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# Legislative Decision Making on Education Issues: A Qualitative Study

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## Legislative Decision Making on Education Issues: A Qualitative Study

### Abstract

The purpose of this descriptive, single case study was to provide knowledge and insight about state education policy-making, specifically, the process by which education-related bills pass through a legislature. This study was also designed to identify factors of influence shaping legislative decision-making as perceived by lawmakers and observers of the legislative process. Sources of evidence included interviews, direct observation, archival records, public records documentation, and tape recordings of committee meetings and Senate floor sessions. Results show that a bill's fate is subject to many planned and unplanned sequential steps, and to a collection of diverse personalities that drive the legislative process. Trust forms the foundation upon which other factors depend including bill sponsors, party leadership, lobbyists, fellow legislators, and constituents.

### Keywords

Legislative Process, Decision-Making, and Education-Related Bills

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## **Legislative Decision-Making on Education Issues: A Qualitative Study**

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### **Introduction**

The United States Constitution contains no specific reference to education. Therefore, the power and responsibility for establishing and maintaining an educational system rests with each state. Campbell, Cunningham, Nystrand, and Usdan (1990) write, "The dismay with which many state legislatures view the school bills of each legislative session is, in a sense, inevitable: the basic decisions regarding education cannot be made anywhere else" (p. 85).

In the last 25 years school policy-making has dominated state legislative agendas. McDonnell (1988) points out:

One of the most striking characteristics of state educational policy over the last three or four years has been the extent to which its substantive direction has been shaped by governors and legislators, rather than by education specialists such as chief state school officers. Those in general government who traditionally focused almost solely on the allocation of fiscal resources to schools are now enacting policies that directly affect the substance of education – what is taught and who teaches it. (p. 92)

The extent of legislative involvement in public school matters suggested by McDonnell is confirmed by Marshall, Mitchell, and Wirt (1989) in a cross-state comparative study of education policy-making in Wisconsin, Illinois, California, Arizona, West Virginia, and Pennsylvania. In another study Griffin (1994) reported that legislators who responded to the National Council of State Legislators' (NCSL) Annual

Survey prioritized the formation of education policy second behind health care. Also, in the 1990s many state Governors became more active participants in state education policy regimes (Gittel & McKenna, 1999). Epstein (2004) further adds, "There is no doubt, for example, that the dominant trend has been to centralize power over education in state and federal hands" (p. 3).

The belief and practice of early twentieth century reformers, educators, and political scientists that politics and education should remain separate slowed the development of research in state education policy-making. Many factors contributed to the merger of education and political research: (a) the behavioral era in political science; (b) the heightened role of education and policies; (c) the 1950s school desegregation movement; (d) the ascent of Sputnik in 1957; (e) the establishment of collective bargaining; (f) increased inquiry of public school productivity by taxpayers; and (g) the continuing development of a competitive two-party political system (Mitchell, 1989).

Studies in state education policy-making first appeared during the early 1960s. Although they lacked consistent theories, frameworks and methodologies, these research endeavors reinforced the need for political awareness by educators. They also established a foundation upon which future state education policy-making research would expand.

Increased state legislative activity in public school matters during the early 1970s led researchers to seek other theoretical models. Most studies of education policy-making in state legislatures fall into one of three types: (a) institutional, (b) process, and (c) behavioral. Institutional studies focus upon specific rules and procedures assumed to direct and control legislative actions. The process model is used to analyze how inputs or pressures are converted into outputs or policy outcomes. Due to the descriptive nature of the process model, many investigations enlist case study research designs. In the behavioral model, legislators become the focus of analysis: Who they are, how they function, and why they make certain decisions are questions behavioral researchers ask about lawmakers. Researchers have examined legislators' role orientations, policy attitudes, and decision-making patterns to address these questions.

Mitchell (1981) described the three theories of influence, constraint, and role orientation to explore decision-making. Under the role orientation theory of decision-making Mitchell describes four dimensions of influence: (a) authority, (b) reference groups, (c) decision style, and (d) decision mechanism. Light (1992) described six decision-making styles among United States Senators: (a) rational actor, (b) university teacher, (c) business tycoon, (d) medieval warrior, (e) small town neighbor, and (f) garbage collector. Other theoretical models have been used to examine legislative decision-making including the consensus model, the cue-taking model, the policy dimension model, and the electoral-incentive model.

Action by legislators to reach a decision on an issue occurs in several stages. Policymakers require different kinds of knowledge and information at the different stages. Decisions about issues and those individuals who influence the decisions change from one stage to the next.

Exploration of the influence variables on legislative decision-making has proven to be complex. Nevertheless, previous research (Flagel, 1990; Hirschi, 1969; Huckshorn, 1965; Keese, 1990; Roberson, Durtan, & Barham, 1992; Turner, 1976; Wirt, Morey, & Brakeman, 1970) found some factors impacting voting behavior included age, gender, socioeconomic background, religion, legislative seniority, committee membership, party

affiliation, staff interest groups, lobbyists, legislators' constituents, and personal views and values (Canfield-Davis, 1996).

Increased control over public school matters by state legislators in the last twenty years has prompted the need for a more comprehensive understanding of the state education policy-making process. It was the goal of this study to explore the education policy-making process in a state legislature. In addition, this study was designed to identify factors of influence perceived by legislators and others to shape legislative decision-making on education-related legislation. The researchers have the perspective if educators and legislators agree a well-educated citizenry is needed to contribute to a healthy society and sustainable economy, then a better understanding of a state education policy-making process has potential for achieving that goal. At the time this study was conducted the first author was a public school superintendent. Simultaneously, her spouse was serving on several committees including the Senate Education Committee in the state legislature. In addition he held a leadership position in the Senate. His decision making process involved the consideration of various sources of information. Most of the time his point-of-view differed from that of the first author and her colleagues, even though they had close connections with the schools. After observing this difference in opinion for several years the first author was motivated to systematically study the legislative decision making process.

In the last few years public pressure for better and more efficient schools has been felt by education policymakers at all levels. By statute, the primary responsibility for providing a system of public education rests with the state legislature, and lawmakers have become more assertive in setting policy to improve their schools. Few professional educators have a clear understanding of how the legislative process work, or why politicians vote for or against a particular bill.

Fowler (1994) notes:

Even more than district leaders, building administrators have traditionally been insulated and isolated – from the pressures of the outside world. For the most part, they stayed within their four walls, making occasional forays to district meetings. No one expected them to follow state politics, or even the policy developments in neighboring districts. (p. 12)

This lack of understanding makes it difficult for education policymakers including educators, school board members, parents, state boards of education, and state departments of education to build and sustain coalitions of support across issues. One reason for legislative interest in public school issues is that the loss of confidence in the ability of local authorities to provide high quality education programs has compelled state legislators to step in and preempt local discretion (Kirst, 1987). Another reason may be attributed to a transformation in state legislatures that occurred beginning in the 1960s. This transformation included longer sessions, better organization of standing committees and expansion of professional staffing, all of which strengthened the capacity of state legislators to govern (Rosenthal, 1988).

Although education is anchored and thrives in the states (Marshall et al., 1989) the people, political issues, and processes that comprise the legislative institutions in each state vary significantly (Rosenthal & Fuhrman, 1982). Davies (1986) adds, "Each

watershed year in political life brings to state legislatures a flood of new members with different agendas” (p. 15).

