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Can Teachers' Discretion Enhance the Role of Professionalism in Times of Crisis? A Comparative Policy Analysis of Distance Teaching in Italy and Switzerland during the COVID-19 Pandemic

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Abstract

The COVID-19 pandemic has drastically changed education with the replacement of in-school teaching with online teaching in both Italy and Switzerland. We carry out a qualitative comparative analysis of distance teaching policy documents and show that the considerable discretion with which teachers were left increased their need to leverage skills, experience, and public interest orientation to tackle a crisis. Our analysis also shows that the availability of resources can play a key role in stimulating teachers' professionalization. Most importantly, we identify all these features in both countries, regardless of the institutional differences between them.

Keywords: qualitative comparative analysis, education policy, street-level bureaucrats, discretion, professionalism, Italy, Switzerland

Introduction

This paper presents an analysis of the response of teachers as street-level bureaucrats (SLBs) to the COVID-19 pandemic and the measures adopted to reduce its risks to human health. The COVID-19 crisis response measures profoundly affected teachers and their main clients (that is, students), as one of the core measures worldwide was the lockdown of in-person teaching and its replacement by online teaching. We study the impact of this profound change on teachers' discretion and professionalism.

Crises are focusing events (Birkland 1998) that launch periods of high contingency. Short-term high-stakes decision-making in light of the uncertainty (Hinterleitner and Rosser 2015) of a crisis limits control capacity at the central level. During crises, the accumulation of action resources (Hupe and Buffat 2014) for decision-making within the central government decreases the amount of resources available for compliance control from the top. This can result in an increase in discretion at the street level, which is the core condition of SLBs' performance (Thomann, van Engen, et al. 2018). Accordingly, we expect the importance of political-administrative accountability to decrease and the importance of vocational accountability to increase (Sager et al. 2020) for teachers, who are our SLBs under scrutiny. They are SLBs (Lipsky 1980) given their role structuring and transmitting policy expectations (Radin and Benton 1988) "at the interface between target groups and the state" (Thomann 2015: 179). Within the SLB category, they can be in particular framed as citizen agents as they mainly address clients' needs (Maynard-Moody and Musheno 2000). Our argument, which implies a crisis-policy-response-induced high leeway for teachers as regards the contents and specific methods of their teaching under changed circumstances, which in turn produces opportunities for teachers' professionalization, will be tested in a comparative case study that focuses on Italy and Switzerland. In the remainder of this article, we present our theoretical framework and research design, as well as a policy measure analysis of our two systems of interest. We then provide a comparative discussion of the country cases, which corroborates our theoretical

expectations and shows an interrelation between teachers' (good) discretion and professionalism. We therefore offer our conclusions including further research suggestions.

Theoretical Framework

Teachers as SLBs exert considerable influence on policy implementation (Meyers and Vorsanger 2003) by virtue of the discretion that is inherent in the policy-delivery processes in which they engage in (Lipsky 1980, Thomann 2015). We define discretion as the “legitimate right to make choices based on one’s authoritative assessment of a situation” (Feldman 1992: 164, also Thomann, van Engen et al. 2018). Formally, discretion is a function of the institutional setting that attributes roles to the various actors in implementation. From a principal-agent perspective, control and accountability are two sides of a hierarchical relationship between the central level and the street level. Crises stress the institutional setting that grants discretion. Fewer control mechanisms may be employed during a crisis because the central level requires all the available resources that are normally devoted to the activation of those mechanisms. Accordingly, crises constitute circumstances when “actors enter a no-man’s-land in which responsibility may be shifted or forced upon them in a way not previously anticipated” (Svedin 2011: 15). This responsibility shifting leads to more discretion than in routine policy processes given that hierarchical control mechanisms may be suspended. The street level consequently gains in discretion. However, discretion is not something per se negative that solely depends on the limited rationality of policymakers and that must therefore be necessarily limited. Discretion is actually inherent in multilevel governance as well as in multilevel public service delivery. Especially in a field like education, where the policy results highly depend on policy deliverers’ knowledge and skills (vice versa, in more organizational policy delivery areas, such as the practical scheduling of trials, knowledge and skills might be less relevant and more binding guidelines might be crucial not to produce conflict; cf. Malandrino and Demichelis 2020), weakened top-down control combined with challenging environmental circumstances can favor a proactive rather than reactive behavior of teachers as SLBs (Dalés and

Hansén 2011), thus driving them to act according to the courses of action suggested by their professional skills and sensibility rather than in accordance with top-down binding instructions, simply because in the search for compulsory guidance those are missing and professional skills remain the only resources at their disposal.

