

TIES THAT BIND PUBLIC SCHOOL TEACHERS TO GOVERNMENT
EMPLOYEES

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Table of Contents

Abstract	3
Chapter I: Introduction	4
Statement of Problem	4
Research Question	4
Definition of Terms	4
Value of Teachers	7
Chapter II: The Review of Literature	10
First Tie That Binds: Sources of Teachers' Salaries	10
Second Tie That Binds: Michigan's Constitution	13
Third Tie That Binds: Public School Funding Sources	14
Fourth Tie That Binds: Being A Government Entity	16
Fifth Tie That Binds: Branches of the Federal Government	21
Chapter III: Results and Analysis	25
Chapter IV: Recommendations and Conclusions	28
Recommendations	28
Areas for Future Research	28
Summary and Conclusion	31
References	34

Abstract

Kemmons Wilson, founder of Holiday Inn hotels, was quoted as saying, “As much as any element in the **construction of an organization**, a sign is needed to stand out front to shine the way” (Wilson, 1996, p. 52-53). In these tough economic times, education provides the opportunity to enhance the quality of life for children and families. Education leads to opportunities to achieve success just as a sign points the way to where a person wants and needs to go. Our government’s unique relationship with public education helps create ties between government employees and teachers, thus placing a teacher in the position of helping fulfill the role of government. What are the ties that exist between our government and our nation’s public school system that help relate government employees to teachers? Literature supports a relationship existing between our government and public schools starting with the development of public education in our country and the writing of our country and states’ constitutions. Evidence of ties that bind our government to public education can be found at the state and federal levels of government in a variety of different ways including funding sources, statutes, recognizable entity characteristics, and mandates. Government is expected to perform certain tasks including helping improve quality of life for citizens, and providing an education is one way to create improvement. Being a government employee provides public school teachers opportunities to help our country achieve success one student at a time.

Chapter I: Introduction

Statement of Problem

When faced with a national crisis, our government often promotes education as a leading opportunity to bring about positive outcomes. Our federal government addressed the space race crisis of 1957 with educational reform (Kilpatrick, 1997). Citizens living in tough economic times often seek opportunities to go back to school. Again, education is used to create opportunities to bring about positive outcomes in the United States. With education being a government solution to bring about positive changes in our country, it may be time to consider teachers as valuable government employees.

Research Question

Decisions made by government employees affect citizens in similar ways as decisions made by teachers. Can teachers be considered government employees? What ties bind teachers to government employees? Finding ties binding teachers to government employees strengthens the value of teachers. Evidence of ties binding teachers and government employees will be supported through a variety of sources ranging from books, websites, academic journals, and research studies.

Definition of Terms

- 1.) **The Michigan Constitution:** State of Michigan's governing document describing structure and function; approved by voters in 1835, 1850, 1908, and 1963.
- 2.) **The United States Constitution:** Governing document of the United States describing structure and function of the federal government and laying out the basic rights of citizens.

- 3.) **Government Entity:** An organization that possesses three main attributes of a government which are existence as an organized entity, governmental character, and substantial autonomy.
- 4.) **United States Census Bureau:** A federal government agency responsible for gathering national demographic and economic data.
- 5.) **Common Schools:** Public schools in the United States or Canada in the nineteenth century designed to serve individuals of all social classes and religions.
- 6.) **Public School Systems:** “Types of government entities having responsibilities for providing education services” (United States Census Bureau, 2009).
- 7.) **Elementary and Secondary Education:** “Academic activities including instruction of prekindergarten through 12th grade children, as well as support activities such as guidance counseling, administration, athletics, transportation, plant operation and maintenance, and food service” (United States Census Bureau, 2009).
- 8.) **Educational Revenue from Local, State and Federal Sources:** Revenue that is raised for public school operation locally through taxes, charges, and other miscellaneous sources. State revenue is raised for public school operation originating from the state government. Federal revenue is raised for public school operation that includes money passed through state government from the federal level.
- 9.) **Grade Level Content Expectations:** Michigan's detailed information informing school districts, teachers, and parents what students are expected to know and be able to do at the end of each grade.

- 10.) **Michigan's Curriculum Framework:** Resource guide “designed to help Michigan’s public and private schools design, implement, and assess their core content area curricula” (Michigan Department of Education, 2009).
- 11.) **Michigan's School Aid Fund-SAF:** State collected revenue paid to public school districts across the state by the Office of State Aid and School Finance.
- 12.) **Foundation Allowance:** “A per-pupil amount of money allotted to each school district and used to pay for school operations” (Michigan House of Representatives, 2009).
- 13.) **Michigan Merit Curriculum:** New comprehensive set of statewide high school graduation requirements.
- 14.) **Federalism:** “A principle of government divided between a national government and a collection of state or regional governments, acting side by side and sharing a large geographical space” (Darity, 2008).
- 15.) **Education Yes-ED Yes:** A law passed in 2002 creating a state accreditation and accountability system for Michigan’s schools initiated by the federal law No Child Left Behind.
- 16.) **Michigan's School Accreditation System-MI-SAS:** Current accreditation and accountability system for Michigan’s schools designed to help schools become more in line with federal education requirements. ED Yes became MI-SAS in 2009.
- 17.) **Michigan Educational Assessment Program-MEAP:** A standardized student assessment used to help determine a Michigan school’s accreditation status.
- 18.) **Michigan Merit Examination:** A standardized high school level student assessment used to help determine a Michigan school’s accreditation status.