With the expansion of state-level education policy-making, the study of the legislative process and the influences that shape state legislators’ education policy decisions is needed for several reasons. First, this study provides educators, school board members, parents, policymakers, and all those concerned with public schools more knowledge and insight about how school policy is formed in the legislative arena. This knowledge can lead to the development of more coherent educational policies which would give direction to the education system (Fuhrman, 1993). Roberson et al. (1992) maintain that incongruent education policy can lead to devastating discrepancies in information needed to resolve issues.

Second, a gap exists between state legislative policymakers and education policy implementers. An understanding by educators of the legislative process and the factors that influence education policy decisions promotes cooperation and collaboration between educators and lawmakers. This partnership can lead to more effective development and implementation of education policy.

Third, if educators are familiar with the state legislature functions and decision-making processes, then educators may have greater influence on which policies are enacted and the content therein. The importance of educators’ influence upon policy decisions is explained by Farkas and Johnson (1995) who write:

But discourse on how to improve public education that does not include the concerns and ideas of class room teachers is incomplete and probably dangerously inadequate. In their daily interactions with students, teachers play the starring role in education. Most of us remember teachers who could excite us about learning and make us do our best, and we count them among the major influences in our lives. (p. 9)

Although Farkas and Johnson’s (1995) statement refers specifically to teachers, it is important all educators, including administrators, engaged in the dialogue on public education. When this discourse occurs in a legislative arena, an understanding of the legislative process by educators will enhance outcomes for public schools. Finally, a study of state-level public school governance challenges educators to consider alternative models and approaches to policy-making for public schools.

The purpose of this study was to conduct an on-site investigation of the process by which education-related bills advance through a state legislature. In addition, this study was designed to identify factors of influence that shape legislative decision-making on education-related matters as perceived by the lawmakers and observers of the legislative process. Questions investigated were:

1. What are the steps of the legislative process that could cause an education-related bill to pass or fail?
2. What factors of influence as perceived by legislators shape legislators’ voting decisions?
3. What factors of influence as perceived by observers of the legislative process shape legislators’ voting decisions?

## Methodology

### *Non participant observation*

The first author participated in the legislature for two weeks as an outsider and used these observations as another source of data collection and recruitment of participants for this study. During these observations she was not an active part of the setting (Tashakkori & Teddlie, 1998). Patton (2002) explains "...through direct observation the inquirer is better able to understand and capture the context within which people interact" (p. 262). The purpose is to describe the setting, the activities taking place, and the people participating in those activities from the perspective of those observed (Patton, 2002).

### *Participants*

Selection of the participants was based upon their knowledge of the legislative process and education issues, and their potential to influence education policy decisions in the legislature. A proportional balance of the total number of Democrats and Republicans, and senators and representatives was also sought. Participants were purposefully selected to generate information-rich cases that might offer insight and understanding on legislative decision making process (Patton, 2002). Based upon the direct observation and the criteria listed above, 37 participants were interviewed for the present study including: the Governor, the Lieutenant Governor, the President Pro-Tempore of the Senate, the Speaker of the House of Representatives, the Chairpersons of the House and Senate Education Committees, the Vice Chairpersons of the House and Senate Education Committees, the Co-Chairpersons of the Joint Finance and Appropriations Committee (JFAC), the House of Representatives Minority Leader, seven legislators serving on the House Education Committee, three legislators serving on the Senate Education Committee, a Senator who once served as the Senate Minority Leader and who was also a former member of the Senate Education Committee, a Senator not serving on the Education Committee or on the Joint Finance and Appropriations Committee, but who offered to be interviewed, a staff specialist in educational issues from the Governor's Office, a legislative liaison from the State Board of Education Office, one staff member specializing in educational issues from the Office of Financial Management, six legislative staff employees, two staff members from the legislative council and three education lobbyists (See Figure 1). When this study began, the university with which the researcher was affiliated did not require a formal Institutional Review Board process for dissertations, if a college committee of professors approved the proposal. At the time the initial study was conducted ethical oversight at the private Jesuit university was thorough. Membership of the committee included two professors from the Jesuit university and one from a research-one institution in the state where the study was conducted. This committee had the authority to either grant, deny, or suggest changes in the study as they reviewed the proposed participant list, interview guide, and data collection procedures.

After reviewing the proposal the committee determined that neither the participants would be harmed, nor would their positions jeopardized. The committee was

satisfied with the researcher’s capabilities of successfully completing the project and supervised the data collection process. Once the proposal was approved, an initial letter was sent to the governor, house and senate committee chairmen, republican and democratic legislative leadership, the state superintendent of public instruction, executive directors of several state education associations, and legislative staff. A copy of the letter is located in Appendix A. Prior to commencing each interview a preliminary informed consent meeting was held with each participant. At that meeting the purpose of the study, potential risks, and benefits were discussed. Confidentiality was assured and informants were told no would come to them as a result of participating in the study. Further, participants were encouraged to contact the researcher or the university before, during, and after the study with any concerns they might have. They were also advised they could withdraw from the study at any time without consequence.

Figure 1. *Levels and connections of participants*

Governor (D)			
Lieutenant Governor (R)			
President Pro-Tempore of the Senate (R)			
Speaker of the House of Representatives (R)			
House of Representatives Minority Leader (D)			
Chairpersons of the House and Senate Education Committees (R)			
Vice Chairpersons of the House and Senate Education Committees (R)			
Co-Chairpersons of the Joint Finance and Appropriations Committee (JFAC) (R)			
Senators		Representatives	
Republican	Democrat	Republican	Democrat
Sen #1	Sen #4	Rep #3	Rep #1
Sen #2	Sen #8	Rep #4	Rep #2
Sen #3		Rep #5	Rep #7
Sen #5		Rep #6	
Sen #6		Rep #8	
Sen #7		Rep #9	

*Data Collection*

Personal contacts with the participants were initiated to explain the purpose of the study and schedule an interview. Depending upon the preference of the informant, interviews took place at their convenience in offices, the lunchroom, or at the legislator’s desk in the House or Senate chambers. Six of the legislative staff employees were interviewed simultaneously. Two of the lobbyists were interviewed together. All other participants were interviewed separately. During one interview, another legislator interrupted the discussion and provided additional commentary. No interruptions occurred in the other interviews. Using a voice-activated cassette recorder, and with the permission of the informant, the researcher made a recording of all semi-structured, focused interviews, with the exception of one. In this instance, the researcher took written notes during the interview.



