the malleability of the stakes, where teachers and school leaders can mitigate pressure by switching to a different test, or calling a test a benchmark rather than a standardised assessment is a feature of a school system where participants demonstrate hypervigilant enactment.

Multiple participants mentioned the ability to compare their results with other schools as a key feature of the SATs / CAASPP that they preferred over other assessments:

‘Having worked in a SATs year group, I don’t agree with the push on it and the way of measuring children. However, I enjoy... being able to compare schools and actually in some ways that is helpful knowing which schools have got a good program. We in the past have had to change our phonics programs because we’re not getting the results from them. It is a good guide of knowing which school should I go to, where is it working well, what can I take from it... we have to be able to talk about [the data] and for us, SATs are a really good measure to be able to talk about progress’ (Rachel, SLT, Eng.)

‘Personally, I would stick with SATs. I think it does raise standards. I think it does make sure children are equipped with skills they need to go to Key Stage Three...I think with [teacher assessed schemes] it’s easy to manipulate, I’m not saying people do, but...and I think because [SATs are] so comparative with other schools it just keeps you on your toes and makes sure you’re pushing for that high standard every day’ (Sarah, SLT / Yr 2 teacher, Eng.)

Rachel and Sarah both note the comparative element of the SATs as being beneficial. Sarah discusses how the pressure motivates her to continually be pushing ‘for that high standard every day’. She uses the league tables as a personal measure to make sure that she is continuing to do a good job in her role. Rachel takes a slightly different approach – rather than using the comparative element as motivation, she uses it as a gauge of best practice that she can learn from. Rachel mentioned several times throughout our discussion that her school was consistently rated as ‘Requires Improvement’ by Ofsted – a rating that in her role as deputy head she was working to mitigate. Through comparative SATs results and published performance data, Rachel was able to seek out ‘best practice’ elsewhere in order to bring those ideas back to her school to hopefully make the all-important ‘progress’.

John, another deputy head in England, also mentioned the comparative element as a key positive of the system, but his approach to the SATs was much more nuanced:

‘I think it’s very useful to have an end-of-year six summative point... because primary curricula can look extremely different from school to school so for secondary it’s having a

comparative measure, I get that. What I don't get is just how it's going to be any use to us, and it feels a little bit as if I'm plucking it out of – not plucking it out of thin air – but I'm teaching my curriculum and I'm feeling as if my curriculum is reaping benefits. But how will that translate to a progress measure? Because progress, particularly in schools where you do have a lot of movement, progress is the thing that you kind of are accountable for. I don't know how that's going to look.'

(John, SLT / Yr 6 teacher, Eng.)

John acknowledges the key benefits of the system – namely comparison to other schools and the necessity of an 'end of year six summative point' among others – but in this initial discussion John felt that he did not understand how the SATs could be used as a progress measure. He did not see how the SATs could measure progress and then be used as an accountability element. From the conversation, it is apparent that this is a technical disbelief – he functionally does not believe that the SATs assessments are the right way to collect data to track accountability. Shortly after this portion of the discussion though, John admitted that he did see the SATs as a valid accountability element:

'the SATs give us very finite data anyway, so I get it as an accountability measure, but when a lot of the learning and progress has been dependent on factors outside of our control, I don't think it's right to hold us accountable in the same kind of way' (John, SLT / Yr 6 teacher, Eng.)

From this it is clear that John's feelings and opinions around the SATs are quite nuanced and hard to define. His lack of clarity around if SATs function well as an accountability measure is borne out of the more general lack of clarity around tests like the SATs and CAASPP. They are alternately asked to measure progress, serve as a point of accountability for schools, not have any bearing on student outcomes and yet are a key data point passed along to secondary schools among other requirements. It is clearly extremely incongruous for one examination to be successful at showing all of those elements.

Arthur, another deputy head in England shows a very similar train of thought to John:

'I would like there to be statutory summative tests produced by the DfE that are appropriate and beneficial to schools. I don't think they should be used as an accountability measure. I don't think they should be used as a progress measure. I think the...

accountability should much more be coming to the school, talk to our teachers, talk to our senior leaders... I think it's got too high a prominence and I don't think progress measures work and actually create pressures that can... lead people to succumb to those pressures and that is to the detriment of the pupils because you need accurate assessment. It needs to be, you know, it doesn't help people if it's not accurate... [*later in the interview*] I don't think it should be used as a progress measure because I don't think that system works at all. I don't even mind it being used as an accountability measure, the issue is when it's used as a comparative tool against other schools' (Arthur, SLT, Eng.)

Arthur too has trouble navigating the nuances of how the SATs are used and how he feels they ought to be used in the future. In this interview he contradicts himself multiple times; from arguing that the SATs should not be used as an accountability measure, he shifts to talking himself into not minding if they are by the end of his answer. From these excerpts it can be seen that as SATs and the CAASPP become carriers of more than just their initial uses, it is hard for teachers to pinpoint exactly which elements are beneficial and which are harmful.

The spectre of accountability loomed large over all discussions – many participants stated that they believed they would one day be accountable for the progress of their students during the Covid years – even with explicit statements to the contrary. Josh, a district leader in California, summed up the general mood well:

'I guess if we're doing our job, we shouldn't need the State to hold us accountable... I would say we are already holding ourselves accountable and doing what we need to do. Will the State ever roll around? I mean they have said no... I'm definitely not getting any feel that the State's going to be holding us accountable'.

Josh is clear that he does not anticipate ever being asked by the state government to be accountable for progress of students in his district over the Covid years, and yet he feels that he needs to be accountable anyways. His internalisation of accountability as something that matters and that is a key element of being a good teacher is a core element of the current system and a perfect encapsulation of hypervigilant enactment and its Foucauldian post-panoptic roots (Courtney, 2016).

Overwhelmingly however, not only did teachers and schools implement the SATs and CAASPP tests during years when they were not asked to run them

demonstrating hypervigilant enactment, participants in this study also were eager to return to the “normal”, pre-Covid operating order with a hope that the tests would return from 2022. I would argue this form of Stockholm Syndrome is a key effect of a culture that encourages hypervigilant enactment. To borrow again from psychological metaphors, these teachers have come to see the neoliberal accountability culture as not just the only way forward but the best way forward. Notably, they do so even while acknowledging that they do not believe in these structures when thinking about their professional identity. When in such a state of extreme internalised anxiety as would allow for the creation of hypervigilant enactment, it becomes impossible to see outside of the norm – to envision a different world. After arguably twenty years leading up to this state it is possible that different world does not even exist anymore.

Of course, not all teachers and school leaders are positive about the formalised end-of-year assessments, with a few continuing to hold out against their return:

‘I would say I’m neutral’ (Ellie, Yr 2 teacher, Eng.)

‘I would say screw standardised tests, I would’ (Anne, 3rd grade teacher, CA)

Ellie and Anne were both cases of teachers maintaining an anti-standardised tests stance throughout the interviews – with Anne being one of the most outspoken critics across all interviews. Interestingly, neither Ellie nor Anne taught in a technically high-stakes year. Ellie taught at an independent school which, while it did run the SATs, was not as dependent on them as others. Anne’s students were required to sit the CAASPP, but the third-grade year is not considered one of the most high-stakes. It is possible that their ability to see outside the heightened state of anxiety and hypervigilance is due to the lower levels of pressure and need to measure progress in their environments. Still, the overwhelming majority of participants felt strongly the opposite way. Many of them explicitly stated that they would prefer the return of the SATs and CAASPP tests in 2022 and it was apparent through the actions being discussed that even more of them had found a way to recreate these assessments within their classrooms through hypervigilant enactment. While it is now clear that those tests have returned and will be run in a pre-Covid way in the 2022-2023 academic year, the participants in this study would arguably have run them anyways.

7.7 - Conclusion

Overwhelmingly, this data shows that teachers and school leaders are currently facing a contradiction in how they think about and perform policy. While contradictions in standardised testing beliefs versus executions have long been discussed (Ball et al., 2012; Bradbury, 2019a), prior studies have largely focused on 'doing without believing' (Braun and Maguire, 2020) wherein participants execute policies due to necessity, not because they truly believe in them. This research shows that the idea of believing has been rewritten in these participants and that when put under pressure, they lean into their belief in the system instead of searching for another way forward. Schools and teachers in both locations are obsessed with the need to measure progress and collect data. While true that there are many types of data that can be collected aside from high-stakes testing results, such as 'ad hoc' 'in-house' monitoring of students and teachers' (Selwyn, 2016) to 'naturally occurring' data gathered 'from the daily use of 'virtual learning environments' and other forms of online learning' as well as 'lessons taking place in physical classrooms...[involving] activities conducted through data-driven 'learning management systems'' (ibid) and of course activities such as teacher assessment and observation, datafication is turning that data from a useful way to track progress into a required system of progression and accountability not necessarily driven from the top-down. Teachers and schools are willing to let the quality of data and distinctions between types of data slip in order to further their own narratives. This results in a hypervigilant enactment style where individuals constantly need to prove themselves, even when that proof is not being asked for. The desire to always have data at hand is overwhelming, including data that is not in-house, i.e. that from PBA assessments and high-stakes tests to prove the validity of in-house data. Teachers and schools are unable to see another path forward and become advocates for the system. They maintain and uphold the system even during a time when the system itself is ostensibly taking a break. This I would argue shows a logical conclusion to a 'neo-performative' (Wilkins et al., 2021) Foucauldian culture of teaching where the system is now populated by those that have grown up within it and no other path forward is possible.

In this chapter I have detailed how these neo-performative structures have resulted in a new kind of policy enactment that has been undertaken by teachers and schools. Hypervigilant enactment goes beyond passive 'doing without believing' (Braun and Maguire, 2020) to highlight how teachers and schools have begun to believe in the very thing they also state they want removed. This contradictory idea draws upon theories and metaphors of captive relationships (i.e., Stockholm syndrome) to highlight how a state of hypervigilance, driven by anxiety and PTSD, helps teachers recreate and become their own 'dark central tower' (Perryman, 2009, p.617) in Foucault's theory of the panopticon. They do not need Ofsted; they do not even need the threat of Ofsted to create for themselves a belief system based in accountability. They will execute standardised tests because they believe it is the best way to collect objective and reliable data – data that they need to show progress for their students. They no longer know how to function without it. Regardless of how politicians, researchers, and even outlier teachers feel about it, neoliberal accountability and performativity is here to stay because, through hypervigilant enactment, no other options are able to be dreamed up.