19.) **MI-Access:** A standardized assessment for students with disabilities used to help determine a Michigan school's accreditation status.

20.) **No Child Left Behind:** A federal law having the overall goals of “holding schools accountable for results, giving states and districts flexibility in how to spend federal money, using scientific research to guide classroom practice, and involving parents by giving them information and choices about their children's education” (U.S. Department of Education, 2009).

21.) **Michigan's Proposal A:** Funding approach voted on that changed the way public schools are funded in Michigan. State taxes are now used to support the funding of local school districts.

Value of Teachers

Public school teachers are striving to meet government directed education expectations with fewer resources. Teachers are one of the most valuable resources a school district has. Plymouth-Canton Community Schools superintendent, Craig Fiegel, was quoted as saying, “I find it interesting that the state takes money away from the schools and then asks you to do more” (Fiegel, 2009).

Examples of government directed education expectations are found in the Grade Level Content Expectations through Michigan's Curriculum Framework which was established by the Michigan Department of Education in 1993. An overall goal of Michigan's Curriculum Framework is “to improve student achievement by aligning classroom instruction with core curriculum content standards and national federal core curriculum standards that school districts create, evaluate, and modify their instruction to their students” (Michigan Department of Education, 2009).

Education is being funded with fewer resources. Michigan's budget is in critical condition with a combined deficit in the General Fund and the School Aid Fund of about \$920 million along with the Michigan School Aid Fund having a near \$250 million deficit (State of Michigan Government, 2009). Budget deficits create a need for public school teachers to provide educational opportunities with fewer resources. For example, Manistique Public Schools are adding education programs while experiencing cuts in school funding. Principal Jason Lockwood said, "Additions of programs are mostly due to teachers volunteering their time along with local public donations" (Escanaba Daily Press, October 10, 2009).

State and federal curriculum expectations are not going to decrease with the amount of funding that is going to be given to public schools to help improve the budget. In fact, budget deficits have no impact on state and federal expectations. "State and federal expectations are increasing" during the budget crisis, "and the Michigan Merit Curriculum is just one prime example" (Burley, 2009).

The value of a public school teacher can be found in job performance. A group of research analysts reviewed national teaching data to help determine specific characteristics of traditional K-12 public school teachers. Data analysis involved a review of over 20,000 traditional public school teachers and charter school teachers in areas of teacher certification, years of experience, teacher quality, and undergraduate college selectivity. Public school teachers had an overwhelming amount of experience in the profession of teaching, were more likely to be found being certified in their current teaching assignment, and were found to attend specific schools that specialized in providing teaching degrees (Burian-Fitzgerald & Harris, 2004).

Assumptions have been made that public school teachers spend fewer working hours at their job than other people based on the “short hours of operation and longer vacations enjoyed by teachers” (p. 8). Data collected by the National Center for Educational Statistics during the 1999-2000 school years indicated that Michigan teachers “worked more than 40 hours per week” (p. 2). Michigan teachers found themselves working longer than regular school hours because of “the amount of time spent working outside school hours on activities such as preparation, grading, attending meetings, and talking with parents” while “receiving no financial compensation for their efforts” (p. 2 & p. 7).

In 2006, the average man employed full-time worked 8.4 hours per work day, and the average woman employed full-time worked 7.7 hours per work day” (EH.Net Encyclopedia, 2009). Marisa Burian-Fitzgerald and Debbie Harris (2004) indicated the total average hours worked by Michigan elementary school teachers during the 1999-2000 school year were 43.8 hours per week, 44.6 hours per week for middle school teachers, and 44.7 hours per week for high school teachers. Dividing the average total hours worked per week by a 5 day work week calculates to 8.76 average hours worked per day for Michigan elementary school teachers, 8.92 average hours worked per day for middle school teachers, and 8.94 average hours worked per day for high school teachers.

Our government consistently views education as a possible solution to national crises. With education being a vital extension of our nation’s government, teachers become an extension of government employees. Teachers play important roles in the delivery of education. A teacher’s value can be found in abilities to deliver government directed educational expectations with declining resources. Teachers also reflect specific

characteristics such as experience, certification, and dedication to improving delivery of instruction while working longer than assumed hours. Highlighting the value of public school teachers leads directly into the first tie that binds public school teachers to government employees.

Chapter II: The Review of Literature

First Tie That Binds: Sources of Teachers' Salaries

In the early days of our country, schools were basically funded by parents who could afford to give their child an education. With the growth of our country came the need to educate its citizens. After the Revolutionary War, “the vast majority of Americans were educated just enough to read the newspaper and the Bible, and figure their taxes” (Anderson, Cuban, Kaestle & Ravitch, 2001, p. 22).