Table 1

Formal Interview questions asked of each participant

WHO	H	S	D	R	E D	J F A	Question Number																				
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18			
GOV			1				1		1				1	1		1	1			1							
LT GOV				1			1	1					1	1	1		1					1	1				1
REP 1	1		1		1		1	1	1	1	1	1	1	1		1	1			1	1	1					
REP 2	1		1		1		1	1	1	1	1	1	1	1		1	1	1	1	1	1		1				
REP 3	1			1	1		1	1	1	1			1	1			1	1		1			1				
REP 4	1			1	1		1	1	1	1	1		1	1		1	1	1		1	1						1
REP 5	1			1	1		1	1	1	1	1	1	1	1		1	1	1	1	1	1	1	1	1	1	1	1
REP 6	1			1		1	1	1	1		1	1	1	1		1	1		1	1	1	1	1	1	1	1	1
REP 7	1		1		1		1		1	1				1		1	1	1	1	1	1	1	1	1			
REP 8	1			1	1		1	1	1	1	1	1	1	1		1	1	1	1	1	1	1	1	1	1	1	1
REP 9	1			1	1		1	1	1	1	1	1	1	1		1	1	1	1	1	1	1	1	1	1	1	1
<b>R TO</b>	<b>9</b>	<b>0</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>1</b>	<b>9</b>	<b>8</b>	<b>9</b>	<b>8</b>	<b>7</b>	<b>6</b>	<b>9</b>	<b>9</b>	<b>7</b>	<b>9</b>	<b>7</b>	<b>6</b>	<b>9</b>	<b>6</b>	<b>8</b>	<b>3</b>	<b>5</b>				
SEN 1		1		1	1		1	1	1	1	1	1	1			1		1	1								
SEN 2		1		1	1		1	1	1	1	1	1	1		1	1	1	1	1		1						
SEN 3		1		1			1	1	1		1	1	1		1	1	1		1	1		1	1		1	1	
SEN 4		1	1		1		1	1	1	1	1	1	1		1		1	1	1		1		1				
SEN 5		1		1	1		1	1	1	1	1	1	1		1	1	1		1	1		1	1	1	1	1	
SEN 6		1		1	1		1	1	1	1	1	1	1		1	1	1	1	1		1						
SEN 7		1		1		1	1	1	1		1	1	1	1		1	1	1	1		1	1	1		1		1
SEN 8		1	1				1	1	1		1	1	1	1		1	1	1	1	1	1	1	1	1	1	1	1
<b>S TO</b>	<b>0</b>	<b>8</b>	<b>2</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>5</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>5</b>	<b>8</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>3</b>				
LDR 1		1		1			1	1	1				1	1			1		1	1	1	1	1				
LDR 2	1			1			1	1	1		1		1	1		1	1	1	1	1	1	1	1				
LDR 3	1		1				1	1	1		1		1	1		1	1	1	1	1	1	1	1				1
<b>L TO</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>
STF 1							1								1		1	1									
STF 2							1		1			1		1		1											
STF 3							1				1	1		1		1		1		1							
STF 4							1	1	1					1		1	1	1	1								
STF 5									1									1									
STF 6							1	1	1				1	1		1	1										
<b>S TO</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
LB 1								1			1	1		1		1	1	1			1				1		1
LB 2/3							2				2	2		2		2	2		2								
<b>L TO</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	
TLAN	11	9	6	1 4	13	2	27	2	24	13	2	1 2	2 1	2 9	2	2	22	26	20	19	20	14	16	7	9		

Two types of interviews, semi-structured and unstructured, were selected for this study. First, a semi-structured interview format (Yin, 1989) was used with participants. These interviews were guided by a predetermined list of questions to create a basic structure and focus for the interviews. However, the exact wording and order of the questions remained flexible. This gave the participants the opportunity to direct the content. To develop questions that would focus the interview upon the legislative process and factors of influence shaping voting decisions, the researcher conducted a review of related literature and also consulted with legislators, an educational lobbyist, and news media personnel

responsible for reporting on legislative activities. None of these individuals were participants in this study.

Changes were made in the initial interview guide to reflect the suggestions offered by the legislators, the educational lobbyist, and news media personnel. For example, in question five (see Appendix A) sub questions were added to facilitate further discussion. To further strengthen the interview guide and ensure the questions were appropriate, these revisions were reviewed with five faculty members of the Political Science Department at four different institutions and the Senate Assistant Minority Leader. The interview guide used in this study contained 18 questions which were asked of most participants. One example of a question asked only to those legislators who had served three terms (six years) or more was, "What changes, if any, have you seen in the legislative process over the years?" Another example of a question asked only to those legislators serving on the House or Senate Education Committee was, "How were you appointed to the Education Committee?" In addition there were six questions which were unplanned at the onset, but which most informants answered. The semi-structured interviews averaged from 30 to 90 minutes in length. Refer to Table 1 for a listing of each question asked and the total number of individuals responding to each question.

The second type of interview used in this study was *unstructured*, primarily for the purpose of member checks. Four unstructured interviews conducted in this study involved casual discussions with participants. For the most part, these unstructured conversations occurred when the researcher needed clarification and more information on a particular issue or phenomenon. The researcher either took written notes during the conversation or summarized the exchange in writing at a later time. The notes taken were condensed, rather than detailed, to allow the researcher time to listen to what was being said.

### *Data Analysis*

Data were first organized chronologically and content analyzed for patterns and regularities. Yin (1989) says, "The arraying of events into a chronology permits the investigator to determine causal events over time, because the basic sequence of a cause and its effect cannot be temporally inverted" (p. 119). Merriam (1988) defines content analysis as "a systematic procedure for describing the content of communications" (p. 116). Written notes and comments were made by the researcher when patterns and regularities occurred. These patterns and regularities were sorted into thematic categories. To develop and prioritize the categories, four guidelines suggested by Guba and Lincoln (1981) were considered. First, frequent occurrence of an activity or mention of an issue indicated the need for a category. Second, Guba and Lincoln maintain some items are given more credibility by the various audiences, and some items are considered less credible. Comments and activities deemed credible and realistic by the participants were retained for categorization. Third, concerns and issues that stand out because of their uniqueness were noted. Guba and Lincoln explain, "While they may be the product of highly idiosyncratic perspectives, unique items probably ought to receive higher priority than others because they add interesting detail and proportion to the evaluator's perspective" (p. 95). Fourth, items facilitating inquiry pertinent to the study were placed

into categories. According to Guba and Lincoln this type of category may “provide a unique leverage on an otherwise common problem” (p. 95).

Next, a coding analysis was conducted on the data that were compiled into categories. The identification of themes using coding and sorting are important to the qualitative research process (Coffey & Atkinson, 1996). While reviewing the transcripts of the interviews comments were highlighted using different colored pens based upon categories followed by sorting similar comments into labeled file folders. Codes were devised to identify the formal and informal steps of the process by which education-related bills advanced through legislature and the sources of influence on voting decisions.

Table 2

*Within-and Across-Analytic Strategies for a Study of Legislative Decision Making Process*

Strategy	Analytic Focus	Product
Analytic immersion in all	Within all interviews	Sense of variables
Immersion in each interview	Within each interview	Significant statements
Comparisons of significant	Across all interviews	Categories of common statements and Identification of themes
Organize categories of significant statements by themes	Set of significant statements	Essential structure
Return analysis to participants	Essential structure	Close the circle of authentication

Coded data were then arranged in two types of matrix display formats to present the information systematically. Two types of matrix display formats developed by Miles and Huberman (1994) were chosen to illustrate the data. First, a time-ordered matrix was created to record the chronological flow and connection of the events that took place during the legislative session. Second, two checklist matrices were used to compare the data obtained from the sources of evidence about: (a) the formal and informal steps of the legislative process; and (b) the sources of influence on voting decisions. The displayed data enabled the researcher to identify the recurrent themes and patterns. A theme or pattern that emerged three or more times was considered significant in terms of providing insight about the steps of the legislative process and the factors of influence on voting decisions. Themes and patterns not repeated three or more times were further examined to ensure their potential importance was not overlooked. According to Miles and Huberman (1984, 1994) three good reasons justify counting something that is found consistently in the data. First, counting gives researchers a general idea of what the data contains. Second, counting allows the researcher to support or verify an emerging construct or constructs. Finally, counting helps protect against researcher bias. After discussions with the committee who approved the project, it was determined a theme or pattern that emerged three or more times would enable the researcher to make generalizations about the data. The matrices presented the data in a focused display

enabling the researcher to make interpretations and draw conclusions. To accomplish this goal the researchers made sense of each interview and then compared across those accounts to identify themes Colaizzi (1978). The steps in this analysis were similar to another qualitative study conducted by Cardona and Jain (2009) and are summarized in Table 2.

