Within the context of the reauthorization of the Vocational Education Act of 1963, as amended, the predominant issues for vocational education in the eighties will be refined into policies. Central issues related to reauthorization and to the larger picture of the future of vocational education can be generally grouped into four broad categories: (1) federal role and national purpose of vocational education; (2) governance of the enterprise; (3) equity, access, and civil rights; and (4) program improvement. The federal role should be one of stimulation, equalization, and improvement. A nationwide statement of purpose must emphasize the critical nature of vocational education. Governance includes both the sole state agency concept and linkages with other agencies and groups. Provisions for equity, access, and civil rights must clearly be spelled out and enlarged upon in the new legislation. As part of program improvement, new technology, productivity, and economic development should not be ignored as a dimension of the outreach capacity of vocational education. These issues are the basis for laws which generate policies. Vocational education will become a dependent variable in the educational, social, and economic subsystems of the country when it achieves a political posture based on program effectiveness. (YLB)
VOCATIONAL EDUCATION:
POLICIES, ISSUES, AND POLITICS
IN THE 1980s

by

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FOREWORD

Dan Dunham is certainly not a stranger to many of us here at the National Center. He has been a key figure in national vocational education activities, having served as the assistant state director of career and vocational education for Oregon, and as the assistant state superintendent and state director of vocational education for the Maryland State Department of Education.

On the national level, Dr. Dunham has been the Deputy U.S. Commissioner of Occupational and Adult Education and Acting Assistant Secretary of the Office of Vocational and Adult Education in the U.S. Department of Education.

Dr. Dunham began his educational preparation by receiving a B.S. in agricultural education from Oregon State University, and culminated his studies with a doctorate in education administration from that same university.

His professional publications and presentations are numerous. Also, Dr. Dunham has many professional memberships in such organizations as the National Association of Vocational Education Special Needs Personnel, of which he was the first national president.

In his presentation, Dunham encourages vocational education to increase public awareness of the crucial link between vocational education and the economic wellbeing of our country. He points out that even though political apathy is thought by many to be a national problem, more people than ever before do seem to care about vocational education as well as politics.

Dunham’s message is optimistic, yet realistic, assertive, motivating, and informative. Dr. Dunham is currently a visiting scholar at the National Center. It is with great pleasure and honor that the National Center for Research in Vocational Education and The Ohio State University welcome Dr. Daniel B. Dunham, and his presentation, “Vocational Education: Policies, Issues, and Politics in the 1980s.”

Robert E. Taylor
Executive Director
The National Center for Research
in Vocational Education
This is a time of renewed nationwide interest in vocational and technical education. Never before in the recent history of our country has there been the kind of clear emphasis on and interest in vocational education as there is today in the nation's capital and in every state and territory in this country.

Politics are, also, very much a matter of daily interest and concern — especially in this election year. It is a time when policies, their initiation, their development, and their implementation are special subjects for debate. It is, also, a time when issues for the future of this enterprise called vocational education must be raised in a context of certain controversy and at a time when speculation is gorging itself on rumor. This is a period when we continue to experience limited hard data and information on the results of the enterprise, and a time when this subject—vocational education—is clearly central to many pressing social and economic problems being faced, not only by this country, but by many other countries around this globe.

Of the three topics included in the title of the seminar today, issues is, to me, the most critical. For it is upon the clear statement of issues, their thorough debate and ultimate resolution, that the policies will rest and the politics will have their influence. Thus, I would like to deal with these topics in this order: first, issues; then, policies; and finally, politics. It is hoped that these topics can be tied together in ways that will be lucid. More importantly, it is hoped that they will be meaningful to you and will stimulate some discussion.

**Issues**

The predominant issues for vocational education in the eighties will be and are being raised in the context and the framework of reauthorization of the Vocational Education Act of 1963, as amended. It is primarily within the context of that new legislation that the issues will be refined into policies: policies that will drive, at least, the federal role in vocational education in the eighties because the new law that results from this process will be in effect for at least the middle years of this decade, or about 1982-1987.

I believe that the central issues related not only to reauthorization but to the larger picture of the future of vocational education can be generally grouped into four broad categories. This list is intended to be short because of the general nature of the major issues that I think we have to face. These major issues are:

1. The federal role and national purpose of vocational education
2. Governance of the enterprise
3. Equity, access, and civil rights
4. Program improvement
Federal Role and National Purpose

There is no question that the federal role in vocational education will shift in the coming decade. There is also no question that there is a need for a shift. The extent of that shift and the nature of any new or expanded dimensions will be the subject of the debate: how much and of what nature?

As that debate gets underway, we must first address the question of a national purpose for vocational education. That statement must go beyond the “purpose of the Act”, which is all we have to deal with right now. It must go to the larger question of program purpose within the public education system in this country. Currently, there seem to be three views of what that purpose is or ought to be. They are, as with politics, typically: conservative, liberal, and moderate.