Professional expertise and knowledge are necessary for achieving policy goals (Assadi and Lundin 2018). Discretion and professionalism are closely linked, since the former “gives the bureaucrat the maneuvering space needed to be able to conduct this work according to professional norms and standards, rather than organizational rules and procedures” (Peters and Pierre 2000: 18-19).

Professionalism, which is distinctive knowledge and responsibilities that characterize the members of a profession, evolves along with the required characteristics that define a person as a professional (Kennie 2012). A crisis can cause a professional’s required characteristics to change because of the external constraints that force SLBs to adapt. Drawing on Thomann, Hupe, et al.’s (2018, also Sager et al. 2020) taxonomy of accountability regimes, we argue that discretion decreases rule pressure and increases vocational pressure. The state as a control system temporarily loses its importance and teaching SLBs have more opportunities to connect to their professional peers for orientation on how to meet clients’ needs.

We therefore aim to show that (good albeit crisis-triggered) discretion and professionalism are closely interrelated, and that in times of crisis teachers are able to make the best out of it by flexibly adapting to a changing environment. Moreover, the resources with which teachers are equipped and that are used by them to tackle the constraints inherent in the measures adopted for managing a crisis are also an additional factor encouraging professionalism, especially when they enrich SLBs’ knowledge for carrying out their tasks, thus intervening directly or indirectly on the further development of professional skills on their part. We introduce our empirical strategy in the next section before presenting our results.

Research Design

In this study, we carry out a comparative analysis of two country cases: Italy and Switzerland. Our selection of these two countries is due to their different institutional layouts. In Italy, the central government is responsible for the school system and for adopting general provisions on education (Italian Constitution, Art. 117(2)), although regional entities also play a role and educational institutions possess some autonomy and leeway in making decisions (Italian Constitution, Art. 117(3)) within a framework that follows a specific combination of central micro-regulations and the substantial individual autonomy of teachers in their daily work (Capano and Lippi 2018). In Switzerland, the school system is in the hands of the cantonal authorities (Swiss Constitution, Art. 62(1); Sager and Zollinger 2011). By means of their intercantonal conference, cantonal governments mandate specialized agencies with tasks to improve education. Due to the extensive Swiss federalism, mandatory education is in the competence of municipalities and the school system may even vary within the same municipality. This strong decentralization leads to large discretion for individual teachers (Hotz-Hart and Kissling-Näf 2013). Recent reforms aim at streamlining teaching plans but face strong opposition on the part of the schools.

The analyzed time span is the period of distance teaching measure activation in Italy and Switzerland due to the COVID-19 outbreak from March 2020 until the end of the didactic activities in Italy and from March 2020 until the resumption of in-class teaching in the 2019-2020 school year (depending on the canton). Our data collection is primarily focused on formal policy changes. In particular, our empirical material consists of 67 policy-related documents and online contents dealing with distance teaching at both the country and the sub-country levels depending on the responsible authorities in each case. These materials were retrieved from the relevant institutional websites and qualitatively analyzed by means of non-automated theme identification as a dominant method, which also represented our document sampling technique. After that, as a non-dominant method in our study, we triangulated our document analysis with interviews with four key

informants, that is, teachers who carried out distance teaching activities in the two countries. Due to time constraints, we only conducted two interviews per country. We additionally asked our interview partners to forward snowball emails that resulted in a return of five communications for Switzerland and five communications for Italy. In both interviews and written communications, we asked two very simple open-ended questions:

- How has the need to carry out distance teaching influenced the discretion of teachers?
(translation from Italian and German)
- How has the need to carry out distance teaching influenced the professionalism of teachers?
(translation from Italian and German)

As we only interviewed teachers and no independent experts nor education bureaucrats, the answers run the danger of bias due to positive self-assessment. We therefore employ the interview statements as complementary illustrative accounts only.