*Step 1*

All of the interviews were transcribed verbatim, including pauses in the discussion, digressions, and hesitation words such as “um and “ah.”

Example: The following comments were made by the Lieutenant Governor.

Ah, there are few, and precious few,..ah, representatives and senators...that I think read **every** bill word by word and totally understand them when they vote on them. ...So I think they persuaded number one, by the person that’s carrying the bill. Ah, in absence of total knowledge of the question, I think they are persuaded number two . . if they’re not totally convinced they ought to be voting for it, and they’re (tongue twists here) not totally **aligned** with the person that is carrying the bill - - and going to vote for it because that person **wants** it - - ah, then they may listen to debate. And I think they are persuaded by that. ....Maybe that’s, maybe that’s only 15% or 20 % of the legislation that goes through it.

*Step 2*

Initial transcripts were examined to identify general themes. Notations were made in the margins, and themes were highlighted using different colored pens. Words in bold letters were given added emphasis.

<p>*Process *Sponsor *Debate</p>	<p>Ah, there are but <b>few</b>, and precious few,..ah, representatives and senators...that I think read <b>every</b> bill word by word and totally understand them when they vote on them. ...So I think they are persuaded number one, by the person that’s carrying the bill. Ah, in absence of total knowledge of the question, I think they are persuaded number two..if they’re not totally convinced they ought to be voting for it, and they’re (tongue twists here) not totally <b>aligned</b> with the person that is carrying the bill - - and going to vote for it because that person <b>wants</b> it - - then they may listen to debate. And I think they are persuaded by that. ....Maybe that’s a good, maybe that’s only 15% or 20 % of the legislation that goes through it.</p>
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*Step 3*

Initial transcripts were re-organized by the question asked, and then condensed, removing all of the extemporaneous, irrelevant comments, phrases, and utterances.

\*Process | There are but few, and precious few, representatives and senators that I think

Sponsor *Debate	<p>read every bill word by word and totally understand them when they vote on them.</p> <p>So I think they are persuaded number one, by the person carrying the bill.</p> <p>In the absence of total knowledge of the question I think they are persuaded, number two, if they're not totally convinced they ought to be voting for it, and they're not totally aligned with the person that's carrying the bill and going to vote for it because that person wants it, then they may listen to the debate. And I think they are persuaded by that. Maybe that's only 15 or 20 percent of the legislation.</p>
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#### Step 4

Specific themes, and topics within those themes, were identified, and coded using colored pens.

*Process: Reading Bills	<p>There are but few, and precious few, representatives and senators that I think read every bill word by word and totally understand them when they vote on them.</p> <p>So I think they are persuaded number one, by the person carrying the bill.</p>
Sponsor *Debate	<p>In the absence of total knowledge of the question I think they are persuaded, number two, if they're not totally convinced they ought to be voting for it, and they're not totally aligned with the person that's carrying the bill and going to vote for it because that person wants it, then they may listen to the debate. And I think they are persuaded by that. Maybe that's only 15 or 20 percent of the legislation.</p>

\* Variables not included in this paper

To strengthen credibility, and dependability of the findings, the strategies of triangulation, member checks, and repeated observations at the site were used. Triangulation processes in this study were derived from Patton (1987) *data triangulation*. Data triangulation requires the researcher to gather multiple sources of data for the purpose of corroborating the same fact or phenomenon (Yin, 2003). In this study the multiple sources of data were interviews, direct observation, archival records, public records documentation, and tape recordings of committee meetings and Senate floor sessions. Data obtained from direct observations, archival records, public records documentation, and tape recordings of committee meetings and Senate floor sessions were analyzed separately first, then combined together, in a similar manner as the interview data. In this paper only data obtained from interviews are included.

The transcribed interviews were analyzed using the same procedures by three researchers (two authors of the article and another researcher with an advanced degree in political science) independently using comparative methods to identify core themes shared by the legislatures regarding decision-making process. Following researcher triangulation (Johnson, 1997), the themes agreed upon by the researchers were documented using low inference descriptors in order to capture the essence of the lived experience of the legislatures and staff sampled. According to Johnson, low inference descriptors enable the reader to experience the actual language, dialect, and personal meanings of the statements made. The direct quotations used in this report to illustrate the

influence factors upon legislative decision-making are examples of low inference descriptors. The following quote illustrates information about the participant's interpretations and enables readers to experience this participant's perspective of legislative camaraderie. "You witness the battles between parties and they are getting downright bloody almost. But the camaraderie, the brotherhood of the legislature is stronger than that. Don't say anything against anyone from any party because you'll get eaten alive."

Member checks, which entailed informal discussions to check the researchers' perceptions of what was said by participants, or observed, occurred not only with the participants but also with the Senate Minority Leader, Assistant Senate Minority Leader, Chair of the Senate Education Committee, legislative staff members, a staff member from the Governor's office, and one educational lobbyist. The creation of a chain of evidence, the review of a draft copy of this study by a selection of participants, and the provision for a detailed account of how the data were collected and analyzed also served to improve credibility and dependability.

## Results

In order to understand the factors that influence legislative decision-making on education-related matters 96 cassette tapes (4,393 minutes) of data was gathered and analyzed. Data were organized into the following categories: (a) trust, credibility and respect; (b) sponsor; (c) legislative leadership (d) party affiliation; (e) legislative camaraderie; (f) lobbyists; (g) constituents; (h) sources of information and advice; (i) religion; (j) regionalism, or the geographic location of legislators' home districts; (k) fiscal impact; (l) re-election; (m) timing, as it pertains to the number of prior legislative sessions a bill is introduced; (n) other factors of influence upon voting behavior; (o) media; (p) groups and individuals perceived to be leaders in directing or influencing educational policy.

### *Trust, credibility, and respect*

Trust constituted a cornerstone in legislative process. Legislators and others who were perceived to be credible and respected affected the legislative process and influenced voting behavior. They were consulted for information about bills and voting advice. The number of legislators perceived to be credible in this legislature ranged from approximately six to 26. Certain lobbyists were also considered to be credible and respected to the extent to which they were perceived to be honest, well-informed, reliable and objective.

Participants in this study linked trust, credibility, and respect with: (a) the legislative process; (b) acquiring information about bills; (c) legislators; (d) voting decisions; (e) the number of legislators perceived to have these qualities; (f) lobbyists; and (g) the behaviors of legislators and lobbyists who demonstrated these attributes.

Senator #8: The legislative process really comes down to...what kind of credibility you have and whether when you say something, they believe that it's the truth. And once you reach that, then you can do a lot of things as long as you make sure that you don't destroy any of your credibility by saying something that isn't true.

Leader # 1: The overall of the person being able to either pass, or kill legislation, is again the respect of their colleagues... [It's] not a lot of things that you'd think would sway people... He [a legislator] has got to have the respect of [his colleagues] and the background work on the bill...to ever get it through.