Chapter Eight – Conclusion

8.1 - Summary of Findings

In this study I explored the actions taken by teachers and schools in relation to performance-based accountability and high-stakes tests in primary schools during Covid. I looked at two locational contexts, England and California, in order to highlight that neoliberal accountability structures, even when superficially different, result in similar policy actions taken by participants in those systems during times of crisis. I also explored the supports and provisions in place during the pandemic for EAL / EL pupils. Though participants cited communication and language issues as their number one concern coming out of the pandemic, they did not translate that into supports for their EAL / EL students. Data was analysed using Foucauldian theories of governmentality, power and the panopticon and critical race theory derived theories of intersectionality and raciolinguistics. By reviewing two locations, it is possible to begin to understand which elements of participants' reactions might reveal something deeper about neoliberal policy.

In this study, the Covid pandemic served as a lens, as it resulted in core elements of performance-based accountability policy being stripped away for a short time. These circumstances allowed for a deep exploration of why participants in the system make the choices they do in relation to policy enactment. Without policy structures such as SATs and CAASPP testing in place, participants were forced to make their own choices about the importance of standardised testing and accountability. Teachers, school leaders and local authority and district leaders acted in similar ways, making choices that reflected what I describe as a new concept of hypervigilant enactment in both locations. Many of them made superficially surprising choices; by choosing to run versions of the SATs and CAASPP tests for themselves, teachers and school leaders counteracted their own stated viewpoints as being anti-assessment. Even though they outlined their dislike of the assessments in questions earlier on in the interviews, their lack of belief in the veracity of the results, and their disgust at the pressure put on students through their implementation, once that test-based accountability system was removed they were eager to have it back. This suggests that progress measures and data have become the most important

elements of schooling, and these ‘neo-performative’ (Wilkins et al., 2021) teachers no longer know how to see a world without them. This it could be argued represents a sort of “completion” of datafication in Foucauldian terms which results in a world wherein belief about the quality of data or the impact of gathering it is put aside in an uncompromising need for the data to exist.

At this point, it is important to note that teachers and schools are affected by the structures of schooling and neoliberal education policy makers which impact their abilities to make truly unique choices. These conclusions are not meant to condemn teachers, but rather to understand *how choices are made* in schools and which elements of education have become so entrenched as to be believed to be impossible to remove.

In the resulting process I call hypervigilant enactment, it is not necessary for policies to actually be in place. Participants enacted policies of data collection and PBA without governments requiring them; in fact they did so even when governments explicitly removed those policies from operation due to Covid. Participants’ fear of the unknown future and overwhelming need for data resulted in governmental actions not actually mattering for students. Even though, for example, government policy was to cancel high-stakes testing such as the SATs, students did not necessarily see those changes. Participants felt strongly that they needed to know if they were “doing a good job” teaching their students during the pandemic and that the only way to know if they were doing a good job teaching was through the collecting of data to measure student progress, similar to what was seen in Daliri-Ngametua et al. (2022). Over time, this need to collect data in difficult circumstances resulted in a slippage in type of data collected, quality of data collected and the amount of data collected. Through participant comments and a focus on three individuals, it became clear how little it mattered if the data was believed to be good and accurate. Instead, what mattered was *that the data existed* so that progress could be shown. Foucault’s theories of the panopticon, as furthered by Courtney’s (2016) understanding of ‘post-panoptic’ behaviour, ring true in the actions taken by participants. Participants also fed into CRT-derived deficit discourses by holding that their EAL / EL pupils would likely have started off “lower” in relation to achievement scores and therefore could be seen as making progress even if they had not caught

up to the rest of their class. Chapter Six outlined these results and focused on how datafication had become all-encompassing for participants.

In Chapter Seven, I attempted to understand the why behind participants actions as outlined in Chapter Six. Out of participants' descriptions of their actions, I built a theory of hypervigilant enactment which drew from theories of power and policy enactment to understand participants' seemingly incongruous choices. Hypervigilant enactment is characterised by high levels of anxiety and low levels of trust and results in participants who are desperate for an element of control in the system. Participants demonstrating hypervigilant enactment often execute that need for control by enacting policies that are not currently in existence. Hypervigilant enactment results in individuals who do not trust that the government's policies are actually the government's expectations of teachers and schools. Instead, they enact what they *think* government's expectations will be in line with Foucauldian theory. In this iteration they recreated processes of high-stakes tests in their classrooms and schools out of a need to collect attainment data to track student progress. Even though the intention was for tests to not be implemented during the pandemic, the teachers and schools that participated in this study did deliver them anyway. Participants felt that they needed the data both for themselves, so that they could measure progress and they believed that eventually Ofsted or the CDE would come calling, asking them to produce data that showed student progress during the pandemic. Several participants mentioned 'thrusting' the data upon inspectors, should they not actually ask for it in the end. In this hypervigilant enactment style, individuals are encouraged to always have data ready so that they can react and respond to any accusations of a lack of student progress that might come their way. In this way, Chapter Seven outlined the new concept of hypervigilant enactment and how it was seen in the data.

This study also sought to understand how provision and supports for English learners were implemented during Covid with an eye to understanding how these students' particular needs were supported by their teachers and schools. This focus drew on my original research plan which was to explore high stakes test policy in relation to EAL / EL students using raciolinguistics and critical race theory. Chapter Five outlined the results from these questions to tragic effect by highlighting how,

essentially, EAL / EL students were not supported in provision during the pandemic. Overwhelmingly, participants attempted to pivot away from the question or answer in terms of the supports provided for all students. While there is no attempt by this study to diminish the notion that all students needed support during the Covid years, it is equally not attempting to diminish the unlikelihood that EAL / EL students did not need additional provision. Participants cited language and communication issues as the number one concern they had for all students upon the return from distance learning, and given that data, it is unfathomable that EAL / EL students did not need additional consideration during this time. There is the potential that concerns about the meaning behind the EAL / EL label resulted in a lack of clarity around which students to support, but participants did not appear to fully understand the labels. Instead, the conclusion from the data is that, to adapt a common idiom, when the going got tough, participants were more than willing to let their focus on equity slip. Drawing upon a CRT critique, there is a case to be made that when faced with the prospect of all students' achievement suffering, it was the White, middle-class, 'normal child' (Mac Naughton, 2005) that was "saved".

Furthermore, I would argue that this focus on the 'normal child' (ibid) is related to hypervigilant enactment. The extreme state of anxiety felt by teachers and school leaders and their drive to see results in the data does not allow them any time to focus on equity, inclusion or related issues. Equally, when showing progress in the data, it is the aggregate that is most commonly shown. There is a case that, as EAL / EL students are only a subset of the pupil population and that "more effort" might be needed to make the same sort of progress gains in the data as 'normal' children, that focus would be shifted to those most able to result in a bump in the data, reflecting an element of 'education triage' (Gillborn and Youdell, 2000). Some students, to put it simply, are more worth working with than others within this neoliberal data-driven context. This is not by any means an excuse for the actions outlined by teachers and school leaders, merely an understanding that these processes are linked, and that hypervigilant enactment does not leave any time for attempts to include historically marginalised populations. It can be said therefore, that hypervigilant enactment pervades all the results from this study, including those on EAL / EL students.

In summary, this thesis explored how many of neoliberalism's surface level tenets and caveats were stripped away, revealing deeper theoretical and practical components of how neoliberal accountability works in education.

Hypervigilant enactment will potentially have many effects on the future of schooling in both countries, as will be addressed later in this chapter. This chapter will also provide implications for policy resulting from this understanding of hypervigilant enactment, as well as limitations from the study. First however, this chapter will review the research questions of this study and explore how they have been answered throughout this work.

8.2 - Research Questions

This research has addressed all three research questions that it originally set out to in the beginning of this study.

- i. Did Covid-related adjustments to high-stakes testing impact provision and supports for EAL / EL pupils in primary schools in England and California?

This study showed that there was a distinct impact on provision for EAL / EL pupils in primary schools in England and California as a result of the Covid pandemic. It was postulated that the policy adjustments to high-stakes testing in the two locations would result in more free time for participants and therefore a greater ability to focus on equity. Initial comments from participants outlining their key focus as being on communication and language issues also indicated a potential uptick in supports for EAL / EL students. The results of this research showed that that unequivocally did not happen among participants. Instead of increasing the time available to support and provide for their EAL / EL pupils, overwhelmingly schools elected not to focus on them at all. Participants were eager to move the conversation along, equate their EAL / EL populations with other "sub-groups" for which they provided a "one-size-fits-all" support model and draw my attention to the needs of all students. Though there were clearly concerns with the accuracy of the label, ultimately, the impact on provision was poor. Though "we need more time" has often been a rallying cry from teachers in relation to high-stakes testing, even outside of the Covid pandemic there is no reason to believe, as seen with hypervigilant

enactment and drawing from CRT interest-convergence analyses, that more time would translate into better provision for EAL / EL pupils.

- ii. Did Covid-related adjustments to high-stakes testing result in changes to the datafication seen in primary schools in England and California?

Covid-related adjustments to high-stakes testing were linked to an increase in the datafication of primary schools in both locational contexts. The lack of testing or accountability tied to testing did not result in a drop in the need for data. Instead, participants felt concerned that the tests meant that the data they felt they needed would not be available to them. For them, the need to show that their students had made progress was the undoubted priority of the pandemic and they made all sorts of adjustments to data collection to make sure that it was possible for them to show progress. Participants were willing to accept a drop in the quality and accuracy of the data in order to ensure that they had the data; in other words, they felt it was better to have the data than to have it be good quality. This was seen in many comments from participants noting that they felt confident that the data quality could not be very good due to the circumstances of its collection, but in the end utilising that data anyway. Over time, our conversations indicate that participants are unwilling to deep-dive into data quality and are more accepting of an assumption that if it has been collected it is of good quality. In this way slips in the data can continue to be seen, as once it is gathered, quality, validity and reliability all become devoid of meaning. Many appeared to feel that a footnote acknowledging low data quality was enough to absolve participants of worry and that they were then free to utilise it. Even in light of policy adjustments from Ofsted and the CDE asking for fewer data from schools, participants felt that they needed to have the data anyway. They believed that they would be asked to “prove” their results eventually and that without the data they would have no way of doing so, an idea that can be linked to Foucault’s ideas of the panopticon. In the end, the need for the data resulted in participants implementing the very policies they claimed to dislike. Though high-stakes testing was initially declared to be unnecessary, when participants were able to control elements of its implementation they felt compelled to do so in support of furthering Foucauldian theories linked to datafication.