Distance Teaching, Discretion, and Professionalism in Italy

The urgent measures taken by decree of the president of the Italian Council of Ministers (DPCM) in the early stages of the COVID-19 crisis required the suspension of all in-school educational services and activities (DPCM March 4, 2020, Art. 1(1d), DPCM March 8, 2020, Art. 2(1h) and subsequent amendments). School directors were obliged to activate distance learning activities (DPCM March 4, 2020, Art. 1(1g), DPCM March 8, 2020, Art. 2(1m), DPCM April 26, 2020, Art.1(1m), and subsequent amendments).

Within this framework, the Italian Ministry of Education (hereinafter “IME”) established that the activation or enhancement of distance learning methods by primary and secondary schools should be carried out by using virtual classes and other digital tools to encourage the production and sharing of content. The IME recommended peer tutoring between schools so as to share best

practices and provided materials and platforms for educational institutions (IME, Note No. 278, March 6, 2020).

Schools and teachers undertook a variety of initiatives, ranging from the transmission of materials to the recording of lessons and the use of platforms for distance teaching. The IME exhorted teachers to pay particular attention to didactic planning (IME, Note No. 279, March 8, 2020) and provided non-binding recommendations for activities to carry out with students, such as analyses of strengths, weaknesses, opportunities, and threats (SWOT) involved in the crisis (IME 2020b).

By March 3, 2020, over 2,000 teachers had attended the distance teaching webinars promoted by the IME in collaboration with the National Institute for Documentation, Innovation and Educational Research (INDIRE) (IME 2020a). Subsequently, the government allocated € 5 million for training school staff in distance learning methodologies and techniques (DL No. 18, March 17, 2020, Art. 120(2c); IME, DM (Ministerial Decree) No. 187, March 26, 2020, Art. 1(1c)). Teachers were able to take courses, and schools with experience in the relevant operating methods offered distance learning initiatives (IME, Note No. 562, March 28, 2020).

Without prejudice to the national competence, the Italian regional school offices (Uffici Scolastici Regionali - USRs) also activated their own measures. The USRs promoted “school adoption” projects within which schools well-equipped with relevant technical and human resources “tutor” less well-equipped schools (USR Piemonte 2020), clarified the terms of the adaptation of the school personnel ordinary training to the emergency (USR Lombardia 2020, USR Puglia 2020), collected and provided resources from and for teachers (USR Umbria 2020, USR Valle D’Aosta 2020), adopted operational distance teaching guidelines (USR Abruzzo 2020, USR Friuli Venezia Giulia 2020, USR Liguria 2020), and involved teachers in the sharing of good practices by means of forms (USR Campania 2020), videos (USR Toscana 2020), or free-format contributions (USR Molise 2020). The Équipe Formative Territoriali (territorial training teams), coordinated by the USRs and in charge of the digital aspects of school education, organized webinars dealing with the use of

sharing platforms, the creation of digital contents, or student evaluation (USR Basilicata 2020, USR Emilia-Romagna 2020 USR Lazio 2020, USR Marche 2020), provided suggestions for the implementation of distance teaching activities (USR Sicilia 2020), and activated helpdesks (USR Sardegna 2020) or highlighted the availability of contact details to be used in case of need (USR Veneto 2020). In Calabria, the local Centri Territoriali di Supporto BES (CTS), which are the centers established by IME at the local level to support schools dealing with students with special educational needs, activated a helpdesk to support teachers in the implementation of distance teaching with this category of students (CTS Calabria 2020). In Trentino Alto Adige, the authorities in charge of education are the two autonomous provinces (AP) of Bolzano and Trento, which contributed to spreading resources for teachers developed by a local university (AP Bolzano 2020, AP Trento 2020).