### *Sponsor*

Bills introduced in legislature must be sponsored by at least one legislator. Sponsors who were trusted and perceived to be credible and respected influenced voting decisions among legislators. Although many bills originated with legislative sponsors, some bills were initiated by individuals, state agencies, or special interest groups outside the legislature. Sometimes the source of a bill's origination was a factor of influence upon voting decisions. For example, bills initiated by the Governor were not favorably looked upon by Republicans who dominated both the House of Representatives and the Senate.

Data obtained for this study revealed that nearly every participant identified a bill's sponsor as a factor of influence in shaping voting decisions. A reference to trust, credibility, or respect was made in each remark. For example, Senator # 8 explained,

To a certain extent it [the sponsor] does [influence voting decisions]. If you don't trust the individual then you have a tendency to want to find out from somebody else whether what they're saying is really the truth.

### *Legislative leadership*

Lawmakers in the legislature elect their colleagues to leadership positions. The Senate elects a President Pro Tempore to preside over the Senate in the absence of the Lieutenant Governor. In the House of Representatives, legislators elect a Speaker of the House as the presiding officer. In addition, both the majority and the minority parties select floor leaders to maintain order and discipline. Some participants identified leadership as a factor of influence in shaping voting decisions while other participants maintained those who held leadership positions did not influence voting behavior. Caucus meetings were scheduled by party leaders to discuss legislative issues. These meetings were closed to the public. Sometimes leadership spoke privately with other members of their party to influence voting decisions. When used as a pressure tactic, this action was referred to by some lawmakers as, "being taken to the woodshed." Representative #5 clarifies "I guess you can get called to the woodshed...I think it stems back to when kids got spanked decades ago and now it means a verbal...chewing out."

Other data pertaining to legislative leadership included: (a) leadership selection; (b) leadership responsibilities; (c) perceptions of Legislative leadership; (d) perceptions of the Senate President Pro-Tempore; (e) Perceptions of the Speaker of the House; (f) influence of legislative leadership upon voting decisions; (g) party caucus meetings; (h) influence of party caucus positions; (i) woodshed persuasion tactic; and (j) influence of the Lieutenant Governor.

Representative #3 relayed the importance of legislators working closely with leadership:

But obviously your leadership positions...those are the people that have the respect of the caucuses to the point where they were elected...They are a player oftentimes when you're...trying to promote legislation. It is important that you keep those folks abreast of what you're doing. They can help you a great deal, or...they can also keep things from coming through the process.

### *Party affiliation*

Opinions about the impact of political party pressure upon voting decisions varied. An equal number of participants maintained that party pressure was either influential or not influential in shaping voting behavior. The remaining data relevant to party affiliation are presented according to: (a) perceptions of Democrats and Republicans; (b) influence of party affiliation.

Staff #6 expressed other perceptions of Republicans and Democrats:

Republicans seem to have their act together a little better, in the sense that they act more like a ...united entity.

### *Legislative camaraderie*

A legislative camaraderie exists within the legislature. This camaraderie periodically swayed voting decisions. Although some participants in this study indicated social camaraderie within the Legislature had decreased over time, other participants suggested a legislative camaraderie or "clubbiness" still existed. For example, Lobbyist #2 pointed out, "You witness the battles between parties and they are getting downright bloody almost. But the camaraderie, the brotherhood of the legislature is stronger than that. Don't say anything against anyone from any party because you'll get eaten alive."

Staff #6 indicated legislators form associations with both other members of the legislature and people close to the legislative process. Staff #6 further noted that these associations influenced voting behavior. Her comments were:

A lot of it [voting behavior] is so informal...it's almost the wink and nod system...People come in here as legislators, with a predetermined network of knowledge bases and...that might include a lobbyist...whether it's leadership or somebody else within their party, or somebody on a committee who they...would expect to understand what's going on. A lot



of it is, “Is this something that’s minimally acceptable?” If it’s not a big deal, then maybe they’ll go with it. It’s not the kind of contemplative review that I think a lot of people suspect, or hope, that it is. It’s a decision made by camaraderie and not review.

Another aspect of camaraderie was discussed by Representative #3 who maintained that as legislators develop rapport with their colleagues, they are able to influence votes:

A good legislator, in my mind, can always be looked upon as a person that whenever they voted they could carry about three or four, five, ten, a number of votes with them...If you could develop rapport with people...you could carry many more people with your vote.

### *Lobbyists*

Many lobbyists affiliated with the Legislature were perceived to be useful sources of information. Influential lobbyists volunteered both the positive and negative aspects of bills. Lobbyists did not generally engage in pressure tactics with lawmakers. In some cases they were perceived to be a factor of influence in shaping voting decisions, and in other cases they were not considered factors of influence. Participants in this study agreed the teacher’s education association was the most visible and influential lobbying organization in the legislature, although sometimes the association’s involvement with legislative issues caused negative reactions among lawmakers. Other major education lobbying groups affiliated with the legislature were the state’s association of school administrators and school boards association.

Data obtained about lobbyists affiliated with the legislature found the following categories: (a) perceptions of lobbyists; (b) methods lobbyists use to contact legislators; (c) viewpoints lobbyists give legislators; (d) pressure to vote a certain way; (e) rapport between lobbyists and legislators; (f) lobbyists as influence factors upon voting decisions; (g) state’s Education Association; and (h) other education lobbying groups.

Senator #4 expressed perceptions of lobbyists who were affiliated with the legislature:

Lobbyists are hired guns. They have a single point of view, and they don’t give a damn about anybody else’s point of view, the contrary point of view. They aren’t into mediation or arbitration; they are...supporting their industry...And I appreciate those folks who don’t sell themselves as anything but. They say they are hired guns and they are out to promote their industry as long as they can. And they are going to give me reliable information and I can give them a modicum of respect. When they slide around and try to tell you that they are, “really trying to do the right thing here and this is the line that you should believe, because it’s the right thing,” it’s bullshit.

### *Constituents*

The number of contacts constituents make to their legislators varied by district. Some participants said that many constituents were unaware of the day-to-day activities and business conducted by the legislature. In general, individually written letters had a greater impact on legislators than computer generated letters or phone calls. The majority of participants in this study said constituents influenced legislators' voting behavior. However, some legislators reported they were more inclined to vote based upon their personal convictions, rather than constituent wishes.

The data obtained in this study that relates to constituents are organized according to: (a) the number of contacts constituents make to legislators; (b) the impact of certain methods constituents use to contact legislators; (c) the impact constituents have upon legislative voting decisions; (d) legislators' personal convictions versus constituent wishes; and (e) gauging public opinion.

According to Leader #1 the number of contacts constituents make to their legislators during legislative sessions, "varies with the districts...and...with experience...I [saw] one of the legislators...the other day. And, gad, he had a stack of messages almost that high [raises hand several inches above desk]. Well, I won't get that many the whole session." Leader #1 and other participants in this study estimated the number of contacts they received from constituents:

Leader #1: Interestingly enough, my constituents, I get very few calls from them to support or oppose a bill...they understand my philosophy.

Representative #3: I don't get that much input from my constituents.

### *Sources of information and advice*

Legislators sought and received information about bills from sources beyond those who gave expert testimony during committee meetings, information meetings, floor debate, and other gatherings. School board members and school superintendants, legislators, lobbyists, sponsors, professional friends and constituents, and written material were sources of information for lawmakers on education-related legislation. In addition, school superintendants, teachers, lobbyists, school board members, and fellow legislators were contacted for voting advice on education-related bills.