- iii. How did teachers and school leaders enact policies related to Covid-era adjustments to high-stakes testing in primary schools in England and California?

Teachers and school leaders enacted policies in new ways during Covid; most notably, they enacted policies that were not currently established. This study has argued for a new form of policy enactment called hypervigilant enactment, in which policies do not need to be currently required in order for them to be enacted. Instead of enacting policies that have been created by the government bodies in charge, participants enacted the policies they thought the government *was going to* implement. Notably, participants took the onus upon themselves to anticipate government policy moves and reacted to their own expectations of what would happen next. Participants also showed a willingness to shift their opinion of policies based on superficial adjustments, in particular adjustments that created an element of control for teachers and school leaders. Even if only a single choice was created through a policy adjustment, such as in California where participants were asked to submit either the CAASPP or their own exam from a list of options, participants suddenly felt much more positively about high-stakes testing policies. Hypervigilant enactment is characterised by extreme levels of anxiety on behalf of the enactors, so much so that it is logical that they desperately crave an element of control in the system and therefore enact policies that they see as coming down the pipeline. Though Covid opened the door to viewing this enactment style, it is likely that this is persisting across both locations due to the continued neoliberal devaluation of teachers' professionalism, drive for data and emphasis on progress. Other data has agreed that teachers are concerned with utilising data to show that they are doing a good job (Daliri-Ngametua et al., 2022) and that the neoperformative (Wilkins et al., 2021) and post-panoptic (Courtney, 2016) eras are likely to continue, reinforcing the likelihood that hypervigilant enactment will as well. In an upcoming section on implications, I will analyse the potential ways that this continuation might play out.

8.3 - Contribution to knowledge

This study makes methodological, conceptual and empirical contributions to knowledge.

From a methodological standpoint, this study showed that it is possible to arrange interviews and collect and analyse data entirely online for a multi-site, international study. In particular, this study showed that not only is it feasible to conduct interviews online, but it is possible to run semi-structured interviews online. Semi-structured interviews rely on building a connection and letting participants direct elements of the conversation, which can be tricky in an online setting. It is often harder to develop a rapport in distance settings which can impact the ability to collect data, however this study showed that it was possible and indeed there are perhaps even some advantages to conducting online interviews. This research confirmed findings from (Gray et al., 2020) that the ease of conducting interviews online, in a time and location convenient for participants is a major advantage of online interviews.

This study also contributed to the field by attempting a comparative policy enactment study. Policy enactment studies are typically focused on a single setting, making them excellent for developing an understanding of a particular context. In this study, I worked with two similar locations in order to begin to understand what factors might transcend context. England and California are similar enough that they can be compared, but different enough, particularly during the pandemic, to take different policy paths. This study, however, focused on how neoliberalism smoothed out the differences in their contexts to result in one similar neoliberal context. Through this, I was able to show that context can have a wider definition than perhaps initially thought. The political context may be the overriding factor in enactment, transcending localised contexts. In this way, I have been able to use a policy enactment study to begin to develop an idea that certain truths about how school leaders and teachers implement policies can transcend the very narrow contexts in which they are initially enacted. The frames of reference used by school leaders and teachers are the same (i.e. data is necessary so that we can prove progress is being made) despite the variations in local contexts. This suggests that it is important to review the political context to understand how it might impact on policy enactment.

From a theoretical standpoint, this study contributes to knowledge by building on the body of work that utilises theories based in Critical Race Theory with Foucauldian theories around power. While perhaps not as immediately obvious, utilising these theories together allows for new understandings to be drawn from data. As Critical Race Theory is a theory focused on macrolevel structures in society and Foucauldian theories of power/knowledge are more focused on the individual, combining the theories into a single theoretical framework can allow for the limitations in these theories to be overcome. By building on them simultaneously, conceptualisations of power as both structural and individual have been shown to exist in this study. Actions taken by participants reflect both their individual choices and rationalisations in the moment as well as the structural elements at play in society. As more research begins to combine these two elements, this study is a useful part of the development of that body of work sitting alongside the work of Beneke (2022), Welton and Cumings Mansfield (2020) and Bradbury (2019a).

Finally, this study contributed to knowledge in the field through its empirical findings. By utilising Covid as a lens, this work was able to peel back layers in the structure of “schooling as normal” in order to determine which elements of policy are most important to participants. As participants made choices about what policies and tasks to continue undertaking during the pandemic, a time undoubtedly described as a crisis in both nations, this work has begun to show that ideas of datafication are so deeply embedded in society that it is no longer possible for many to conceptualise an experience of education without them. Participants repeatedly chose to carry on processes of datafication, even as they justified the increasing fallibility of their data. This thesis argues that processes of datafication have become so normalised that teachers and schools are no longer able to understand a world without it. This thesis also argues that data collected via high-stakes mechanisms such as the SATs and CAASPP tests, originally considered to be of low quality, is given a place of importance in the hierarchy of data. Participants rushed to implement high-stakes data collection and increasingly raised the stakes on their initially low-stakes data collection.

Additionally and perhaps most importantly, this study contributes to knowledge by arguing for the existence of hypervigilant enactment, a form of

enactment wherein teachers and school leaders are so desperate for an element of control in the school system that they enact policies that are not currently in operation. They no longer believe government bodies when they announce policies, instead enacting what they think the government will ask for in the future. Covid helped to shed light on this enactment style as participants refused to believe that there was a world in which they would not eventually be asked to show that their students had made progress during the pandemic, and as such collected data to show that progress. However, it is not the case that this process is exclusive to Covid, rather Covid allowed for a case of “lifting the veil” by altering core government policies for the first time in decades. The implications of this important contribution to knowledge through the creation of a new concept will be discussed further in the next section.

Through its methodological, theoretical and empirical contributions, this study has contributed to knowledge in the field in both locational contexts.

8.4 - Implications for the Future

Even though it is widely agreed that the Covid pandemic is now in the past, hypervigilant enactment and datafication continue to have implications for the future. I have argued in this work that hypervigilant enactment is not purely a symptom of Covid, rather, it is the case that the stripping away of core policies during the Covid years shone a light on practices that had been developing for a while and allowed hypervigilant enactment to be seen. For this reason, I argue that these practices will not disappear post-Covid. In this section, I will outline some initial thoughts on how hypervigilant enactment will continue to be seen in the future and what this might mean for teachers and researchers.

Implication 1: Pursuit of Data at All Costs

This study suggests that teachers and schools will continue to collect overwhelming amounts of data in order to measure progress. Covid showed that old standards of data quality are slipping and I would anticipate them to continue to fall in the years to come. This is because, now that it is clear that it is more important to

have data that tells the right story than to have that data be top-quality, I would expect to see the data collected continue to be of lower and lower quality until eventually a new standard is introduced. This research showed that while ‘formative’ data is touted as the ideal by teachers and school leaders, they also feel that ‘summative’ data has an important place. This suggests a continued attachment to high-stakes testing. Particularly as data quality slips in school-collected data, I expect there will be a greater importance placed on the state data to “confirm” what schools feel they already know. Even in the absence of a particular high-stakes assessment, however, I would argue that high-stakes will continue to be attached to data. As datafication increases, there will be continual pressure to track student progress via data collection, resulting in more and more data collection practices gaining high-stakes elements.

In service of the need for data collection, I expect that should PBA assessments be removed in the future, teachers will continue to run them for many years. Hypervigilant enactment means that teachers and schools are comfortable enacting policies that do not technically exist, and that they struggle to function without the data that they expect to have. It also results in a lack of trust that the government will not change its mind or ask for some variation on testing data anyway. This may result in teachers and schools enacting testing as data collection measures for years to come, even if those tests have technically been removed. For example, in England, the KS1 SATs have been made non-compulsory from the 2022-2023 academic year. I anticipate that many teachers will continue to deliver them in order to have the data and be able to track their students’ progress towards the KS2 SATs, demonstrating hypervigilant enactment. When viewed as a progress check, the end of KS1 is a logical time to start to gauge how pupils are progressing and the KS1 SATs are known to be a reliable measure. Teachers and schools will feel that by alleviating the pressure and accountability elements the tests will be much less high-stakes and will in fact be positive or neutral for students and be useful data for themselves. This added element of control, as seen in hypervigilant enactment, will result in ‘doing with believing’ as teachers and school leaders enthusiastically embrace the measures as a progress check – in contrast to Maguire and Braun’s ‘doing without believing’ (2020). Over time, teachers and schools

themselves will end up adding pressure back in, likely by working together to create accountability measures and / or beginning to see the progress measure as high-stakes for themselves. It will take many years therefore for this to resolve itself in the ways that we might anticipate after the removal of a high-stakes test, due to the prevalence of hypervigilant enactment styles in both contexts. By that time, however, it is also possible that new government policies will have created more things to be hypervigilant about.

Implication 2: Equity as a Low Priority

In relation to EAL / EL students, my findings suggest that they will continue to be supported as a last resort. This research showed that ideas of equity and inclusion are difficult to maintain in the face of “more pressing problems” such as the Covid pandemic. In other words, inclusion is all well and good until it starts to infringe upon the White middle-class. Should another “more pressing problem” appear, support for EAL / EL students will dry up quickly. This neglect may be slow and subtle but a clear pattern nonetheless as participants focus on the things that they see as most pressing such as data collection and progress measures, actions made clearer by hypervigilant enactment styles. I also anticipate that schools will focus on “trendy” elements of CRT provision with EAL / EL students’ provision being subsumed into that, as we saw in Chapter Five with Liv from the council in Forestshire focusing on anti-racism more than her EAL / EL brief. That is not to say of course that a focus on anti-racism is a bad thing, merely that without dedicated provision, support for EAL / EL pupils will continue to erode. A continued lack of focus on language is part of the perpetuation of English majoritarian discourses (Mitchell, 2013). This aligns with a CRT perspective that racism is endemic and multifaceted and that efforts to counter-act racism are often tied to the principles of interest-convergence and interest-divergence (Gillborn and Ladson-Billings, 2019). Without interest-convergence aligning the needs of EAL / EL students with majority populations interests (such as in Kelly’s (2018) description of Arizona education policies) it is unlikely anything will change.