Regarding the resources put in place to professionalize teachers, one interview partner stated:

There has been a flood of webinars and online training courses offered by publishing houses and even appointments with psychologists proposed by non-profit organizations to manage relationships with parents and students (8th-grade teacher, translation).

According to post-response evaluations, 92% of schools adopted distance teaching methods and students' families appreciated the teachers' work. The crisis highlighted the importance of technological and methodological skills and urged a review of the national digital training plan (Cittadinanzattiva 2020; Italian Law No. 107/2015). It also stimulated teachers' professional and ethical responsibilities given that they were motivated to maintain a relationship with and to continue providing their services to users for the benefit of the entire school community. Moreover, distance teaching activities resulted in a digital turn in the professional profile of teachers, which ultimately enabled the uninterrupted application of the constitutional right to education (IME, Note No. 388, March 17, 2020).

The acquisition of digital know-how and the time dedicated to class preparation contributed to teachers' professionalism:

I personally learned how to use free online presentation software that I didn't know about before. Furthermore, class preparation, especially for students who had newly arrived in Italy or with special educational needs, required a lot of research and more time than usual. We tried to orient activities towards the development of skills rather than knowledge, for example with SWOT analyses but also by stimulating research and coordinating student collaboration on digital platforms (8th-grade teacher, translation).

In addition to developing professional skills to tackle these challenges, teachers exhibited a considerable degree of discretion in terms of the docimology-related dimension of their work, justified by an interpretation of testing protocols as a source of tradition rather than legislation (IME, Note No. 279, March 8, 2020). In the exercise of their teaching duties, teachers' discretion was especially clear when considering their number of working hours:

The time devoted to the profession has invaded private life. Students send e-mails in the evening for the next day, hoping that the teacher will reply. Schools have given teachers the freedom to designate the time to devote to online classes, without a minimum number of hours (8th-grade teacher, translation).

Several teachers carried out extra activities due to their sense of public service, for example by contacting or responding to students via text messages on their mobile phones and outside working hours (6th- and 8th-grade teacher, translation).

Teachers ultimately received institutional recognition for their "extra" effort, which culminated in the Order of Merit of the Italian Republic, an honor that was awarded to a hospitality training institute teacher who continued to teach during his hospitalization and to an elementary school

teacher who did not terminate the provision of video classes despite her expired contract (Presidency of the Italian Republic 2020).

The evidence collected suggests that the policy response to COVID-19 ultimately increased the role of teachers' discretion and professionalism, with the latter being intimately related to the former and heavily reliant on teachers' own public service orientation, thus confirming our theoretical expectations in the Italian case.

Distance Teaching, Discretion, and Professionalism in Switzerland

Following the outbreak of the COVID-19 pandemic, the government prohibited activities taking place in schools, universities, and other training centers (Ordinance 2 COVID-19 of March 13, 2020, status as of March 16, 2020, Art. 5(1); Sager and Mavrot 2020).

The Swiss cantons, by virtue of their competence in education, provided guidance to regulate distance teaching activities throughout the emergency, for instance through guidelines on the duration of daily distance work (Canton of Geneva 2020), operational advice (Canton of Bern 2020, Canton of Glarus 2020, Canton of Nidwalden 2020, Canton of Obwalden 2020, Canton of Solothurn 2020, Canton of Ticino 2020, Canton of Zug 2020), resources (Canton of Grisons 2020, Canton of Schwyz 2020, Canton of St. Gallen 2020, Canton of Thurgau 2020, Canton of Zurich 2020), in addition to establishing general provisions (Canton of Appenzell Innerrhoden), exhorting teachers to prepare distance learning material (Canton of Schaffhausen 2020) or offering information on how to learn about locally available distance learning measures (Canton of Aargau 2020, Canton of Uri 2020). Some cantons activated pedagogical hotlines to provide support to teachers (Canton of Jura 2020, Canton of Vaud 2020), offered teacher training courses (Canton of Appenzell Ausserrhoden 2020), temporarily changed their evaluation procedures (Canton of Basel 2020, Canton of Basel-Stadt 2020, Canton of Neuchâtel 2020, Canton of Lucerne 2020), adopted

solutions based on the advice of local centers of competence (Canton of Fribourg 2020), and created distance-learning websites (Canton of Valais 2020).