The conservative view seems to hold that vocational education ought to be rather narrowly described and determined as being essentially skill training, occupational specialization, and the preservation of the historic values and purposes of the system. The liberal view, at the other extreme, suggests a broadening of that notion, more exploration earlier on in school, more guidance services, more information for choice making, less occupational emphasis, and more vocational emphasis especially through high school. There is a difference in those terms. The liberal view leaves more of the specialized aspects to industry, at the very least, and to postsecondary programs at best. The moderate view, as usual, tries to capture the best of both worlds. It calls for some distinction, although less extreme than twenty years ago, between vocational and academic, but with an emphasis on their linkage and their intermarriage. It calls for more world-of-work experience as part of regular programs. It calls for greater attention to the needs of special groups of people and it calls for more emphasis on effectiveness and results.

Now, most of you know that I have been, both professionally and personally, a critic of vocational education while at the same time being one of its advocates, and that I have been associated, primarily, with the liberal camp. However, I believe my views more accurately are reflected by the slightly-left-of-center moderate view. That statement is intended only to help set the context for my interpretations to you today of the federal role and national purpose for vocational education.

The federal role has to do with how one postures the major domestic, social, and economic issues and problems within the context of an educational program, which by its very nature, if not its historic purpose, ought to be able to do something about those domestic problems of social improvement and economic strengthening. That federal role should first clarify the national purpose of vocational education. Secondly, the federal role should clarify directions for vocational education. These directions should include the following:

1. The importance of preparation for work as a legitimate function of education.
   (That is still in question in some people’s minds.)
2. Emphasis on equity, equality, and access.
3. Strengthening of economic self-sufficiency through a better educated, trained, and thus, more productive workforce.
4. Extension of influence beyond school.
5. Upgrading, retraining, and industrial training.
6. Closer working arrangements with other human resource development and training agencies and entities (relationships that are substantial, real, that produce results and, in a political sense and an economic sense, save money).
It ought to be possible to develop a sensible and meaningful statement of national purpose, even as a statement of a preamble to a federal act for vocational education, that in effect—if not in fact—states that "It is the national purpose of vocational education to serve the needs of the citizens of the United States through education and training in such ways as to assure that each person is provided full opportunity at whatever age or stage of career to contribute as an individual to the economic and social strength of the nation, and to develop the personal and work skills necessary to participate fully in a rewarding adult life." This statement is probably a bit idealistic. It probably sounds too much like general education for the hardcore, rightwing vocational educator. But the fact is, we are operating today without even that much guidance or direction from the present Act and our present policies with respect to a national purpose. Clearly, the other issues, policies, and politics will mean little until we have a clear and stated sense of national purpose. Without it the federal role discussion loses power, and may become quite secondary to other issues.

The federal role, within the confines of a statement of national purpose (and it ought to be somewhat confined to that statement) takes on special significance. To date, that role has been essentially one of making a fiscal difference, of enabling the poor to compete with the rich, so to speak. Indeed, some aspects of redistribution of wealth and resources, especially fiscal, have resulted from enactment of federal vocational education legislation or federal legislation for any other area of education, for that matter. Indeed, new areas of need and problems have been addressed, such as sex equity. Many of those new ideas and problems brought out in recent amendments need to be continued and expanded under the new legislation.

I think we have to take a very hard look at what must be done differently if we are to clarify a contemporary and useful federal role in vocational education in the 1980s. Now I, for one, am not about to state with specificity what I think the federal role or the national purpose in a distinct sense ought to be, with appropriate disclaimers to the brief quotation statement I just made. Those statements are, in fact, exactly what should result from the debate, which is partly already underway, and which must continue up to, through, and beyond the reauthorization process.

Let me summarize this notion of federal role and national purpose by outlining some of the essential elements I believe must be considered and included.

The federal role ought to be one of stimulation, equalization, and improvement. To be a little more specific, I think we need to get across the notion, in a practical way, of targeting fiscal resources and dollars on areas and problems of highest need, with the states bearing major responsibility for determining what those areas are. I think set-asides should basically be eliminated and should be replaced with the practice of targeting to specific groups, areas, or problems, with optimum funding—again within the discretion of the state. I think further that for targeted programs, as they are initiated and through their first two or three years of life, there ought to be no state or local funding match requirement. Instead, matching requirements should be phased in over time. I do not happen to concur with the idea suggested by one of our congressional study groups that vocational education should be phased out over the next eight or ten years, not only in terms of a federal function, but maybe generally as well. I suggest to you that to prevent that from occurring, vocational education must become a substantially greater dependent variable in the economic strengthening of this country than it is known to be today. We must insist on a clear statement of purpose, by the administration and the Congress, of the critical nature of vocational education as a central part of American public education. We must have that kind of commitment and that kind of charge. We must have a national statement that is nationwide, not federal. There is a distinct difference. We must have a national statement that recognizes the purposes of state and local programs and the needs of individuals as well. Purpose in this case is a fabric issue, not a fabrication. Vocational education's purpose must be one...
that weaves vocational education into the fabric of both education’s purpose and programs as an inextricably interlocked set of threads. It must, at the same time, emphasize and thus help to preserve vocational education’s unique qualities, its unique methodologies, and its social and economic importance.