Participants identified bill sponsors, professional friends, and written material as information sources. Data pertaining to information sources included: (a) school board members and school superintendants; (b) legislators; (c) lobbyists; (d) sponsors; (e) professional friends and constituents; and (f) written material.

According to data obtained from this study, legislators seek voting advice about education-related bills from a fairly consistent source of individuals including school superintendants, school board members, teachers, lobbyists for education interest groups, fellow legislators, and others. Senator #4 and Staff #2 explained the circumstances prompting them to seek voting advice:

Senator #4: It depends on the issue...If it's an education issue...a long time public ed. teacher.

Staff #2: A legislator may call the superintendent from his school district and talk about it.

### *Religion*

Religious affiliation influenced some legislators' voting decisions. The influence of a legislator's religious affiliation upon voting behavior was disclosed by several participants in this study. Representative #1 said religion, "Probably has quite a bit of impact on me. And [when] I say 'me', I'm not so sure I'm unique in that. I think that it is pretty hard to divorce yourself from that in some issues." On education-related issues, Representative #1 agreed some of the House Education Committee members were influenced by their personal religious beliefs.

Representative #8 made several statements about the influence of a lawmaker's religious affiliation. When asked if religion influenced voting behavior, representative #8 said:

Yes. Maybe not directly in the sense of religion, but I think...religion is reflected in their personal philosophy. So, in that sense, yes...Certainly there's one religion that has a substantial number of members here. And in some cases, yes, I do think that is a factor. You go back to or three years to the debate on the abortion issue. In that case the Catholic Church has a very strong position. And I think people who belong to the Catholic Church, or the reason they belong to that particular church, is because they believe they believe the way that church teaches. So, consequently, they vote that way most of the time. The same way with the Mormon folks. They belong to that church most of the time, because they believe in the philosophy of the church. It becomes their personal philosophy.

### *Regionalism*

State legislators represent all geographic regions of the state. According to the data obtained from this study lawmakers' voting decisions can be influenced by a sense of regionalism. For example a statement made by a participant in this study identified regionalism as a factor of influence upon voting decisions:

Staff #4: Obviously, the southeast part of the state is a lot more conservative...than the northern part of the state...Part of it maybe is a social aspect, and part of it is a religion aspect. I think the legislators...do tend to reflect their constituents...I think...most political scientists would find that southeast part of the state is generally going to tend to vote a lot more conservative on fiscal matters, and maybe social matters, than are people from the northern part of the state.

### *Fiscal Impact*

Each bill introduced in the legislature is accompanied by a Statement of Purpose form which includes a fiscal impact section. Legislators are required to complete this section. However, Legislator #7 contended:

To a great extent, it's a farce: the fiscal impact. The quantification of fiscal impact is totally up to the member who's drafting the bill, or whatever interest group is sponsoring it through the member. There's no process to effectively scrutinize that...The fiscal impact statements on most legislation... [are] largely meaningless.

### *Re-election*

Opinions about a lawmaker's re-election bid as a factor of influence upon voting decisions were undivided. Some participants in this study confirmed re-election was a factor of influence and others discounted re-election as an influence factor. Some participants admitted campaign contributions influenced voting decisions.

Analysis of data about re-election found three categories: (a) statements that establish re-election as a contingent factor of influence; (b) statements affirming re-election as an influence factor; and (c) statements discounting re-election as an influence factor.

One participant in this study suggested that the correlation between a legislator's desire to be re-elected and voting decisions was contingent upon certain other factors:

Senator #7: I think it depends on the area you're from. If you're from a moderate area and you're running as a conservative I think you pay pretty close attention to what your votes are going to do and how they're going to be perceived with [the] public...I haven't been in that position yet and I've always said that if I get in that position it's time to quit – where I look over my shoulder and cast each vote on whether it's going to get me re-elected or not.

Evidence of re-election as a factor of influence upon voting decisions was observed when *House Bill No. 958aaS* was introduced for debate on the floor of the Senate. The sponsor remarked:

What we have here, members of the Senate, is a re-election bill for each one of you. We have here a bill that will be held to be a very significant change and one which your property taxpayers in your area are anxious to have. So I think we've come to that point where we have here a great re-election bill for all that are here.

### *Timing*

In this world, timing is everything. (Representative #6)

Long term exposure to bills increased the likelihood of their passage. The degree of a bill's complexity and the degree of change resulting from the bill's passage were two factors that caused legislators to initially oppose them.

Leader #1 said: I had a wise old owl when I first came over here said to me one day, because I thought I had a new, novel idea...and he said to me, "If you come up with an idea that hasn't been at least drafted into a bill before, or discussed, or even been on the floor before...I'll buy your dinner." And that was ten years ago and he never had to buy dinner. In other words, most legislation we see passed, at one time or another, has been thought about, discussed, even drafted, [and] may have been defeated at one time or another.

### *Other Factors of Influence*

Data obtained for this study revealed that some lawmakers experienced difficulty making a decision about voting for or against legislation. Other factors that influence legislator's decision-making are (a) vague rationale; (b) gut feeling or guess; (c) vote trading; and (d) taking a walk. For example, participants in this study suggested:

Leader #2: Sometimes I've gone back and looked at it and said, "I can't believe I voted for that." It would be nice to rethink where you were at that time...and what was going through your mind...There are bills that you would definitely change your vote on if you could...There are times...when you honestly don't know which way to vote...They don't have a "maybe" button.

Representative #9: I had...real mixed emotions about it. I had a real hard time with that particular bill. There have been a few that I've had some...real turmoil with.

Representative #3: You just sit there and you wonder. I mean, I could get up and debate either side of this and just go home and sleep like a baby, feeling very good about it. Those are the kinds of issues that are very, very difficult.

Senator #6: I thought that everything would be black and white, and maybe 20 percent gray, but I find it the opposite. Twenty percent is black and white and 80 percent's gray...In some cases there's no right or wrong. I mean, there is so much gray there that there isn't really a profound reason you should vote one way...You have people on both sides saying

“vote.”... You look at it and you say, “I can’t see an obvious reason why to go one way or another.” So now you’ve got to flip the coin and make the vote... You’ve got to make a final decision on maybe the color of somebody’s hair [laughter] ... Something that may not be that important, you make a decision.

Lieutenant Governor: Sometimes we are like a bunch of sheep and we kind of follow one another.

Media was not established as a factor of influence upon legislative voting decisions. However, the media was perceived by participants in this study to influence the legislative process in three ways. First, legislators attempted to use the media for shaping public opinion. Second, the news media pressured lawmakers to conduct their business in an open manner and third, the media chronicled history.

### **Discussion**

The findings obtained in this investigation are consistent with other case studies describing the legislative process, and also with studies that identify the factors of influence shown to shape legislative decision making. Although Martin’s (1994) focus was upon the United States Congress and the inner workings of passing legislation, similarities exist between her study and the present study. Martin concluded that Congress is a complex institution with its own set of formal and informal rules that drive the legislative process. The legislature is a complex institution that functions under formal and informal rules. A bill’s fate is subject to many planned and unplanned sequential steps and to a collection of diverse personalities. Bills that expected to pass may fail, and bills that appear not to have a chance of passing are enacted into law.