Why such a need for every American to be able to figure out their taxes? One reason was to help fund public education with a portion of taxes collected. Local taxes helped to fund the concept of a free to all public education system. Money collected remained home instead of being sent away to a distant country. A tax collected that stayed home was more palatable to support and pay.

Massachusetts State Senator Horace Mann became the state’s first Secretary of Education in 1837. Mann was inspired by Thomas Jefferson’s goal of one day seeing “statewide school systems taking root” through his tireless commitment to providing an education system built on equality. Mann became well aware the education system during his day was “built on inequality with no state supervision and schools varying from town to town.” Schools were “supported by local taxes and by fees charged to parents. Wealthy

children could stay in school longer; the poorest could not afford to go at all” (p.25-27).

Horace Mann was one of the key architects of government’s involvement in public school education.

Horace Mann helped to develop a common school that would “be free of charge so poor children could attend. Schools would be of the highest quality to draw wealthier students away from private schools. Standards would be set and enforced by the state, and schools would be entirely funded with tax dollars.” This new system of providing a quality education for citizens was emphasized by Nicholas Lemann when he wrote, “If you go back and read the history and Horace Mann’s writing and so on, it impresses on you the precariousness of the basic idea that we take for granted, that all citizens have an obligation to reach into their wallet and pay for children to be educated even if they are not their own children” (p. 29-30). Mann created state bureaus of education, teacher training, and free tax supported education which became a source of teachers’ salaries. The ideas and motives of Horace Mann became the foundation of school reform and provided citizens of our country with opportunities for success through education.

Student achievement helps to dictate government educational expectations, mandates, and levels of funding which are continued examples of Mann’s educational reforms:

Compelling evidence shows the quality of education that a school offers influences student achievement. Among all variables, teacher quality is the single most important school-related factor affecting student academic achievement. Teacher quality is at least as important, if not more so, than the socioeconomic status of student family in influencing student academic attainment. Teacher performance in classrooms can counteract negative effects of social, cultural, or human capital. Around the world, teacher salaries are an important indicator of national or state education priorities and investment. (Zhang, Verstegen & Kim, 2008)

Teachers' salaries are a vital part of a school district's budget. One reason is "the student is at the center of the educational enterprise that has the teacher as the most significant mentor other than the students' family" (Brimley & Garfield, 2008, p. 394).

Two specific factors that affect teachers' salaries are 1.) the state funding allowance given to students through the State School Aid Foundation Allowance and 2.) a school district's general fund balance. Cuts in state aid that are attached to student enrollment would cause a decrease in district revenue. A reduction in state aid comes in two ways, either through a reduction in student aid per student or a reduction in student enrollment. When a decrease in student enrollment takes place during the same time as a reduction in student state aid, the impact on a school district's budget is devastating.

The information provided supports the idea that salaries of teachers are a tie that binds schools to government. The establishment of teachers' salaries was created by education reform that began in the early 1830's. Teachers' salaries were now being supported with taxed collected revenue. Higher quality schools with stricter standards were established and included higher quality teachers. Quality teachers became the single most important school-related factor affecting the most important product of our country, human capital. Teacher performance continues to be an important indicator of our country's priorities and investments. Our state government has control of one of the two main contributing factors affecting teachers' salaries by determining a funding allowance that is given to each student. When declining enrollment is evident at the same time as a reduction in the state foundation allowance, the source of a teachers' salary is affected.

Second Tie That Binds: Michigan's Constitution

“The Tenth Amendment to the United States Constitution is interpreted as the legal sanction for state responsibility for education. States are to have the major role for education – the structure being local control, federal interest, and state responsibility” (Reilly, 2000, p. 395). The United States Constitution is our country’s foundational document and can be considered a tie that binds public education to state government. A state government tie to public education leads to a stronger tie existing between public school teachers and government employees. The United States Department of Education states, “It is important to point out education in America is primarily a state and local responsibility” (United States Department of Education, 2009).

“Michigan’s Constitution places a high priority on the state’s duty to provide education to Michigan’s children” (Umptstead, 2005, p. 1). Specific ties binding public schools to government are found in the Michigan Constitution, including the law making provision for a free public education. Article VIII of Michigan’s Constitution “requires the legislature to establish and fund a system of free primary and secondary schools. Public schools have traditionally operated under the control of local school districts, each being created by the state” (Anderson, Watkins & Cotton, 2003, p.5).

A designed purpose of the United States Constitution was to set up our country’s form of government, specifically creating three branches of government to “limit the powers of government,” which was one of the reasons for our country’s fight for independence from Great Britain (U.S. Department of Education, 1997, p.2). State constitutions were fashioned after the United States Constitution and indicate a responsibility for states to provide educational opportunities for citizens in our country.