The Swiss Specialist Agency for ICT and Education (hereinafter educa.ch), mandated by the State Secretariat for Education, Research and Innovation (SERI) and the Swiss Conference of Cantonal Ministers of Education (EDK) (Swiss Confederation 2016), also played a role in adapting the provision of educational services to the new rules. Digitalization poses significant challenges to the educational sector, including how it enhances teachers' skills (Swiss Confederation 2020). The pandemic crisis forced teachers to rapidly acquire or enhance their digital competence through, among others, the use of videoconference tools (educa.ch 2020b). Thus, educa.ch complemented cantonal efforts by providing additional resources, such as Eduport, a portal offering cantonal school authorities and municipalities an overview of the resources, services, coordination offices, and networks available for digital learning and teaching in the Swiss educational space. The foundation *éducation21*, another specialized agency delegated by EDK and SERI, among others, provided a list of pre-existing resources provided by Swiss and non-Swiss entities.

The introduction of distance teaching measures in Swiss schools suddenly placed teachers in front of unprecedented challenges. Teachers were left with the task to define how to use platforms, thus determining how to exploit their potential and avoid risks inherent in the use of this technology. However, educa.ch provided teachers with instructions for adopting further measures to protect students' and their own privacy when using collaborative learning platforms (educa.ch 2020a).

Cantons granted teachers with ample discretion. This was not in the least due to the perceived lack of concrete instructions:

There was nothing organized. No courses whatsoever. Neither were we provided with additional resources. It must be noted, however, that our school invested heavily in digital tools before the crisis. Even though I would have appreciated some personal

support in terms of IT tools, I did not miss any resource in particular (7th-grade teacher, translation).

No measures were taken at all to regulate the working time of teachers (8th-grade teacher, translation).

The scope of discretion was greater than usual because nobody really knew exactly what to do. Hence, every teacher did their best, and this was, admittedly, very individual. This made things highly different from class to class and from school to school (7th -grade teacher, translation).

COVID-19 considerably accelerated the provision of practical tools for implementing distance teaching. Educa.ch developed and disseminated guidelines for teachers to increase their professional skills:

The guidelines, of course, were also the most important measure taken. Overall, the room for maneuver was exceptionally high at the beginning and was then lower, although at a comparably high level (as compared to normal school). [...] the room for discretion decreased in the second phase (7th-grade teacher, translation).

Overall, the COVID-19 crisis left Swiss teachers with a considerable amount of discretion. In addition, many schools leveraged the crisis to encourage the use of digital learning systems (Huber et al. 2020). Teachers also supported each other:

The ideal thing was networking among the teachers across school districts. There were vessels of exchange. Those who discovered something useful shared it. We all learned a lot and got to know many new forms of independent learning. Many are currently continuing this in classroom teaching (8th-grade teacher, translation).

Therefore, in the Swiss case as well as in the Italian case, teachers' discretion and professionalism during the COVID-19 pandemic appear as closely interrelated. Below, we provide a comparative discussion of the two cases.

Comparative Discussion

As previously mentioned, Italy and Switzerland have two different education systems. In the former, the central government provides substantial input, while in the latter, cantons play a major role. In both cases, the original compulsory policy input aimed at health protection during the pandemic came from the central level (Malandrino and Demichelis 2020; Sager and Mavrot 2020). Both central governments' acts implied a prohibition to carry out classroom teaching and an obligation to carry out distance teaching instead, in order to balance that aim with the right to education. Moreover, national and subnational entities in Italy as well as subnational entities and their delegated agencies in Switzerland provided resources for teachers to carry out their duties in the best way possible. Therefore, the institutional differences between the two countries did not imply substantial differences in the provision of such resources, with the exception of differences in the level of resource deployment.