Several of the four elements of influence contained in Mitchell’s (1981) role orientation theory were evident in this study. For example, lawmakers relied upon the authority of their values, expertise, and friendship to make voting decisions. Reference groups including committee members, party leaders, other legislators, interest groups, constituents, lobbyists, and other elected officeholders were shown to influence legislators’ decisions. The Lieutenant Governor claimed to be influential when a tie vote occurred in the Senate. The Governor influenced the legislative process in two ways. First, his veto could be upheld, and second, Republicans tended to oppose legislation originating from his office. One reference group identified as an influence factor by Mitchell and other was staff. Legislative staff was not identified as a factor of influence in the present study: this might be due to state’s failure to employ a large legislative staff.

Although the present study did not focus upon the lawmakers’ role orientations as identified by Wahlke, Eulau, Buchanan, and Ferguson (1962), the data suggest the legislative stereotypes of trustee, delegate, and politico existed within this legislature. At least six participants in this study affirmed that legislators voted according to their personal convictions and moral interpretations, placing them in the trustee stereotype category. Fourteen participants said legislators were swayed by their constituents to vote a certain way reflecting a delegate stereotype. Politicos act as either trustee or delegate

depending on the circumstances. Several participants in this study indicated that legislators and their constituents' wishes, depending upon the legislation proposed.

Evidence of Mitchell's (1981) analysis and bargaining influence mechanisms existed with *House Bill No. 877aa*. Inside analysis occurred when both the House and Senate Education Committees studied the provisions of the bill. Outside analysis was conducted by the state's Association of School Administrators and by the state's education association. The House Education Committee engaged in inside bargaining when several other proposals were discussed simultaneously, and consensus was reached to advance *House Bill No. 877aa* forward.

Efforts to ensure passage of *House Bill No. 958aaS* resembled Light's (1992) decision style of medieval warrior. Raw political power was used to propel the bill through the legislature in the final days of the session.

Patterson (1983) suggests that "many confounding influences are at work in legislative decision-making" (p. 179). Patterson identified six sources of influence including party and party leaders, committees, staff, lobbyists, the Governor, and legislators' constituents. Other studies pertaining to state legislative decision making, along with the present study and three earlier studies of the legislature, found similar results.

Related investigations undertaken by Mazzoni, Sullivan, and Sullivan (1983), Keese (1990), and Flagel (1990) in Minnesota, Tennessee, and Texas produced additional factors of influence. Mazzoni et al., suggested that the personal feelings of legislators swayed voting behavior. Keese determined fellow legislators and education lobbyists to be the most effective and reliable sources of influence for decisions upon education-related legislation. Local school administrators, special-interest groups, family and friends, business and industry lobbyists, teachers, state agencies, and constituents fell into the medium range of effectiveness for decision making. The last important factors of influence on legislative decision making were party, parents, national and regional organizations, legislative staff, college or university representatives, and the Governor. Although the present study supports the specific influence factors identified by Keese, the degree to which each one swayed voting decisions was not measured. Moreover, other factors of influence were identified in the present study including the testimony given on bills, the number of exposures lawmakers had to bills, floor debate, fiscal impact, religion, and regionalism.

Flagel (1990) looked at various individual and group factors that influenced voting behavior upon school finance and reform decisions in Texas. In terms of individual factors, Flagel determined running for re-election was the strongest influence upon voting decisions. The results of this study show re-election was a factor of influence upon many legislators when they voted for *House Bill No. 958aaS*, a major school finance and reform measure.

Several conclusions made by Campbell and Mazzoni (1974) are relevant to certain findings revealed in this study. First, Campbell and Mazzoni determined that state boards of education have little influence as policy actors. Few participants in this study mentioned state board members as influential leaders of education policy. Second, Campbell and Mazzoni found that state school officers are not consistently influential in state legislatures. During the Legislative Session, the State Superintendent of Public Instruction was not perceived to be significantly influential upon legislators voting

decisions. Nor was the chief state school officer perceived to be influential in shaping state education policy. Third, Campbell and Mazzoni concluded that Governors' influence upon state education policy-making varies significantly. Data in this study suggested Governor was not influential in directing or influencing education policy.

In their case study of the education policy-making process in New York State, Milstein and Jennings (1973) found that within the legislature leadership committees, legislators considered knowledgeable in education policy and staff members influence decisions. With the exceptions of staff members, the findings in this study are consistent. However, Milstein and Jennings also determined that outside of the legislature the Governor, Board of Regents, State Department of Education, interest groups and public influence shape education policy-making. Data in this study suggested that the Governor, State Board of Education members, and State Department of Education had minimal influence upon legislative voting decisions. Interest groups and constituents were identified both by Milstein and Jennings and the present study as having influence upon lawmakers' education policy decisions.

### **Conclusions**

This case study contributes to the body of knowledge about the dynamics of the legislature. It also illustrates the utility of understanding the transformation of public will into public policy. In view of the findings made about the legislative process and about the factors of influence upon voting decisions in the present study and other related research, this researcher would use the following strategies to improve the potential of an education-related bill's passage in the legislature:

- (1) Draft the bill in clear, concise language that reflects well-documented research and that does not create a sweeping change to the status-quo.
- (2) Prior to the legislative session, meet with all interested stakeholders both inside and outside of the legislature. Stakeholders inside the legislature include legislators serving on the House and Senate Education Committees, other respected and trusted legislators, the Education Committee Chairs and party leaders. Representatives from the state's Education Association, Association of School Administrators, School Boards Association, and the State Department of Education comprise stakeholders outside of the legislature. Depending upon the nature of the bill, a contact might be made with the state's Association of Commerce and Industry. Continue to meet with the stakeholders throughout the legislative session.
- (3) Provide all stakeholders with complete and correct information about the bill. Point out the bill's strengths and weaknesses, its pros and cons.
- (4) Build a coalition of support.
- (5) Identify a well-respected, highly trusted, and credible legislator to sponsor the bill.



In addition to these strategies, willingness to compromise enhances the potential for a bill's passage. Those who want to see legislation passed in the legislature should be prepared for failure the first year and be willing to re-introduce the bill in one or more subsequent sessions. Although these recommendations may seem straightforward, a schism between policymakers and policy implementers exists. For example, following the legislative session when the data for this study was collected, the first author attended a meeting held by the State Superintendent of Public Instruction who explained the 46 new pieces of legislation that would impact public schools. Those attending the meeting expressed audible sighs, groans of displeasure, and outbursts of frustration. Marshall (1988) comments, "Such protests arise, at least in part, out of a lack of understanding of the world of state policymakers" (p. 99). Marshall adds, "While a clearer understanding of that world will not necessarily blunt the protests, it may help educators to work in concert with policymakers toward mutual as well as divergent goals" (p. 99).

State-level education policy-making will continue in the state. Educators, school board members, parents, and all those concerned with the public schools can expand their influence upon the development of coherent education policies by forming a partnership with lawmakers. Frequent, ongoing, personal contacts to discuss current issues with legislators will help bridge the gap between state legislative policymakers and education policy implementers. The more familiarity with the state legislature functions, and decision-making process, the greater influence state's education stakeholders will have on which policies are enacted and the content therein.

### **Limitations**

The present case study presents a one-time snapshot analysis of state's legislative process. Therefore, generalizations to other legislatures, other legislators, and to other legislative sessions are difficult to make.