Governance of the Enterprise

The second major issue area is governance. Of all of the suggested issue areas (not just these four general ones, but the several dozen more that have surfaced in various settings, seminars, meetings, and discussion groups over the past several months), none is more controversial, nor more often debated, nor less understood (with the possible exception of federal policy making) than the governance issue.

Governance really has two parts. The first has to do with the sole state agency concept. That’s at the heart of the issue. This approach has generally worked rather well considering the diversity of the states and the often single-mindedness of the federal jurisdiction. It relates also to: Who are the folks and the agencies who make and implement policy? Who are they really? Where does the political power rest?

All powers not expressly set forth in the Constitution of this country are left to the states. That’s a preamble statement that we use on virtually every paper that we prepare in the U.S. Office for Vocational and Adult Education having to do with international information, because we operate a very decentralized system that is not a function of the federal government and not one of its constitutional responsibilities.

Education is left to the states. We seem to have forgotten that. Somehow, in the process of developing policies through the political process, based on the issues, we have often behaved as if education is not primarily a state responsibility.

The states’ right to self-determination is a central issue in the governance question. Beyond that, no administrative structure of any kind (beyond the identification of a major or central state system agency) should be mandated by law. The debate on the issue of more than one state agency, say two or more, must continue. Emphasis is likely to be given to the postsecondary area. Many of us believe that this level is the major area of growth and the distinctly clear future for vocational and adult education in the eighties, the nineties, and after the turn of the century.

The second aspect of the governance issue is related to linkages with other agencies and groups involved in preparing people for work, or in preparing them through upgrading and retraining for greater productivity. The most important of those relationships is establishing a strong linkage with the U.S. Department of Labor Youth Employment Programs under CETA. That relationship is far from fully developed at the local level or at the state level. The governance matter is thus also clearly related to how we further the linkages and the relationships with that other major provider of training services and employment: the CETA system.

Another area that we have overlooked is the connection between vocational education and adult education. Not adult vocational education, but adult basic education. One of the purposes of the Adult Basic Education Act is, in fact, to assist adults in securing a better job, or a job in the first place. We really have not vocationalized this Act very much. There has not been interplay of any great significance, except in a few states, between vocational education and adult basic education.
All of these major issues of linkage (a third one is the relationship to other community-based organizations) will require some new policy guidance and direction. This will probably happen through laws to assure continuation of the establishment of these linkages and their maintenance and improvement.

The Youth Act of 1980 is being debated presently by Congress. If passed and ultimately implemented, it has major implications for other-agency involvement in the vocational education enterprise. This Act will extend our responsibilities to involve the private sector well beyond those activities that are presently required under section 107 of the present vocational education law (the so-called 107 Commission or the state planning council). The new Youth Act is not unlike that but it is more specific. The governance implications focus on how agencies for vocational education and other providers structure themselves to affect workable relationships among and between themselves (beyond those few historically dealt with in the process of implementing our so-called “regular programs” of vocational education). I think these aspects are especially important if we’re going to move outside the classroom, the shop, and the lab into the working community.

That brings up yet another governance-related issue: advisory committees and councils and the improved utilization of them. There’s a lot of discussion lately about the utility and the efficacy of such groups: whether or not they’re really functioning, effective advisors to the improvement and expansion of vocational education, or whether they represent some sort of political and compliance step that simply gets eligible agencies into a posture to receive funds at the state or local level. Within that there are issues of governance of councils and committees themselves, which have to be brought to the governance debate. That is, how are they to be formed? Who is to populate them? Who is responsible for their establishment, evaluation, and the monitoring of their activities? I think you are going to see a lot more than just discussion about advisory councils and committees as we go through the issue development process for new vocational education legislation.

Finally, with respect to governance, it would be remiss not to touch on the federal structure for governance of vocational education. The new Office of Vocational and Adult Education in the U.S. Department of Education, headed by an assistant secretary, is coming into place. This office was required in the legislation to create the new department, along with six other major program areas in education. Thus, it can and will provide a visible place for national leadership, for policy guidance, planning, and evaluation not enjoyed by other rather specific areas of education. Its permanency, however, and its continuing ability to capture, hold, and utilize the power of that high office may very well depend on the permanency and the improvement of local and state programs of vocational education. This is especially true in the short term with respect to the effectiveness demonstrated by school programs.