To help show that public school teachers can be considered government employees, first look at the source of teachers' salaries. Next, look at how Michigan's Constitution places the state government as the primary authority over public schools. The third tie that binds public school teachers to government employees is found in the way public schools in Michigan are funded.

Third Tie That Binds: Public School Funding Sources

Before 1994, public schools in Michigan were funded mainly by revenues generated through a local property tax millage. During years preceding 1994, to help raise needed revenue and to "help with the operations and infrastructure of a local school district the local school district would reach out to local voters and ask for an increase or renewal of a millage" (Michigan Association of School Boards, 2009). For the most part, the passing of Proposal A in 1994 was designed to look like property tax relief on the outside, but on the inside it was designed to create a per student foundation allowance for each school district.

Proposal A created a source of revenue for public schools through a set of specific taxes. One of the largest revenue sources for public schools is the State Education Tax which is an 18-mill local tax on non-homestead property and a combination of other taxes comprised of mostly state income and sales tax. A smaller portion of tax collected revenue is sent directly to the state while the 18 mill tax is kept locally but must be levied or districts face a reduction in their foundation allowance. Overall, the state generated revenue for public schools is made up of 45 percent from sales tax, 20 percent from income tax, 20 percent from the State Education Tax, and an additional 15 percent from revenue sources like the lottery (MASB, 2009).

Revenue generated from state collected sources help to create the foundation allowance that is given to each school district based on student population. A source of funding like this places an importance on student enrollment for each school district because “the foundation allowance for each school comprises approximately 90 percent of school districts’ general fund revenue” (MASB, 2009). Revenue that is generated through state collected taxes is then distributed to Michigan school districts and placed in their general fund. Modes of operation for public schools are paid with funds taken out of the general fund. Since the amount of foundation allowance that each school district is to receive from the state is attached to individual pupil populations, “there is a specific formula of a pupil enrollment blend of 25 percent of the previous year’s February student count and 75 percent of the current year’s September count.” This formula has changed over the years, but the current formula “is kept in place to help school districts who are experiencing declining enrollment from one year to the next” (MASB, 2009).

The House Fiscal Agency created a report in January of 2006 that categorized School Aid Fund revenue for the year 2004-2005, 2005-2006, and a projected outlook for 2006-2007. The School Aid Fund in Michigan was made up of SAF taxable revenue in the categories of “Sales and Use Tax, Income Tax Earmark, State Education Tax, Lottery and Casino Wagering, Tobacco Taxes, Real Estate Transfer Tax, and Other Taxes” (Michigan House of Representatives, 2009). Public school funding is tied closely with taxes placed on a variety of revenues. Michigan governor, Jennifer Granholm, indicated the important relationship between state taxes and public school funding:

When workers lose their jobs, the state loses funds from two important sources of revenue – the income tax and the sales tax. The School Aid Fund is heavily dependent on the sales tax. In fact, about half of the funding that makes up the School Aid Fund comes from the sales tax. When the economy is not doing well,

consumer confidence is down. When consumers are not spending money, the School Aid Fund is adversely affected. (State of Michigan Government, 2009)

The State of Michigan, through its constitution, is mandated to provide citizens with a free education and does so by providing state government funds for the operation of public schools. Revenue for the operation of public schools is generated through the collection of a variety of taxes including the State Education Tax, state income tax and sales tax, and revenue sources like the state lottery. Government funds provide the opportunity for public schools and their employees to fulfill the responsibilities of the state government.

Fourth Tie That Binds: Being a Government Entity

Being a government entity is the most convincing tie that binds public school teachers with government employees. According to the United States Census Bureau, a government entity is “an organized entity which, in addition to having governmental character, has sufficient discretion in the management of its own affairs to distinguish it as separate from the administrative structure of any other governmental unit” (U.S. Census Bureau, 2009). Specific types of government entities are school district governments “which are created to provide public elementary, secondary, and higher education while having sufficient administrative and fiscal autonomy to qualify as independent governments” (U.S. Census Bureau, 2009). Government entities are designed to perform a variety of functions for certain groups of citizens.

In order to be considered a government entity for Census Bureau purposes, an entity must possess all three of these critical attributes:

- Existing as an organized entity
- Governmental character

- Substantial autonomy

For a school district to be considered a government entity there must be an existence of an organization. This form of organization must have evidence of a structure of power similar to our national government. A public school system has a structure of power that resembles our United States structure of power with the elected ruling body of the local school district school boards leading the way under the guiding hand of the district superintendent. There is a sense of a balance of powers within a public school district. According to the United States Census Bureau, some key evidence that an organization, such as a school district, possesses government entity powers is found in the school district's powers of "perpetual succession, the right to sue and be sued, have a nick name, make contracts, and acquire and dispose of property" (U.S. Census Bureau, 2009).

The Michigan Sales and Use Tax Certificate of Exemption form is used by school district employees when purchasing items for school districts. This is a form that is used by certain types of business and government entities. Employees using this form are to check the box listed as "Church, Government Entity, Nonprofit School, or Hospital" (Michigan Department of Treasury Form 3372). Hotel stays relating to school business and purchasing items that are to be used in the classroom can be exempt from state sales tax, thus making the purchase less expensive. This form is a vital source of evidence helping to prove public school districts are considered government entities.