The first author's spouse was a legislator serving a third term in the state Senate at the time the study was conducted. In addition, the spouse retained a leadership position in the minority party and was a member of the Senate Education Committee. Although access to information, informal meetings, and conversations may have been enhanced for the researcher by the spouse's position, this could have also caused some of the participants to be less candid in their comments to questions.

According to Merriam (1988) a researcher is likely to be affected by the setting, and this may lead to a distortion of the real situation. Given the amount of time the researcher spent on the site, which included 40 one-day visits, and given the researcher's close association with five of the participants, certain biases could have affected how the data was seen, recorded, and interpreted. The researcher was permitted to attend a Senate caucus meeting of the minority party, because of the relationship between the researcher and the Senate Assistant Minority Leader. The researcher did not ask the same of the majority party.

It was important the bills chosen reflect the varying dynamics inherent in the legislative process. In addition, it was important the bills selected provided a focus for interviews with participants, and information about the bills be readily obtained by the researcher. However, the three bills selected to exemplify the steps of the legislative

process may not have been the most appropriate to present a realistic understanding of how it works because during the session 2,034 bills were introduced.

Selection of the participants to be interviewed was based upon perceptions of their knowledge of the legislative process and education issues and their potential to influence education policy decisions in the state legislature. Not every member of the Legislative Session was interviewed. A proportional balance of the total number of Democrats and Republicans, senators and representatives, to be interviewed was sought. In addition, balance was sought by interviewing a selection of knowledgeable observers of the educational process. Nevertheless, the participants selected may not have been fully representative of the legislative session, nor of the legislature in any other year.

The particular state and legislative session in which this study would be conducted was determined by the researcher. However, the participants interviewed for this study, the issues discussed, and the events that occurred during this session may not have been consistent with other legislative sessions in the state, nor with legislative sessions in other states.

### **Recommendations for Further Study**

A statistical ranking to determine the degree to which each factor of influence swayed legislators' voting decisions would be useful. In addition, a statistical study focusing upon legislators' role-orientations would provide additional information about voting behavior. A comparative case study should be undertaken with studies conducted in other states to determine whether this state's legislative process is typical or unique. Finally, a broader study of state-level public school governance is needed to discover the influences directing educational policy and to investigate the need for alternative models and approaches to policy-making for state's public schools. When the present study commenced the first author experienced skepticism, confusion, and frustration with the legislative process, and how legislators made decisions to vote for, or against bills. Observing the interactions and activities that occurred during one session, conducting numerous interviews with legislators and others affiliated with the legislative process, in addition to reviewing and analyzing a large volume of documents and archival records, resulted in the researcher gaining more respect and appreciation for the many women and men of all political persuasions who give their expertise, time, and part of their soul to serve in a state legislature.

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## Appendix A

### Letter of Introduction

[Month Day Year]

Potential

[State]

State

[City, State, Zip Code]

Dear \_\_\_\_\_:

Key  
State  
Capitol

Participant  
Legislature  
Building

I am a student at [Private University] in the Department of Doctoral Studies. This winter I will be in [City] to begin collecting data for my dissertation. The purpose of my research is to examine [State's] legislative process and selected variables that may influence passage or failure of bills relating to public education.

Before the [year] legislative session commences, I wanted to apprise you of my desire to interview members of the legislature and executive branch, in addition to various lobbyists and other individuals familiar with the Idaho legislature.

I will be contacting you again in January. I look forward to learning more about [State's] legislative process and the unique insights you have to offer.

Sincerely,

Kathy  
Mailing  
Phone Number

Canfield-Davis  
Address

## Appendix B

### Interview Guide

Name: \_\_\_\_\_ Date \_\_\_\_\_

Interview Start Time: \_\_\_\_\_ Stop Time: \_\_\_\_\_

Interview location: \_\_\_\_\_

(1) From your perception, describe the legislative process. How does a bill get passed, or defeated in the Idaho Legislature.

(2) How do you become informed on a bill about which you may know very little? For example, how do you become informed on bills that are introduced by committees other than your own?

(3) What groups or individuals, if any, are presently the most influential in determining or directing educational policy for Idaho's public schools?

Legislators  
State Board of Education  
Parents  
Local School Boards  
Colleges of Education

Governor  
School Superintendents  
Teacher Unions  
School Principals  
Teachers

Business & Industry  
State Superintendent  
of Public Instruction

(4) To legislators serving on House Education Committee or Senate Education Committee: How were you appointed to the (House or Senate) Education Committee?

Response: "I asked to serve on it" or "it was my choice."

How long have you served on the committee?

What gives you satisfaction serving on the committee?

What frustrates you about serving on the committee?

To Leadership: How do you make your committee appointments?

(5) When you are lobbied, what happens?

Who contacts you?

What do they do?

How do they contact you?

In person?

In Writing?

By phone?

(6) What prompts you to seek advice on a particular piece of legislation?

Who do you usually contact for advice on education issues?

What skills or behavior do these individuals have that prompts you to seek their input?

Why do you trust their judgment?

(7) How do you gauge public opinion in your district?

How frequently do you hear from your constituents?

How do they contact you?

How much influence do they have on your voting behavior?

How much influence do you think they have on your colleagues' votes?

(8) What kind of influence does the leadership have on your vote? Does leadership ever insist you vote for or against a proposed bill?

Response: Yes. Describe the circumstances.

To Leadership: What influence do you have on your colleagues' votes?

How do you try to influence your colleagues on a particular bill?

What persuasion do you use to influence votes?

(9) If you could draft three pieces of legislation that would impact or change what we are doing in public education, what would they be?

(10) Describe the impact that an election year has on your voting behavior as it relates to education issues.

Do you think it is the same for your colleagues?  
Explain.

(11) What impact, if any, does a bill's sponsor have on your vote? The way you vote?

Is it the same for your colleagues? Explain.

(12) What effect does fiscal impact have on your voting behavior?

Is it the same for your colleagues? Explain.

(13) To legislators who have served three terms (six years) or more: What changes, if any, have you seen in the legislative process over the years?

(14) In the past, have you voted in favor of a bill you did not support?

If response is yes: What were the circumstances?

Have you ever voted against a bill you supported?

If response is yes: What were the circumstances?

Have you voted for or against a bill, and later regretted your vote?

If response is yes: What were the circumstances?

(15) What would it take to change your mind about how you plan to vote on a bill?

(16) Why is it that some bills are introduced year after year and never pass; then in a subsequent year they seem to pass easily?

(17) Legislators receive an enormous volume of written information. How much of it do you read?

What is interesting to you?

How much pertains specifically to education issues?

Describe it to me.

(18) Describe your reaction to the following quotes from Benjamin Franklin?

Those who govern, having much happiness on their hands, do not generally like to take the trouble of considering and carrying into execution new projects. The best public measures are therefore seldom adopted from previous wisdom, but forced by the occasion.

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### Author's Note

Dr. Kathy Canfield-Davis' professional career spans K-12 and higher education. Within K-12, she has been a teacher, special education director, assistant superintendent, and superintendent. Within higher education, she held administrative liaison positions as well as professorial assignments. Her community activism is extensive and includes membership on human rights commissions, library boards, state humanities council, and higher education human rights advisory committees. Within the private sector, she is a national consultant on school facilities. Correspondences regarding this article can be addressed to Kathy Canfield-Davis, Telephone: (208) 292-1286; E-mail: canfield@uidaho.edu

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