Implication 3: Think Big & Long Term

This research has shown how processes of datafication, the importance of progress measures and the resulting effects of PBA assessment on those processes are endemic among teachers and school leaders in the two neoliberal societies analysed. This research showed that removing elements of the structure will not necessarily be enough to change the rest of the system due to hypervigilant enactment. Teachers and school leaders have now grown up in this system, and after more than twenty years, it is difficult for them, or anyone to see a different path forward. Additionally, due to the high levels of anxiety that teachers and school leaders have experienced for so long, they do not trust governments to say what they mean and mean what they say. For participants, policies like Ofsted's 2019 switch to requiring less data were not considered to be harbingers of a new era. Instead, participants kept collecting data – even more data – as they did not believe that Ofsted would not actually ask for it, following on from Foucault's theories of the panopticon. On the off-chance Ofsted did not, they were asked to 'thrust it in their faces' to prove that they had been making progress after all, a common symptom of hypervigilant enactment.

In order to change this system, big, blue-sky thinking is necessary. It is no longer enough to ask for a removal of the high-stakes assessments, instead long-term changes need to be crafted. Policies also need to be given a longer-term in which to work. This study showed that even two years is not necessarily enough, teachers demonstrating hypervigilant enactment will need years before they are able to shift their teaching strategies. Adjustments to CPD and teacher training will also be needed as teachers will require support to begin to alter their teaching patterns, in particular this should touch on improving teacher assessment literacy.

8.5 - Study Limitations

There were a few limitations to this study that are worth addressing. First of all, though the Covid pandemic was viewed as a lens through which light could be shown on practices relating to high-stakes assessment, Covid was also a key factor in the lives of participants. When calls have been made for the removal of high-stakes testing, it is of course not the case that those calls came from people wishing

the circumstances would be a global pandemic. Teachers and school leaders were undoubtedly suffering from the effects of the pandemic, and there is a compassionate requirement to understand that all actions taken during the pandemic were likely taken under extreme duress. Though there is reason to believe that hypervigilant enactment, now that it has been seen, will persist in the non-Covid years, research should be done to confirm that hypothesis.

Additionally, Covid resulted in lower than anticipated numbers of participants for the study. This research could be replicated with more participants from a greater breadth of areas within England and California to deepen the understanding of the effects of the Covid pandemic on high-stakes testing, though the questioning would now have to be retrospective. Furthermore, additional locations could be brought in to truly understand the variables at play.

As participants for this study were contacted with a short brief on the purpose of the study, it is also likely that on some level participants were self-sorting, i.e. those that volunteered for this research were also likely to be those who had strong feelings about datafication and high-stakes assessment during Covid. It is possible therefore that participants were more inclined to express strong beliefs than those that chose not to participate. Replicating this research with more participants would therefore allow for the ideas and arguments put forward in this study to be deepened and expanded.

8.6 - Future research

This research lends itself well to further study. First of all, more research should be done to establish the extent of hypervigilant enactment. While Covid allowed for hypervigilant enactment to be seen in a way that a non-Covid year would likely not have showed, it would be useful to continue to establish hypervigilant enactment post-Covid. The removal of requirements to complete the Key Stage 1 SATs in England would be a good starting point for further research. I argue that hypervigilant enactment should continue to be seen, with teachers and school leaders likely choosing to continue delivering the Key Stage 1 SATs in order to continue collecting data that they deem necessary to functioning as a school. Further

research with teachers and school leaders including internationally would be useful in determining the prevalence of hypervigilant enactment.

8.7 - Concluding Thoughts

In conclusion, this research study set out to understand the effects of Covid-era adjustments to high-stakes testing policies on teachers and school leaders in primary schools in England and California. This research found that these effects were serious and have key implications for the future. Most importantly, this research argued for a new policy enactment style known as hypervigilant enactment which is a symptom of a high-anxiety and low-trust environment. Hypervigilant enactment results in teachers and schools that are fighting for any element of control in the school system. They will undertake contradictory actions including enacting policies that do not actually exist in order to regain some form of control. Though this research was conducted during a time of extreme uncertainty for schools in the form of the Covid pandemic, the patterns of behaviour identified will potentially be seen for many years to come.

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Appendix A – CAASPP System of Assessments

2022–23 California Assessment System

Legend:								
CR	–	Constructed response	PA	–	Performance assessment	SR	–	Selected response
MC	–	Multiple choice	PT	–	Performance task	TE	–	Technology enhanced
California Assessment of Student Performance and Progress (CAASPP)								
Test	Content	Format	Type	Participants	Grades	Window		
Smarter Balanced Summative Assessments	English language arts/literacy (ELA) and Mathematics	Computer Adaptive Test and PT	MC SR CR TE PT	All students at designated grade levels Exceptions: • Eligible students participating in the California Alternate Assessments (CAAs) • ELA only—English learners who are in their first 12 months of attending school in the United States	3–8 and 11	Local educational agencies (LEAs) may select their own local testing window which must: • Have a minimum window of 25 instructional days • Fall within available statewide testing window: January 10 through July 17, 2023		
California Science Test (CAST)	Science	Computer Based Test (CBT)	MC SR CR TE PT	All students in designated grade levels Exceptions: • Eligible students participating in the CAA for Science	5 and 8, and once in grade 10, 11, or 12	LEAs may select their own local testing window which must: • Have a minimum window of 25 instructional days • Fall within available statewide testing window: January 10 through July 17, 2023		
California Spanish Assessment (CSA)	Reading and Language Arts in Spanish	CBT	MC SR TE	Students seeking a measure of their Spanish Reading/Language arts skills	3–8 and high school	LEAs may select their own local testing window which must: • Have a minimum window of 25 instructional days • Fall within available statewide testing window: January 10 through July 17, 2023		
California Alternate Assessments (CAAs)	ELA and Mathematics	CBT	MC SR CR TE	Students with the most significant cognitive disabilities whose active individual educational program (IEP) designates the use of an alternate assessment	3–8 and 11	LEAs may select their own local testing window which must: • Have a minimum window of 25 instructional days • Fall within available statewide testing window: January 10 through July 17, 2023		
California Alternate Assessment (CAA)	Science	CBT and Embedded PT	MC SR TE	Students with the most significant cognitive disabilities whose active IEP designates the use of an alternate assessment	5 and 8, and once in grade 10, 11, or 12	September 2022 through last day of instruction or July 17, 2023, whichever comes first.		
Smarter Balanced Interim Assessments	ELA and Mathematics	CBT	MC SR CR TE PT	All students in California LEAs may participate	3–8 and high school	Optional tests available at any time throughout the year that may be used in conjunction with Tools for Teachers resources.		

English Language Proficiency Assessments for California (ELPAC)

Test	Content	Format	Type	Participants	Grades	Window
Initial ELPAC	Listening, Speaking, Reading, Writing	CBT	MC CR PA	All students whose primary language is not English as indicated on the Home Language Survey (HLS)	K–12 ⁽¹⁾	July 1, 2022 through June 30, 2023. Must be administered within 30 calendar days of enrolling in a California public school for the first time.
Summative ELPAC	Listening, Speaking, Reading, Writing	CBT with paper and pencil test for K–2 Writing	MC CR PA	Identified English learners until they are re-designated as fluent English proficient	K–12 ⁽¹⁾	February 1 through May 31, 2023
Initial Alternate ELPAC	Expressive (Speaking and Writing), Receptive (Listening and Reading)	CBT	MC CR	Students with the most significant cognitive disabilities whose active IEP designates the use of an alternate assessment and whose primary language is not English as indicated on the HLS	K–12 ⁽¹⁾	July 1, 2022 through June 30, 2023. Must be administered within 30 calendar days of enrolling in a California public school for the first time.
Summative Alternate ELPAC	Expressive (Speaking and Writing), Receptive (Listening and Reading)	CBT	MC CR	Identified English learners whose active IEP designates the use of an alternate assessment until they are re-designated as fluent English proficient	K–12 ⁽¹⁾	February 1 through May 31, 2023

⁽¹⁾ Kindergarten includes year one of a two-year kindergarten program, which is often referred to as "transitional kindergarten."

Physical Fitness Test (PFT)

Content	Format	Type	Participants	Grades	Window
Aerobic Capacity, Abdominal Strength and Endurance, Trunk Extensor Strength and Flexibility, Upper Body Strength and Flexibility, and Flexibility	FITNESSGRAM® Performance Assessment. The FITNESSGRAM® is a registered trademark of The Cooper Institute.	PA	All students, regardless of whether they are enrolled in a physical education class or participate in a block schedule	5, 7, and 9	February 1 through May 31, 2023

California High School Proficiency Exam (CHSPE): For information visit the California Department of Education CHSPE web page at <https://www.cde.ca.gov/ta/tg/sp/>.

High School Equivalency (HSE): California has approved the use of two high school equivalency tests GED® test and HiSET®. For more information on these two optional tests visit the California Department of Education HSE web page at <https://www.cde.ca.gov/ta/tg/gd/>.

National Assessment of Educational Progress (NAEP): For information visit the California Department of Education NAEP web page at <https://www.cde.ca.gov/ta/tg/ni/>.

Appendix B – Participant Information Sheet

Institute of Education



High Stakes Assessment and English Language Learners: Policy enactment in England and California

January 2021 – July 2021

Information sheet for Teachers

What is this about?

I am carrying out a project for completion of a PhD Thesis at the UCL Institute of Education in London which aims to investigate how teaching staff understand and implement policies around high stakes testing. I very much hope that you would like to take part. This information sheet will try and answer any questions you might have about the project, but please don't hesitate to get in touch if there is anything else you would like to know.

Who is carrying out the research?