Another vital piece of evidence supporting public school districts are a government entity is the public election of local school board members. School districts are local governments with powers similar to that of a city, state, or federal form of

government. A governing body of a public school district, which is typically elected by direct popular vote but may be appointed by other governmental officials, is called a school board, board of trustees, or school committee. This body appoints a superintendent, usually an experienced public school administrator, to function as the district's chief executive for carrying out day-to-day decisions and policy implementations. The school board may also exercise certain judicial functions in serious employee or student discipline matters.

To sum up the government characteristic of the existence of an organization, the United States Census Bureau states that if “an organization receives no revenue, conducts no activities, has no current officers – it is not recognized as an active government” (U.S. Census Bureau, 2009). To this day, public school districts continue to exist as government entities, thus creating a tie that binds public school teachers to government employees.

For a school district to be considered a government entity there also must be evidence of governmental character. A government entity is recognized by the state and federal government based organization. The United States government, according to the United States Constitution, is a federal democratic republic form of government organized in the following ways:

- Having an indivisible union of 50 sovereign States
- Democratic because people within govern themselves
- Representative because people within choose elected officials by free and secret ballot
- Republic because the power to govern comes from the people

Just like our own local, state, and national levels of government, the structure of public school districts is built upon the governing power of people. In order for there to be an existence of governmental character within an organization, there needs to be “an existence of officers that are popularly elected or appointed by publicly elected officials” (U.S. Census Bureau, 2009).

Another key aspect to an organization having governmental character, which helps to create a governmental entity, is the opportunity to be under public accountability. Like each level of government, public school districts are under the watchful eye of the public. Each public school district, in order to possess governmental character, must “demonstrate a high degree of responsibility to the public through the requirement of reporting and through the accessibility of records for public inspection and review” (U.S. Census Bureau, 2009). Within the opportunity to possess governmental character there is the opportunity to have power to “levy property taxes, power to issue debt paying interest exempt from Federal taxation, or responsibility for performing a function commonly regarded as governmental in nature” (U.S. Census Bureau, 2009). These forms of governmental character must be subject to public accountability.

Autonomy is defined as “the quality or state of being self-governing; especially the right of self-government, self-directing freedom and especially moral independence, and a self-governing state” (Merriam-Webster, 2009). A government entity must have substantial autonomy. A public school district has the ability to be somewhat “fiscally independent, having the ability to determine its own operating budget, and make its own budget modifications without outside review by other local officials or governments” (U.S. Census Bureau, 2009). Under this form of government character, public school

districts have the opportunity, through local and state government control, to determine taxes to be levied for its support, and to fix, adjust, and collect charges for its services (U.S. Census Bureau, 2009).

The United States Census Bureau also indicates that government entities are dependent on government. A government entity becomes dependent upon government by being defined as a form of government by a parent government. The parent government at the federal level allows each school district to act as an extension and to take part in activities that are viewed as important to federal government. Government at the state level can also be considered a parent government to public schools.

Public school decisions are dependent upon decisions made at state and federal parent government levels. This evidence of dependence is seen in budget decisions made at each level of government. At the state level with K-12 state aid funding in the process of being cut by an undetermined amount, school districts are placed in the position to reevaluate operating budgets. Ending at the highest level of government dependency, “school officials are fearing federal money for many programs such as special education and Title I will be held up by the federal government” because states have not come to an agreement on budget issues (Bouffard & Hornbeck, 2009). The president of the Michigan Education Association, Iris Salters, indicated that states like Michigan could lose out on receiving federal grants if educational funding continues to be cut. “It is clear that the state’s cuts to the K-12 budget were not made to help students – they were made in the name of political expediency. Cuts were made because certain legislative leaders refused to even consider finding a way to restore funding to our schools” (Salters, 2009).

Education has been consistently viewed as a vital extension of our nation's government which over time has filtered down to being an extension of our state and local levels of government. "Government institutions, including public schools, are in need of guidance and resources to help meet goals" (Brimley & Garfield, 2008, p.7). Goals of public schools are an extension of goals of government, and through the guidance and resources that are provided through government these goals are seen, strived for, and hopefully achieved.

Fifth Tie That Binds: Branches of Federal Government

One of the three branches of the federal government is the executive branch. The most well known person working in this branch of the federal government is the President of the United States. "The executive branch of the government is responsible for enforcing the laws of the land." With the help of the "Vice President, department heads (Cabinet members), and heads of independent agencies," the President carries out functions of the executive branch of government (U.S. Government Printing Office, 2009.).