At all levels, we found a wide range of distance-teaching-related policy measures dealing with the practical, substantial aspects of teaching. However, most of these measures are non-compulsory. In fact, they mainly represent guidelines and resources for teachers to deal with students from a distance, or at most, they are adaptations imposed on the mode of conduction (online) of teacher training or proper teaching which would have been supposed to take place in any case. Apart from the constraint inherent in the obligation to use a technological device to carry out distance teaching, teachers were mostly given facultative suggestions to deal with the COVID-19-crisis-altered circumstances. Again, the different institutional layouts of the two countries did not imply major differences, and in both systems, in the absence of compulsory rules, teachers had to leverage their own skills, experience, and in some cases their willingness to deliver the public service for which

they are responsible by working beyond their contract requirements. In both cases, in a situation characterized by change and uncertainty on what to do and how to do it, the policy choice was to leave teachers with a considerable amount of discretion. They were thus able to exercise a “legitimate right to make choices” based on their “authoritative assessment of a situation” (Feldman 1992: 164).

Such considerable degree of discretion for teachers in both countries during the crisis corroborates our theoretical assumptions. In Italy, teachers were left with the freedom to decide on the number of working hours to dedicate to online classes, and they devoted the remaining time to supporting students unconventionally, often through cell phone communication outside of traditional class hours. In Switzerland, teachers felt that their discretion increased due to the sudden change in teaching delivery and the perceived initial lack of preparedness of the school system to respond to this novel situation. The lack of compulsory guidance to regulate teachers’ behavior in detail, which translated into significant discretion for them, in turn “activated” their reference to “professional norms and standards, rather than organizational rules and procedures” (Peters and Pierre 2000: 18-19; also Thomann, Hupe, et al. 2018, Sager et al. 2020). This conforms to our theoretical expectations. In both countries, the pandemic-triggered discretion first led to a do-it-yourself response by teachers as they were basically thrown in at the deep end. Public authorities provided professionalizing resources rather than imposing detailed binding rules, thus recognizing the value of teachers’ professionalism.

Conclusions

Teachers’ professionalism, understood as their distinctive knowledge and responsibilities (Kennie 2012), can gain momentum when their discretion is high, which was the case during the COVID-19 pandemic in Italy and Switzerland. In the absence of compulsory guidelines, such professionalism becomes so important that the institutional framework differences between countries are barely relevant. This paper suggests that crises can leave teaching SLBs’ with considerable discretion

because of the weakening of control schemes emanating from the top, and that professional-resource-enriched discretion can lead to a greater role of professionalism given that vocational peers become teachers' main accountability regime and professional skills come to represent their main reference.

Further research could focus on the interrelations between discretion and professionalism either with regard to teachers or to other SLBs, thus complementing this study in building a basis for new (grounded) theory. For the purpose of theory advancement, our study could be usefully complemented by a quantitative analysis of the same data (cf. the Appendix), or alternatively by an (either qualitative or quantitative) analysis of different data, such as post-hoc indicators and evaluations that will be available at the end of the pandemic.

In both Italy and Switzerland, distance teaching during the COVID-19 pandemic represented a crisis case in which responsibility was shifted upon them “in a way not previously anticipated” (Svedin 2011: 15), and teachers' response behavior was proactive (Daléus and Hansén 2011), in line with our expectations. The lack of compulsory guidance to regulate teachers' behavior in detail, which translated into significant discretion for them, in turn “activated” their reference to “professional norms and standards, rather than organizational rules and procedures” (Peters and Pierre 2000: 18-19; also Thomann, Hupe, et al. 2018, Sager et al. 2020). Teachers' professionalism arguably increased in value, and they were more prone to employ their own time and resources for the benefit of their service users. Our comparative analysis shows that regardless of the specific institutional system, teachers' professionalism in times of crisis can increase as a result of their spontaneous adaptation in response to a changing environment.

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Online Appendix – Database: Analyzed Institutional Content

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