The main researcher of the project is:

- Erin Simpson: erin.simpson.19@ucl.ac.uk

She is being supervised by:

- Dr Alice Bradbury: a.bradbury@ucl.ac.uk
- Dr Antonina Tereshchenko: a.tereschenko@ucl.ac.uk
- Dr Olga Cara: o.cara@ucl.ac.uk

Why am I doing this research?

This research aims to produce new comparative evidence on the role school and district staff have in implementing policies around high stakes testing in California and England in support of EAL learners. School and teaching staff will be interviewed in the hopes of gaining a complete picture of how policies have been adjusted and enacted in light of the COVID-19 pandemic in order to devise improved ways of developing policy. It is conceived in the context of an abundance of conflicting high-stakes testing policies in both locations as well as in the hope of documenting how the COVID-19 pandemic effected high-stakes testing and creating the potential for lasting change to be brought about through findings from this unique year.

Why am I being invited to take part?

To research teachers' experiences with policy, I am conducting in-depth interviews and reflections with primary school teaching staff and teaching-adjacent staff members in each location. Additional interviews will take place with school and district leadership.

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What will happen if I choose to take part?

You will be asked a number of questions about your interactions with policy in relation to high stakes testing, EAL students and COVID-19. The interview should take about 40 minutes. It will be scheduled at a time convenient to you and conducted online via MS Teams or Zoom. An audio recording will be taken through the video conferencing platform and a backup audio recording will be made using a recording device. Additionally, you might be asked to complete a 1 page worksheet at the end of the school year to capture any additional thoughts you might have had over the course of the term.

Will anyone know I have been involved?

We will not use your name or the name of the school in any report arising from the research, and no information that could otherwise identify you will be made public.

Audio files will never be provided to anyone and only pseudonymised transcripts will be utilised for analysis.

If a safeguarding issue arises or there is concern that the health and safety of a child or the participant is at risk based on information provided in this study then confidentiality will not be able to be guaranteed as there is a duty to report these concerns.

What will happen to the results of the research?

This research will form the bulk of a PhD thesis submitted to the UCL Institute of Education. Additionally, results aim to be made public to academics through journal articles, and policy makers and district leaders through policy briefs as well as teachers and charities. All use of data will be compliant with the GDPR guidelines and California's data protection legislation. California's data protection legislation aligns very closely with the GDPR and where slight differences exist the stricter of the two laws will be used. The data from this research will be stored in a secure electronic format on UCL systems under password protection.

Do I have to take part?

It is entirely up to you whether or not you choose to take part. We hope that if you do choose to be involved then you will find it a valuable experience. If you feel uncomfortable during the interview, you are entitled to stop at any point without providing a reason.

What about the pandemic?

This research was originally designed years before COVID-19 was a part of the lives of those in both contexts of this study. Due to the impact of the pandemic on the lives of those in England and California and particularly on the students, teachers, and education systems there, much consideration was given to whether to proceed with the research or delay until after the pandemic. A pilot study was undertaken with participants using snowball sampling in both locations in order to gauge willingness to continue with the research. In the end, it was concluded by all stakeholders and pilot participants that the unique time actually could strengthen the goals of the study. In England, 2021 marks the 2nd year that the end of primary Sats will not have taken place. In California, the CAASPP was granted a federal waiver for 2020 but currently is planned to be carried forward in 2021. Both locations are conducting schooling online currently though there are plans to have students back in

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physical classrooms in March. Online schooling poses specific and new concerns for EL/EAL students as while there are new challenges for all students, these students are facing heightened versions of those challenges.

Data Protection Privacy Notice

The data controller for this project will be University College London (UCL). The UCL Data Protection Office provides oversight of UCL activities involving the processing of personal data, and can be contacted at data-protection@ucl.ac.uk. UCL's Data Protection Officer can also be contacted at data-protection@ucl.ac.uk. Further information on how UCL uses participant information can be found here: <https://www.ucl.ac.uk/legal-services/privacy/ucl-general-research-participant-privacynotice>

The legal basis that would be used to process your personal data will be performance of a task in the public interest. The legal basis used to process special category personal data will be for scientific and historical research or statistical purposes/explicit consent. Personal data that will be collected include your name, occupation, gender, ethnic background, language and political opinions. No non-pseudonymised data will be provided to anyone and only pseudonymised data will be used for analysis.

Your personal data will be processed so long as it is required for the research project. We are able to anonymise or pseudonymise the personal data you provide, and will endeavour to minimise the processing of personal data wherever possible. If you are concerned about how your personal data is being processed, or if you would like to contact us about your rights, please contact UCL in the first instance at data-protection@ucl.ac.uk.

If you have any further questions before you decide whether to take part, you can reach Erin Simpson at erin.simpson.19@ucl.ac.uk

If you have concerns about the research being undertaken you may also contact Erin Simpson's PhD supervisor Dr Alice Bradbury at a.bradbury@ucl.ac.uk or the IOE Research Ethics Committee at ioe.cde@ucl.ac.uk

If you would like to be involved, please complete the following consent form.

This project has been reviewed and approved by the UCL IOE Research Ethics Committee on 21st January 2021 and has a Data Protection number of: **Z6364106/2021/01/37**

Thank you very much for taking the time to read this information sheet.

Appendix C – Participant Consent Form



High Stakes Assessment and English Language Learners: Policy enactment in England and California Consent for Interviews

	Yes	No
I confirm that I have read and understood the information sheet, and have had the opportunity to consider the information, ask questions, and have had these questions adequately answered.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that my participation is voluntary and that I am free to withdraw at any time, without giving any reason.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that I can refuse to answer any or all of the questions and that I can withdraw from the interview at any point and that if I choose to do this, any data I have contributed will not be used.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that I can contact Erin Simpson at any time up to two weeks after the interview and request for my data to be removed from the project database.	<input type="checkbox"/>	<input type="checkbox"/>
I agree for the interview to be audio-recorded, and that recordings will be kept secure and destroyed after transcription. I understand that all data will be kept under the terms of the General Data Protection Regulation (GDPR) and California's data protection legislation.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that if any of my words are used in reports or <u>presentations</u> they will not be attributed to me.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that in exceptional circumstances anonymity and confidentiality would have to be broken, for example, if it was felt that practice was putting children at risk.	<input type="checkbox"/>	<input type="checkbox"/>

Name:

Signature: Date:

Researcher Signature: Date:

Erin Simpson, PhD Candidate UCL Institute of Education, erin.simpson.19@ucl.ac.uk

Appendix D – Interview Schedule (Teaching Staff)

QUESTIONS FOR PARTICIPANTS WITH TEACHING RESPONSIBILITIES

OPENING QUESTIONS

A. Consent Questions

B. Background – how did you get to this role?

- a. Were you an EAL student yourself?

POLICY QUESTIONS

C. *Tell me a bit about how your day-to-day teaching changes during the high-stakes testing season?

- a. What kind of policies do you interact with?
 - i. How does that process work?
- b. Do you ever read policy texts yourself?
 - i. Why / why not?

D. How do you usually learn about a new policy?

- a. What do you do when you're informed of a new policy?
 - i. Who usually informs you?
- b. Do you have a policy strategy?
- c. Do you think you implement all policies equally?
 - i. Testing policies? Policies for EAL students? Why / why not?

E. What do you do when your personal opinion differs from a policy position?

- a. Do you distinguish between testing policy and high-stakes testing policy?
- b. Specifically thinking about EAL students, do you have personal opinions on the policies?
- c. Do you think those opinions influence how you implement them?
- d. Do you adhere to the policies for EAL students?
 - i. Do you provide them with extra support?

STANDARDISED ASSESSMENT QUESTIONS

F. *Can you walk me through the types of standardised assessments that typically exist in your classroom?

- a. What are the outcomes of those standardised assessments?
 - i. Do you think the standardised assessments as they are now meet those outcomes?
 1. Why? Why not?

G. Do you feel that there's pressure to have your students perform well on the assessments?

- a. Where does that pressure come from?
- b. Have you ever made classroom instruction choices in an attempt to alleviate that pressure?
- c. Who do you feel is responsible if your students don't perform well on the assessments?
- d. Do you have discussions with the teachers in the years above or below you about your students at the start or end of the year?

H. How does the high-stakes nature of testing impact provision for EAL students in your classroom?

CLASSROOM SUPPORT & LABELLING QUESTIONS

I. *Can you tell me a bit about the EAL students you're teaching at the moment?

J. *Can you walk me through how it is decided if students are EAL or not?

- a. Are there specific assessments to determine EAL students?

K. *Do you use those labels in your classroom practice?

- a. If so, do you think of them as one group?
- b. Do you think it's a useful label for educators?
- c. Do you group your children in your mind or take an intersectional approach?
- d. ***use this Q to define intersectionality if necessary

- L. Thinking about achievement, how do EAL students do in your classroom overall? And on standardised assessments?

2021 QUESTIONS

- M. Have you had to make any changes to your teaching this year?
a. Did you make specific changes for EAL students?
- N. *Can you tell me a bit about how your EAL students are coping with home learning?
- O. *Can you tell me a bit about navigating the policy changes leading up to the decision to cancel the Sats? How did you keep up with what was going on?
- P. *Now that you know the Sats won't be run this year are you planning to do anything different with your remaining classroom time this school year?

CLOSING QUESTIONS

- Q. *Thinking about your experience of assessment and EAL learners and intersectionality, what would you like to say to policymakers?
- R. Consent Confirmation
- S. Demographic Information (if not covered elsewhere)

Appendix E – Interview Schedule (Non-teaching Staff)

QUESTIONS FOR SCHOOL-BASED, NON-TEACHING STAFF

OPENING QUESTIONS

- A. Consent Questions

B. Background – how did you get to this role?

- a. Were you an EAL student yourself?

POLICY QUESTIONS

C. *Tell me a bit about how your day-to-day changes during the high-stakes testing season?

- a. What kind of policies do you interact with?
 - i. How does that process work?
- b. Do you ever read policy texts yourself?
 - i. Why / why not?

D. How do you usually learn about a new policy?

- a. What do you do when you're informed of a new policy?
 - i. Who usually informs you?
- b. Do you have a policy strategy?

E. *How do you instruct your staff to handle a new policy?

- a. Do you think you implement all policies equally?
 - i. Testing policies? Policies for EAL students? Why / why not?