The United States Supreme Court's landmark decision of *Brown v. Board of Education* "acknowledged the importance of education to our democratic society" (Reilly, 2009). Ten years after the United States Supreme Court's decision to make segregation illegal "98 percent of black kids were still in all black schools. Almost no white kids in the South were in black schools. The courts really failed to enforce the Brown decision and the Supreme Court did not tighten it enough so that it really made a whole lot of difference" (Anderson, Cuban, Kaestle & Ravitch, 2001, p. 144-145). In 1964, President Johnson, a former public school teacher, signed the Civil Rights Act that

banned discriminating on the basis of race in all federally funded programs, including schools. The Civil Rights Act stated that “states and school districts could lose their federal funding if they refused to desegregate their schools along with receiving an increase of federal funding coming in the form of the Elementary and Secondary Education Act of 1965” (p. 148). Under the Johnson administration, “more money got involved and this led to the federal government having the power then to police the local school systems.” During the early to mid 1960s, if a public school was found not integrating their students then the federal government would “cut off the federal funds” (p. 149).

President Barack Obama is now the chief of the executive branch of government. Obama gave details of his administration’s role in public education with his education “plan to ensure that our children have the skills to compete in a global economy” (Obama, 2009). Obama mentioned “leading a new era of accountability in education, holding our government accountable, making sure that every tax dollar spent by the Department of Education is being spent wisely, the very tax dollars that fund programs and grants that make the difference in a child’s education” (Obama, 2009).

Through the implementation of this education plan, there is the idea to create an Innovative Schools Fund to help “provide states and school districts the resources to implement plans to create a portfolio of successful public school types” (Obama, 2009). Federal sources of funding for states and school districts “will supplement state, local, and private funding” for documented successful programs in the attempts to “broaden the number of public school choices available to students.” Funds generated through this education plan can also “be used for supporting limited capital costs for schools”

(Obama, 2009). Our President's involvement at the executive level of our federal government, provides evidence of a tie that binds public schools to the federal government.

Another tie that binds public schools with the federal government is the America Recovery and Reinvestment Act of 2009 that was signed into law by President Obama earlier last year. This government involvement in public education involved the executive and legislature branches of our federal government working together. The America Recovery and Reinvestment Act of 2009 "provided \$5 billion dollars to help early learning programs, including Head Start, and provided \$77 billion dollars to help elementary and secondary education, including \$48.6 billion dollars to stabilize state education budgets" (White House Government, 2010). In many cases, the only reason that certain public school programs can exist is because of federal funding.

The No Child Left Behind federal law of 2002 under the Bush administration "represents the most significant overhaul and expansion of the federal role in education since the Elementary and Secondary Education Act of 1965" (McGuinn, 2009, p. 1). The cornerstone of this law is a "requirement that states, as a condition of accepting federal funds, must establish academic standards to guide their curriculum and adapt a testing regime that is aligned with those standards" (p.1). The state of Michigan, for a two week period annually in mid October, follows through with its commitment to follow federal law by having public school students take the Michigan Education Assessment Program standardized test. The MEAP is designed to "assess students in grades 3 – 9 based on Michigan Curriculum Framework" (Michigan Department of Education, 2009). The newly created Michigan Merit Curriculum can also be viewed as state government's

continued commitment to follow federal law and to continue to receive federal funding. This recent 2007 legislation is another tie that binds public schools in Michigan to both the state of Michigan and federal legislative branches of government.

In 2003, the United States Secretary of Education, Rod Page, produced a document giving states guidance on the issue of “constitutionally protected prayer in U.S. public elementary and secondary schools” (Page, 2003, p.1). Page referenced at least two United States Supreme Court cases that centered on the topic of prayer in public schools. Through the United States Supreme Court decisions of *Lee v. Weisman* of 1992 and *Santa Fe Independent School District v. Doe* of 2002, the United States Supreme Court upholds the first amendment of the United States Constitution and specifically “requires public school officials to be neutral in their treatment of religion, showing neither favoritism toward nor hostility against religious expression such as prayer” (p. 6). If a public school district is found violating a student’s first amendment, then the federal government can withhold federal funding under the General Education Provision Act, section 9525 (p.5). The United States Constitution, with the first amendment being the example and the United States Supreme Court enforcing its interpretation, has established “certain limits on the conduct of public school officials as it relates to religious activity, including prayer” (p. 5).

Decisions made by the three branches of federal government can be considered ties that bind public school employees to government employees. At the executive branch, public school teachers have a tie to government employees through the policies created, supported, and signed into law. At the legislative branch, ties that bind public school teachers to government employees are established with the laws that are created.

Finally, the judicial branch creates ties based on U.S. Supreme Court decisions. Each of the three branches of the federal government, just as the three branches of state government, have an active role in the public school system in our country.

Chapter III: Results and Analysis

Patterns in research indicate existing ties between public school districts and government. Public school systems, which include public elementary and secondary education systems, are recognized as a valuable extension of state and federal government systems (NCES, 2007, p. 4). Being an extension of a parent form of government allows teachers to be an extension of government employees.

Sources of public school teachers' salaries provide a tie that binds teachers to government employees. Monies that a school district generates, places in the general fund, and uses to pay teachers' salaries is present through local, state and federal sources. The revenue from federal sources includes money passed through state governments, as well as federal outlays directly received. State sources of revenue consist only of amounts originating from state governments. Revenue from local sources is comprised of revenue raised locally including taxes, charges, and miscellaneous revenues (NCES, 2007, p. 5).

The *Public Education Finances 2007 Report* available in July of 2009 contained financial statistics related to public elementary and secondary education used to survey local government finances. Federal law states statistical information must be collected for "government finance activities" (NCES, 2007, p. 4). Revenue for public schools are placed in the categories of local, state, and federal sources indicating that the federal

government views public school districts as an extension of local, state, and federal forms of government.

State directed education expectations that public school teachers are to provide for students add value to each teacher. These state directed education expectations, which have become state law through Ed Yes in 2002 and now the Michigan School Accreditation System in 2009, can be found in the Grade Level Content Expectations through Michigan's Curriculum Framework established by the Michigan Department of Education in 1993 (State of Michigan Government, 2009). Laws created and passed at state and federal levels, the very laws that dictate what goes on in public school classrooms, are ties that bind public school teachers to government employees.

State and federal levels of government consider public school districts government entities. Evidence is found in rules and regulations that each public school district must follow when reporting financial information. Teachers are allowed to purchase educational items with no state sales tax attached and are allowed to claim education purchases on income tax forms.

At the federal level, the United States Census Bureau states that public school systems are considered government entities. In order to be considered a government entity, an organization must meet specific requirements. The United States Census Bureau defines public schools in the United States as "a type of government entity with the responsibility for providing education services" (NCES, 2007, p. 4).

President Lyndon Johnson took the responsibility of enforcing the United States Supreme Court's 1954 decision of *Brown v. Board of Education*. President Johnson threatened to withhold federal dollars from school districts that did not desegregate

student populations. President Johnson was also the creator of education programs evident in our public schools today, programs like Head Start and laws created and enforced through the Civil Rights Acts of 1964 and the Elementary and Secondary Education Act of 1965.

When the Soviet Union launched the first ever man made satellite into space on October 4, 1957, the United States federal government created lasting educational reform.

Sputnik made clear to the American public that it was in the national interest to change education, in particular the curriculum in mathematics and science. Although they had previously opposed federal aid to schools on the grounds that federal aid would lead to federal control, the public required a change in American education. After Sputnik, the public demand for a federal response was unusually high and Congress passed the National Defense Education Act in 1958. (Kilpatrick, 1991)

President Obama has signed into law the Recovery and Reinvestment Act of 2009. Results of this particular joint executive and legislative decision can be found in our country's current stimulus package. A large amount of federal dollars have been and continue to be placed into the public education system of America. Our federal government, through the Obama administration's education plan, continues to express further education accountability and change in the years ahead.

Education laws found in the Civil Rights Act of 1954, National Defense Education Act of 1958, Elementary and Secondary Education Act of 1965, No Child Left Behind Act of 2001, and the Recovery and Reinvestment Act of 2009 could not be enforced unless each branch of the federal government agreed to work together. Actions of our federal government are dictated by the United States Constitution. Individual states are given authority to govern public education through the tenth amendment of the United States Constitution. Michigan's Constitution clearly states that state government

will encourage and provide an education for its citizens. Constitutions at the state and federal level create a tie between public school teachers and government employees.

Chapter IV: Recommendations and Conclusions

Recommendations

“Educational expectations of students have risen due to a more competitive global economy and educational organizations are a frequent target for educational reform” (Menard, 2010, p. 38). At the center of the target for educational reform are public school teachers who have the responsibility to respond positively to any and all changes. Valuing teachers is vital to help bring about positive changes mandated and expected through educational reform. Having public school teachers tied to government employees could very well increase the value of teachers and the overall function of government.

Teachers find themselves on the assembly line helping to produce the human capital needed to compete successfully in the competitive global economy. A level of education may make the difference between being employed or unemployed. Our federal government is working hard to raise our nation out of current tough economic times. Helping to provide educational opportunities is one way our government seeks to bring about positive change and progress.

Areas for Further Research

Reasons for wanting to be considered a government employee provide opportunities for further research related to the topic of ties binding teachers to government employees. Being considered a government employee creates both positive and negative implications that need to be established through research. Having ties

binding public school teachers to government employees helps create opportunities to research positive and negative implications of being a government employee.

Positive implications of being considered a government employee are found in several ways. The first positive implication is having the opportunity to have backing from some powerful allies. Our state and country's constitutions help defend what teachers do in and out of the public school classrooms. Government leaders are committed to doing more good than harm and that includes how we educate each child in our country.

A second positive implication is found in the help that is received financially from outside sources. Without local, state, and federal funding, public schools would not be able to function. The November 2009 addition of the National Education Association newsletter states that "the pro education President and United States Congress have made the largest investment in public education in United States history with the federal stimulus package" (NEA, 2009, p. 1). If the economy is going to continue to steer our country in a positive direction, then our public education system must work towards producing the best human capital it can.