F. What do you do when your personal opinion differs from a policy position?

- a. Do you distinguish between testing policy and high-stakes testing policy?
- b. Specifically thinking about EAL students, do you have personal opinions on the policies?
- c. Do you think those opinions influence how you implement them?
- d. Do you adhere to the policies for EAL students?
 - i. Do you provide them with extra support?

STANDARDISED ASSESSMENT QUESTIONS

G. *Can you walk me through the standardised assessment process in your school?

- a. What are the outcomes of those standardised assessments?
 - i. Do you think the standardised assessments as they are now meet those outcomes?

H. *How do you discuss standardised assessment prep with your teaching staff?

- a. Is that in preparation for the high-stakes assessments they'll soon take?
- b. Do you feel there is pressure to have your students perform well? Who is responsible if they don't?

I. How does the high-stakes nature of testing impact provision for EAL students in your school?

CLASSROOM SUPPORT AND LABELLING QUESTIONS

J. *Can you tell me a bit about the EAL intake in your school at the moment?

K. Do you distinguish between your EAL students and your non-EAL students at your school, i.e. different supports or classroom practice?

- a. How do you learn which students are EAL students?
- b. When learning to teach did you receive specific instruction on how to work with EAL students?
 - i. Have you received anything since PGCE?
 - ii. Do you see those strategies manifested in the policies?

L. *Do you feel the EAL label is useful for educators?

- a. If so, do you think of them as one group?
- b. Do you think it's a useful label for educators?

M. Thinking about achievement, how do EAL students do in your school overall? And on standardised assessments?

2021 QUESTIONS

- N. *Can you tell me a bit about navigating the policy changes leading up to the decision to cancel the Sats & phonics screening check? How did you keep up with what was going on?
- O. *Can you tell me a bit about how your EAL students are coping with home learning?
- P. *Now that you know the Sats won't be run this year are you planning to do anything different with your remaining classroom time this school year?

Q. Consent Confirmation

R. Demographic Information (if not covered elsewhere)

Appendix F – Interview Schedule (District / LA)

POLICYMAKERS

OPENING QUESTIONS

- A. Consent Questions
- B. Background – how did you get to this role?
 - a. Were you an EAL student yourself?

POLICY QUESTIONS

- C. *How involved are you in the policy development process?
 - a. How often are policies developed from scratch vs. building off an existing policy?
- D. *How do you think about specific groups of students (EAL, Race, Gender, etc) in policy development?
 - a. Do you think about them separately or in some sort of intersectional way?
 - b. ***define intersectionality here if needed
- E. What do you do when your personal opinion differs from a policy position?
- F. Once a policy is developed how do you go about launching it?
 - a. Is there a consultation process?
 - b. How long does the process take?
- G. *When teaching staff receives a new policy what do they do with it?
- H. Is there a policy revision process?

STANDARDISED ASSESSMENT QUESTIONS

- I. *Specifically thinking about standardised assessments, is there a policy strategy for developing these?
 - a. What are the outcomes of those standardised assessments?
 - i. Do you think the standardised assessments as they are now meet those outcomes?
 - 1. Why? Why not?
- J. *How involved are you in the standardised assessment process?

CLASSROOM SUPPORT QUESTIONS

- K. *Can you tell me a bit about the EAL intake in your LA at the moment?
- L. *Do you distinguish between your EAL students and your non-EAL students at your LA?

2021 QUESTIONS

- M. *Can you tell me a bit about navigating the policy changes leading up to the decision to cancel the Sats & phonics screening check? How did you keep up with what was going on?
- N. How, if at all, are you planning on thinking about student progress in your LA this year?
- O.

CLOSING QUESTIONS

- P. *What would you like to say to policymakers on this issue? To teachers?
- Q. Consent Confirmation
- R. Demographic Information (if not covered elsewhere)

Appendix G – Ethics Form

Doctoral Student Ethics Application Form

Anyone conducting research under the auspices of the Institute of Education (staff, students or visitors) where the research involves human participants or the use of data collected from human participants, is required to gain ethical approval before starting. This includes preliminary and pilot studies. Please answer all relevant questions in simple terms that can be understood by a lay person and note that your form may be returned if incomplete.

Registering your study with the UCL Data Protection Officer as part of the UCL Research Ethics Review Process

If you are proposing to collect personal data i.e. data from which a living individual can be identified **you must be registered with the UCL Data Protection Office before you submit your ethics application for review**. To do this, email the complete ethics form to the [UCL Data Protection Office](#). Once your registration number is received, add it to the form* and submit it to your supervisor for approval. If the Data Protection Office advises you to make changes to the way in which you propose to collect and store the data this should be reflected in your ethics application form.

Please note that the completion of the [UCL GDPR online training](#) is mandatory for all PhD students.

Section 1 – Project details

- a. Project title: [High Stakes Assessment and English Language Learners: Policy enactment in England and California](#)
- b. Student name and ID number (e.g. ABC12345678): [Erin Simpson - 19176306](#)
- c. ***UCL Data Protection Registration Number: Z6364106/2021/01/37 social research**
 - a. [Date Issued: 13 Jan 2021](#)
- d. Supervisor/Personal Tutor: [Alice Bradbury](#)
- e. Department: [Education, Practice & Society](#)
- f. Course category (Tick one):

PhD	<input checked="" type="checkbox"/>
EdD	<input type="checkbox"/>
DEdPsy	<input type="checkbox"/>
- g. **If applicable**, state who the funder is and if funding has been confirmed.
- h. Intended research start date: [Jan 1, 2021](#)
- i. Intended research end date: [Dec 31, 2022](#)
- j. Country fieldwork will be conducted in: [UK and USA](#)
- k. If research to be conducted abroad please check the [Foreign and Commonwealth Office \(FCO\)](#) and submit a completed travel risk assessment form (see guidelines). If the FCO advice is against travel this will be required before ethical approval can be granted: [UCL travel advice webpage](#)
- l. Has this project been considered by another (external) Research Ethics Committee?

Yes

External Committee Name: Enter text

Date of Approval: Enter text

No **go to Section 2**

If yes:

- Submit a copy of the approval letter with this application.
- Proceed to Section 10 Attachments.

Note: Ensure that you check the guidelines carefully as research with some participants will require ethical approval from a different ethics committee such as the [National Research Ethics Service](#) (NRES) or [Social Care Research Ethics Committee](#) (SCREC). In addition, if your research is based in another institution then you may be required to apply to their research ethics committee.

Section 2 - Research methods summary (tick all that apply)

- Interviews
- Focus Groups
- Questionnaires
- Action Research
- Observation
- Literature Review
- Controlled trial/other intervention study
- Use of personal records
- Systematic review – **if only method used go to Section 5**
- Secondary data analysis – **if secondary analysis used go to Section 6**
- Advisory/consultation/collaborative groups
- Other, give details: [Written Reflection](#)

Please provide an overview of the project, focusing on your methodology. This should include some or all of the following: purpose of the research, aims, main research questions, research design, participants, sampling, data collection (including justifications for methods chosen and description of topics/questions to be asked), reporting and dissemination. Please focus on your methodology; the theory, policy, or literary background of your work can be provided in an attached document (i.e. a full research proposal or case for support document). *Minimum 150 words required.*

This research aims to understand policy enactment by teachers, school leaders, policymakers and others in relation to high stakes assessment and English language learners. The purpose of the research is to delve into the nuances of policy enactment in the hopes of creating stronger, more applicable policies for these students in this context. My main research questions are:

1. How does the high-stakes nature of testing impact provision for EL/EAL students at primary level?
2. How are these policies and supports understood and enacted by stakeholders [teachers, LA leaders, policymakers, etc] at all levels in the policy process?

I will answer these questions through a qualitative research design which will take place in both California and England. The qualitative research design will consist first of a series of interviews with policy stakeholders at all levels. Secondly, for policy stakeholders with a direct teaching role, there will be a follow-up reflection element consisting of written questions asking teaching staff to build upon and develop the ideas initially discussed in the first interview. This will allow a longitudinal element to be present in the study as the design aims to minimise the impact on those taking part in high-stakes assessments during the prep and testing time by conducting the interviews before the assessment period and the reflection element afterwards. Additionally, the reflection aims to encourage teaching staff to think about and deconstruct their actions during the testing period.

Participants will include key policy stakeholders including elected policy makers, civil service and Department of Education policy writers and implementers, local authority policy implementers and data managers and school level leadership, data and testing managers, teachers and teaching assistants. The aim will be to interview between 10-15 people in each location – England and California for a total of 20-30 interviews. Approximately 50% of interviews will be scheduled with teachers and teaching staff meaning that between 10-15 reflections will be conducted across both regions.

Purposive sampling will take place first at the local authority level. In each region the goal will be to select a local authority exemplary of the demographics in England or California – the most average districts. To do this, publicly available demographic data will be pulled from the Department of Education websites in California (the CDE Dashboard) and England (the School Census) and local authority levels will then be analysed for number and variety of EAL pupils on the register. Once a selection of average districts are found, that selection will be analysed for additional demographic factors such as average local socio-economic status, proximity to a major city, demographics of the area at large and local political leanings. This second-round analysis will be used to rank local authorities from most to least typical of their region. That ranking will be used to reach out to local authorities and schools within those areas to begin the research process.

The methods chosen for this study, interviews and follow-up reflections, will allow me to research the policy enactment process from the creation of policy down to the classroom level. In this way I will be able to analyse how individual policy understandings and

enactments lend themselves to a process of policy development that takes place after policy creation and implementation. The methods chosen will help me get at the specifics of how individuals affect the policy they implement and at what personal motivations and criteria underpin their enactments. These methods will more clearly be able to aid in this process than others such as a questionnaire or observation because they allow me to understand not just the actions policy stakeholders take but the ideologies that inform those actions. Additionally, these methods are best suited for the times as they are able to be conducted remotely and/or in a low-impact, health-conscious way for all participants. Specific interview schedules for each of the stakeholder groups can be found attached.