Another positive implication to being considered a government employee can be found in the foundation of our country. From the very start of our country, education has been important. Our government was created to provide structure with the "most important single function of government" being the ways and means of "securing the rights and freedoms of individual citizens" (Benson, 1968). Strength in education is found in the first words of our United States Constitution, "We the people..." Our government continues to be managed by people. Our education system is built on the

same founding principles. As tough as education decisions are to make, it is comforting to know that these decisions are never made alone. The same checks and balances that are imputed in our United States Constitution, individual states' constitutions, and levels of local government are also found in the way public school systems are structured.

Without structure you have unorganized chaos. Without the overall structure of government and government involvement, public education would possibly be an unorganized, chaotic, and unproductive system. Government within our country touches the lives of countless Americans and this can also be said about our nation's public schools.

One possible negative implication of being a government employee is that public school districts seem to have all or most of their decisions dictated by all levels of government. The state and federal levels of government have something to say about what public schools are doing or not doing. Examples can be found in the \$1.6 billion unfunded federal and state mandates placed on Michigan public schools (SOS Michigan, 2010).

Another possible negative implication is found in how public schools are funded. Since public schools receive local, state, and federal funds, they are accountable to the government and responsible to meet required expectations, guidelines, regulations, and laws. Having local, state, and federal dollars attached to what you do and do not do allows the local, state, and federal levels of government to dictate what you can and can not do.

A third possible negative implication to being a government employee is that people far away dictate what goes on in school districts and classrooms. What goes on at

the different levels of government, for example, at the state and nation's capital, trickles down to what is required in each individual public school classroom:

Michigan governor, Jennifer Granholm, signed House Bill 4447 so the state could make its October 20th School Aid payments to schools. Without the October 20th School Aid payment many school districts would suffer. At times, it seems like public schools are at the mercy of the government. (Pearl, personal communications, October 15, 2009)

A fourth possible negative implication can be found in the attachment to local, state, and federal government budgets. Public school districts' budgets are clearly affected by budgets at the state and federal levels of government. When there is a budget deficit at the state level, you can be assured that the public school budget is also going to have a deficit. "Without a K-12 budget in place, schools may have had to close their doors or be unable to meet their bond payments" (Pearl, 2009). The same can be said about the federal budget. If money is tight in Washington D.C., money at the state and local levels of government will also be tight.

Summary and Conclusion

The foundational purpose of this master's paper was to seek answers to the research questions: Can teachers be considered government employees and what ties bind teachers to government employees? Having ties that bind public school teachers to government employees helps create opportunities to fulfill the role of government. Another opportunity is to receive the discounted "government rate" when staying at Holiday Inn hotels.

The corporation that owns Holiday Inn hotel brands is Intercontinental Hotel Group. A front office executive working at IHG stated that all types of discounted rates are under the individual interpretation of each Holiday Inn hotel. The availability of each

discounted rate depends upon the number of available rooms. Managers at several Holiday Inn brand hotels located near several state capitals and our nation's capital were asked the questions, "Do you provide a government discount and would you consider giving this discount to a public school teacher?" Each manager surveyed did offer a government discount and would offer this discount to a public school teacher as long as they had some type of identification. These same managers also mentioned that they do consider public school teachers state government employees (Holiday Inn Brand Hotels, personal communications, October 12, 2009).

When making a reservation using the Holiday Inn website there is a government rate description: "STATE GOVERNMENT OR UNIVERSITY ID REQUIRED AT CHECK IN. RATE IS BASED ON PREVAILING GOVERNMENT PER DIEM AND IS SUBJECT TO CHANGE" (Holiday Inn, 2009). Receiving the government discount is not a guarantee even if managers at Holiday Inns consider you a government employee. The manager at the Holiday Inn Express hotel in Salem, Oregon stated that a guest would have to be on official school business to receive a government discount. The manager at the Candlewood Suites Hotel in Olympia-Lacey, Washington stated that a discount would be given no matter what the reason for staying was as long as identification was given (Holiday Inn Brand Hotels, personal communications, October 12, 2009).

In education, there are no stupid questions to ask, especially during these tough economic times. When planning to stay at a Holiday Inn or any other brand of hotel during these same tough economic times, it is not a stupid question to ask when making a reservation if a public school teacher can receive a government rate. There is an opportunity to receive such a discount. Certain managers at Holiday Inn hotels state that

the government rate discount is one of the biggest discounts that Holiday Inn hotels offer to guests. Knowing this makes asking the rate question worth it!

Benjamin Franklin, an important historical and governmental figure, might have said, “A discount received is money saved,” if Holiday Inn hotels were around during his day. Since Holiday Inn hotels were not around until the early 1950s, Benjamin Franklin was left with the opportunity to say, “A penny saved is a penny earned.” Knowing school teachers work for a recognized government entity provides an opportunity to ask for a government rate when staying at Holiday Inn hotels. Having an opportunity is all anyone can ask for.

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