Once collected, data will be pseudonymised in order to protect the identities of participants and districts as best as possible. Though some level of detail may be necessary in order to describe the type of local authority – such as: *on the outskirts of a major city in England* – or to help backup the ideologies of participants – *i.e. as a former EL student herself, Miss Smith feels* – extreme care will be taken to ensure that to the best of my ability no specific identifying factors will be able to be seen. The data will be pseudonymised as soon as possible and, once completed, the original data will be protected and only pseudonymised data will be analysed and shown to others. Interviews that were recorded over videoconferencing software will have reinforced data protection so that no video recording of a policy stakeholder is ever seen or able to be accessed by anyone other than the primary researcher. One exception to this is that some potential state level policymakers will be unable to be completely pseudonymised. Particularly as regards to elected officials, their general low numbers will make it more likely that they will be identifiable by a job description even if personally identifiable characteristics are removed. They will be informed of this and required to specifically consent to this possibility.

Findings will be reported out initially through the submission of my PhD to UCL. Once passed, I hope to also share findings through research articles and policy reports to get my findings in the hands of those they might be useful for such as teachers and policy developers.

Section 3 – research Participants (tick all that apply)

- Early years/pre-school
- Ages 5-11
- Ages 12-16
- Young people aged 17-18
- Adults please specify below
- Unknown – specify below
- No participants

Teachers, Teaching Assistants, School-level leadership, Local authority level policymakers, National / State-level policymakers

Note: Ensure that you check the guidelines carefully as research with some participants will require ethical approval from a different ethics committee such as the [National Research Ethics Service](#) (NRES) or [Social Care Research Ethics Committee](#) (SCREC).

Section 4 - Security-sensitive material (only complete if applicable)

Security sensitive research includes: commissioned by the military; commissioned under an EU security call; involves the acquisition of security clearances; concerns terrorist or extreme groups.

- a. Will your project consider or encounter security-sensitive material?

- Yes* No
- b. Will you be visiting websites associated with extreme or terrorist organisations?
Yes* No
- c. Will you be storing or transmitting any materials that could be interpreted as promoting or endorsing terrorist acts?
Yes* No

** Give further details in **Section 8 Ethical Issues***

Section 5 – Systematic reviews of research (only complete if applicable)

- a. Will you be collecting any new data from participants?
Yes* No
- b. Will you be analysing any secondary data?
Yes* No

** Give further details in **Section 8 Ethical Issues***

*If your methods do not involve engagement with participants (e.g. systematic review, literature review) **and** if you have answered **No** to both questions, please go to **Section 8 Attachments**.*

Section 6 - Secondary data analysis (only complete if applicable)

- a. Name of dataset/s: Enter text
- b. Owner of dataset/s:
- c. Are the data in the public domain?
Yes No
If no, do you have the owner's permission/license?
Yes No*
- d. Are the data special category personal data (i.e. personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation)?
Yes* No
- e. Will you be conducting analysis within the remit it was originally collected for?
Yes No*
- f. **If no**, was consent gained from participants for subsequent/future analysis?
Yes No*
- g. **If no**, was data collected prior to ethics approval process?
Yes No*

** Give further details in **Section 8 Ethical Issues***

*If secondary analysis is only method used **and** no answers with asterisks are ticked, go to Section 9 Attachments.*

Section 7 – Data Storage and Security

Please ensure that you include all hard and electronic data when completing this section.

- a. Data subjects - Who will the data be collected from?

Data will be collected from policy stakeholders ranging from elected policy officials, policy writers, local policy officials, senior school leadership, data managers, teachers and teaching assistants.

- b. What data will be collected? Please provide details of the type of personal data to be collected

Most data collected will be on the policy creation and enactment process and the effects of that process on students in the classroom. Some personal data will be collected from participants as it relates to their understandings of policy and the ways in which they enact it. This personal data might include education history, employment history, former EAL status and gender information. This information will not be explicitly sought but might be revealed over the course of the interview. Some special category data might also be collected such as racial or ethnic origin and political opinions. This data will not be explicitly asked for, but may be offered up by the participants in order to provide an answer to another question such as about EAL status which sometimes can be linked with racial or ethnic origin. This data will be processed under section (a) of Article 9 of the GDPR – explicit consent. Participants will be asked to confirm their consent to give this information after it has been provided and in this way meet the conditions.

Is the data anonymised? Yes No*

Do you plan to anonymise the data? Yes* No

Do you plan to use individual level data? Yes* No

Do you plan to pseudonymise the data? Yes* No

** Give further details in **Section 8 Ethical Issues***

- c. **Disclosure** – Who will the results of your project be disclosed to?

Results of this project will initially be reported as part of my PhD. After completion of the PhD results might additionally be disclosed as part of academic articles, policy reports, executive summaries or other manner of dissemination to ensure that policy stakeholders have access to the data. This PhD thesis will also be available in the UCL library and therefore will be available to anyone with access.

Raw data will be accessed exclusively by the PhD researcher and stored on a secure server. Pseudonymised but not analysed data will be accessed by the PhD researcher though the supervisory team will also have access should it be necessary. Only those four members will be granted access to this level of data. Pseudonymised data that has been analysed and written up will be available in accordance with the need that it is written up for. The full PhD will be accessible by supervisors and the viva team and sections of it may be written up and published in journals and conference proceedings as appropriate.

Disclosure – Will personal data be disclosed as part of your project?

No non-pseudonymised data will be disclosed as part of this project however, individual-level pseudonymised data might be disclosed where it is a necessary part of the project. For instance, one's teaching ideology could be an important aspect of the policy enactment process and would need to be disclosed in order to make sense of the qualitative data being reported. Care will be taken to ensure that the pseudonymisation does not allow for individuals to be identified. In the instance where reporting this information would make an individual identifiable then no personal information will be disclosed. For example, if only one policymaker is from a specific ethnic background, then that ethnic background would not be disclosed even if it might be relevant.

- d. **Data storage** – Please provide details on how and where the data will be stored i.e. UCL network, encrypted USB stick**, encrypted laptop** etc. Data will be stored on the UCL network and an encrypted USB stick and accessed safely and securely through that stick. All unpseudonymised data will be immediately stored exclusively on the UCL network and only pseudonymised data will be accessed regularly. A pseudonyms guide will be stored separately to the data and all files will have an additional password as an added layer of security.

Audio recordings will be collected via the video conferencing software. A backup audio recording will be made using a recording app on a cellphone. Though video conferencing software will be used to host the interviews, no video recordings will be taken. Though the video element is believed to add a layer of familiarity that will be helpful to the interview process, there is no need to collect visual data in the conducting of these interviews and therefore it will not be used. Audio recordings will be stored on a secure UCL server and deleted once transcriptions have been made. Any back-up recordings will not be allowed to save to the cloud and will be deleted as soon as they are no longer needed, i.e. after the original version has been transcribed.

Paper records such as consent forms, and paper copies of the reflection worksheet are not anticipated due to the digital nature of data collection. However, it is expected that scanned or emailed versions of these documents will exist which will need to also be secured safely on the secure server.

*** Advanced Encryption Standard 256 bit encryption which has been made a security standard within the NHS*

- e. **Data Safe Haven (Identifiable Data Handling Solution)** – Will the personal identifiable data collected and processed as part of this research be stored in the UCL Data Safe Haven (mainly used by SLMS divisions, institutes and departments)?

Yes No

- f. How long will the data and records be kept for and in what format?

Data and records will be kept for 10 years as is required by UCL. Access to all but the pseudonymised data will be restricted exclusively to the researcher. Transcribed pseudonymised data, consent forms and reflection worksheets will be kept on the UCL network in an encrypted format.

Will personal data be processed or be sent outside the European Economic Area? (If yes, please confirm that there are adequate levels of protections in compliance with GDPR and state what these arrangements are)

By necessity of this project, some data will be collected outside the UK in the United States. That data will then be brought to the UK and processed according to GDPR regulations. California is the only state in the US with robust GDPR-like data collection regulations however, as GDPR is more strict than California's standards, GDPR will be used throughout.

Will data be archived for use by other researchers? (If yes, please provide details.)
Data will not be archived for use by other researchers.

- g. If personal data is used as part of your project, describe what measures you have in place to ensure that the data is only used for the research purpose e.g. pseudonymisation and short retention period of data'.

Some personal data will be collected in this project including name, occupation, gender, language, ethnicity and political affiliation as it relates to ideologies that inform policy choices. Extraneous personal data that does not have a clear and relevant purpose will not be intentionally collected. However, as it is likely that at least some interviews will be taking place over videoconferencing software, extraneous personal data will likely be present and unintentionally collected through a recording of a video call. Personal data will be pseudonymised immediately through a process of written transcription. Care will be taken to ensure that even with the pseudonymisations, readers will be unable to tell exactly which school or individual was being interviewed. The use of pseudonyms rather than complete anonymisation is required for this project because of the importance of context to the study. Readers will need to be clear on which region (England or California) is being discussed as well as a vague idea of the type of school and area under analysis. Non pseudonymised data will be kept only for the minimum length of time that is required under law and will be deleted immediately after that time. Pseudonymised data will be carefully stored at UCL for the maximum amount of time required under law.

Some personal data collected falls into special category data including ethnic background and political opinions. This data will be gathered via condition (a) of Article 9 of the GDPR which allows this data to be gathered with explicit consent.

** Give further details in **Section 8 Ethical Issues***

Section 8 – Ethical Issues

Please state clearly the ethical issues which may arise in the course of this research and how will they be addressed.

All issues that may apply should be addressed. Some examples are given below, further information can be found in the guidelines. *Minimum 150 words required.*

- Methods
- Sampling
- Recruitment

- Gatekeepers
- Informed consent
- Potentially vulnerable participants
- Safeguarding/child protection
- Sensitive topics
- International research
- Risks to participants and/or researchers
- Confidentiality/Anonymity
- Disclosures/limits to confidentiality
- Data storage and security both during and after the research (including transfer, sharing, encryption, protection)
- Reporting
- Dissemination and use of findings

This research will come across several ethical issues that will need to be addressed. Though the methods development and sampling are not anticipated to create any ethical issues, it is always possible that some might arise. Those will be dealt with on a case-by-case basis to ensure all participants and the researcher are protected.

The recruitment process will be the first portion of the research that might include some ethical concerns. The recruitment process will initially begin at the district / LA level. District level contact information is publicly available on LA and district websites. This contact information can therefore be used to reach out to potential participants. The hope is that then district staff will help direct the researcher to schools in their area and provide contacts for head teachers through a snowballing process. Though this process does help alleviate ethical issues around data protection, it is possible that by using district staff as access points power dynamics might then impact the ability of head teachers to freely volunteer to participate in the study. Every effort will be made to ensure that head teachers are participating voluntarily and willingly. Additionally, it is hoped that head teachers will provide access to teaching staff in their schools creating another level of power dynamics that must be managed. The emphasis in this study will always be on voluntary participation and participants will be continually informed of their rights in this area.

Informed consent will be a very necessary part of this research. Written consent will be gained from all participants prior to the interview stage. Due to the likely nature of this data collection over video conferencing software, informed consent will likely be gathered via email. An informed consent sheet will be drawn-up for all participants and then converted to email format as necessary. A second stage of informed consent will be collected at the start of the interview and recorded either verbally if the interview is taking place in person or a verbal recording over a videoconferencing platform. Finally, participants will be reminded of informed consent at the end of the interview and the researcher will confirm that participants are still happy for their interview to be used. Participants will be reminded that they can change their mind up until two weeks after the interview and provided with a verbal outline of the time to completion for this project so that they understand when they could expect to see results. Participants taking place in the reflection process will undergo a second lighter stage of informed consent. If participants are providing written answers to the reflection questions they will be asked to answer a question confirming that they are still happy for their answers to be used. If participants are providing verbal answers to the reflection questions they will be asked to confirm their consent over a recording of the

session. Again, they will be provided with two weeks after completion of the reflection activity to remove their answers from the data set.

While no effort is being made to specifically seek vulnerable [mental health, physical health, in need of additional support etc.] participants for these interviews, vulnerable people could be working as policy stakeholders or teachers in these areas. As these instances arise, all reasonable protections will be made for these people. If any potential participants are under the age of 18, they will be excluded from the sample and not asked to participate in the study. A lucky side-effect of likely conducting interviews over videoconferencing software is that issues of access and accessibility can be more easily managed throughout the interview process. It is also possible that a participant might inadvertently disclose some information indicating that they are in a vulnerable position. In those instances that information would be protected and follow-up questions would be asked to ensure the safety of the participant. The researcher would take all reasonable precautions to protect the identity of the participant while also ensuring their safety as necessary. It is equally possible that issues of safeguarding may arise – particularly in the interviews with teaching staff. As the researcher has completed many safeguarding trainings over the years, there is a duty to report and/or follow-up on this information if it arises. The safeguarding procedures of the school, local authority and state or national government will be followed in all instances. In this instance, it will not be possible to guarantee anonymity for the child in question but depending on the circumstances the particular source of the information would be protected as necessary. Additionally, the researcher has a recent DBS check (approved in September 2020).

Many of the topics being discussed in interviews for this research will cover sensitive topics such as language background, ethnicity, race, class and gender as well as educational achievement, test scores and stereotypes and biases. The informed consent sheet will notify participants of these factors and they will be asked to specifically note that they consent to that portion of the discussion. While the gathering of this data is crucial to the purpose of the study, the interview will be conducted with caution to ensure that participants are not harmed or caused substantial distress during the conversation. Participants will be reminded that they do not have to answer any question that they do not want to answer and that they can stop the interview at any time.

The personal data and special category data that is collected during the interviews will be gathered via section (a) of Article 9 of the GDPR that which states it is allowed providing explicit consent is provided by participants. Participants will be asked to provide written consent at the beginning of the interview and verbal consent at the end with a specific note about the demographic information they have provided. This information will be kept on a secure server and not provided for any purpose. Only pseudonymised versions of the data will be utilised in analysis and reports and special care will be taken to ensure that any special category data that is used is necessary to the analysis.

Additionally, some of the data collected will be collected internationally – the data from California. Though it is currently anticipated that this data will be collected via videoconferencing software, should the global pandemic situation alter, the researchers first choice would be to conduct interviews in-person through travelling to California. The researcher has permission to live and work in the United States as a US citizen and has grown up in California. The researcher has safe spaces to live and work across the state and would be able to conduct research in a secure and comfortable environment. In this case

extra care would be taken with pseudonymising the data to ensure that that data is protected from those the researcher may be living with during the data collection process. Risks to the participants and researcher during data collection are minimal and include only those that might arise in a normal working environment. If interviews are conducted in person, care will be taken to select interview locations that are public and professional, and where both participant and researcher are able to speak comfortably and securely. As interviews will likely be conducted virtually, the informed consent form will instruct participants to take the interview in a location where they feel safe and secure. A follow-up question will be asked at the beginning of the interview to confirm this. The researcher will take videocalls from her home in a professional location where they will not be overheard or interrupted.

As stated above, confidentiality will be maintained in all instances unless there is a clear and obvious danger to keeping information quiet. Issues of safeguarding for children or vulnerable adults are unlikely to occur during these interviews but should they arise it will be impossible to guarantee confidentiality in the reporting of that information as required by law. It will also not be possible to guarantee complete anonymity for participants. In this research, context is extremely critical to the analysis and discussion sections of the findings. For this reason, pseudonymity will be used instead of complete anonymity. Extreme care will be taken with pseudonyms to ensure that as much as possible it will be impossible to identify individuals, however, particularly in the case of elected officials, there are not enough of them to necessarily fully grant them anonymity. Elected officials will be consulted on and consent to, the pseudonyms used for them. It is possible that even with vague titular information provided and pseudonyms that they will still be able to be identified. By consulting with them on how to describe them, it is hoped that I will be able to take advantage of their institutional knowledge and build a description that is acceptable to all. The consent form for elected officials will ask them to consent to the specific designation that will be used for them in the research.

A very light pilot study will be conducted with one or two participants in the UK and the US. The purpose of this pilot will be to confirm that the interview schedule flows well and the questions are understood by participants. No major changes are anticipated – merely organisational shifts and potential word choice. This data will not be used in the study at any point.

Data will be protected and stored securely according to the guidelines of GDPR, UCL, BERA and AERA. When discrepancies arise, data shall be protected and stored according to the strictest guidelines. Data will be stored on UCL servers and encrypted wherever possible. When reporting data and disseminating findings, the researcher will work to make sure that the core intent of the data is maintained across different formats and styles. The researcher will not allow executive summaries or data reports to mischaracterise the intent of the data. Additionally, with each iteration of publishing, the researcher will ensure that pseudonymity is maintained and that individuals are protected to the greatest extent possible.

Please confirm that the processing of the data is not likely to cause substantial damage or distress to an individual

Yes

Section 9 – Attachments. Please attach the following items to this form, or explain if not attached

- a. Information sheets, consent forms and other materials to be used to inform potential participants about the research (List attachments below)

Yes No

Information sheet for all participants, consent form for all participants, interview schedule

- b. Approval letter from external Research Ethics Committee Yes
- c. The proposal ('case for support') for the project Yes
- d. Full risk assessment Yes

Section 10 – Declaration

I confirm that to the best of my knowledge the information in this form is correct and that this is a full description of the ethical issues that may arise in the course of this project.

I have discussed the ethical issues relating to my research with my supervisor.

Yes No

I have attended the appropriate ethics training provided by my course.

Yes No

I confirm that to the best of my knowledge:

The above information is correct and that this is a full description of the ethics issues that may arise in the course of this project.

Name **Erin Simpson**

Date **7 December 2020**

Please submit your completed ethics forms to your supervisor for review.

Notes and references

Professional code of ethics

You should read and understand relevant ethics guidelines, for example:

[British Psychological Society](#) (2018) *Code of Ethics and Conduct*

Or

[British Educational Research Association](#) (2018) *Ethical Guidelines*

Or

[British Sociological Association](#) (2017) *Statement of Ethical Practice*

Please see the respective websites for these or later versions; direct links to the latest versions are available on the [Institute of Education Research Ethics website](#).

Disclosure and Barring Service checks

If you are planning to carry out research in regulated Education environments such as Schools, or if your research will bring you into contact with children and young people (under the age of 18), you will need to have a Disclosure and Barring Service (DBS) CHECK, before you start. The DBS was previously known as the Criminal Records Bureau (CRB). If you do not already hold a current DBS check, and have not registered with the DBS update service, you will need to obtain one through at IOE.

Ensure that you apply for the DBS check in plenty of time as will take around 4 weeks, though can take longer depending on the circumstances.

Further references

Robson, Colin (2011). *Real world research: a resource for social scientists and practitioner researchers* (3rd edition). Oxford: Blackwell.

This text has a helpful section on ethical considerations.

Alderson, P. and Morrow, V. (2011) *The Ethics of Research with Children and Young People: A Practical Handbook*. London: Sage.

This text has useful suggestions if you are conducting research with children and young people.

Wiles, R. (2013) What are Qualitative Research Ethics? Bloomsbury.

A useful and short text covering areas including informed consent, approaches to research ethics including examples of ethical dilemmas.

Departmental Use

If a project raises particularly challenging ethics issues, or a more detailed review would be appropriate, the supervisor must refer the application to the Research Development Administrator via email so that it can be submitted to the IOE Research Ethics Committee for consideration. A departmental research ethics coordinator or representative can advise you, either to support your review process, or help decide whether an application should be referred to the REC. If unsure please refer to the guidelines explaining when to refer the ethics application to the IOE Research Ethics Committee, posted on the committee's website.

Student name:

Student department:

Course:

Project Title:

Reviewer 1

Supervisor/first reviewer name: Alice Bradbury

Do you foresee any ethical difficulties with this research?

Ethical issues have been dealt with thoroughly.

Supervisor/first reviewer signature: A. Bradbury

Date: 8 December 2020

Reviewer 2

Second reviewer name: Dr Becky Taylor

Do you foresee any ethical difficulties with this research?

No

Second reviewer signature 

Date: 21 January 2021

Decision on behalf of reviewers

Approved

Approved subject to the following additional measures

Not approved for the reasons given below

Referred to the REC for review

Points to be noted by other reviewers and in report to REC:

Comments from reviewers for the applicant:

Once it is approved by both reviewers, students should submit their ethics application form to the Centre for Doctoral Education team: IOE.CDE@ucl.ac.uk.