Equity – Access – Civil Rights

The third issue area is equity, access, and civil rights. Each of these three topics is an issue worthy of full debate, discussion, and resolution. We seem to know most about equity and civil rights at this moment simply because we’ve been mandated to work on them. The sex-equity effort has made significant progress in three short years of implementation. It surely must be maintained, and expanded in terms of its capacity to develop and influence other providers of education services such as CETA and community-based organizations. It is my view that other providers have not had sufficient influence and have not paid sufficient attention to the equity issue as they’ve gone about the business of participating in the business of preparing people for work, upgrading, or retraining them. It is not enough for vocational education to try to achieve these ends alone. It’s fine to be first, but we simply cannot carry the burden of sex equity by ourselves. Those provisions must clearly be spelled out and enlarged upon in the new legislation.
For civil rights, our role was effectively mandated as a result of the Califano vs. Brown court decision that led to the promulgation of guidelines for the elimination of discrimination in vocational education by the Office of Civil Rights. Those guidelines were published over a year and a half ago. About four months ago, states were to have submitted their methods of administration to OCR and the Office of Vocational and Adult Education. Many are in. Some were not sufficient at the first review stage (done jointly by the U.S. Office of Vocational and Adult Education and by the U.S. Office of Civil Rights), but they will be quite good from all indications. There will be substantial U.S. Office of Civil Rights involvement in the entire process of planning and implementation. The learnings from this experience will be of critical value to the reauthorization process. How substantially the civil rights issues will be implanted in new legislation, and whether or not education and vocational education will be the primary vehicles for correction and improvement in the civil rights arena, are key questions for the continuing debate.

Access, the third subtopic under this issue, is related to the other two, but even standing alone is a highly significant matter. It has most to do with persons whose access to vocational education programs has been restricted because of disadvantage, handicap, race, age, sex, national origin, etc. Thus, it's clearly a civil rights and equity-related topic.

Access has special implications for urban and rural areas in particular, where we find inadequate facilities both in number and in quality to provide full access to occupational education programs. The quality of teaching and the quality of supportive resources is often low in such situations. We can't expect to improve programs if we can't offer the program in the first place because of a physical limitation. What has to be discussed is not just the facilities issue, but how to deliver the program in the community. If it's a matter of building more area centers, more technical schools, or more magnet high schools of vocational specialization, that's one side of the issue. Alternatively, it's a matter of moving education into the workplace—to in-plant education or to fully participatory employer-based career education programs operated jointly by schools and industry. Those things that work well now in suburban areas are likely to work well in urban areas and in isolated rural areas, but can we afford to do them? Are business and industry willing to be full participants in this process? We have asked the questions but we are far from a thorough analysis, discussion, and resolution of the problems of access. We have most often tended to avoid the issue simply by saying, "We just don't have enough facilities."

I know of at least two community colleges on the east coast, one on the Eastern Shore of Maryland, that are community colleges without walls. One community college, in terms of its physical plant, occupies space just about the size of a large conference room. The programs are all in the community, in the hospital, in the mattress factory, and in other public and private buildings in the communities of Salisbury, Ocean City, and Snow Hill. The community college without walls does work. Are we really looking at those kinds of things and finding out what the real limits to access are? In three years the full-time equivalent enrollment of Wor-Wic Technical Community College has gone from 50 to 450, and is serving over 3,000 individuals throughout the two-county area—without walls, and without any publicly-owned facilities.

Program Improvement

The fourth issue area is program improvement. This may be the most critical of all, yet it's the least understood. Certainly the central focus of program improvement is on the teaching/learning process and how to make it better. Within that context I think we will always be able to deal effectively with teacher education, preservice and inservice programs, curriculum development, guidance, and counseling. Those are the core of the program improvement enterprise. We must expand from
that core: we must have a renewed emphasis on research, demonstration, and innovation with an emphasis on dissemination and utilization of known products and methods that work. It is clear that this concept is at the heart of the enterprise at the National Center along with other functions that you are all engaged in here.

We have some short-sighted folks in certain key places around this country, who really haven’t given the appropriate attention to the future agenda, to research, development, and innovation. We have a unique opportunity in vocational education to build on the uniqueness of the fact that we have been the forefront group in education in the research and development area. To back away from that at a critical time of new technology, of the changing world work scene, is unconscionable, and we cannot allow it to happen.

Under the rubric of program improvement we must also renew emphasis on the evaluation, data, and accountability aspects of this work. These still remain soft spots in our system even with the success of the management evaluation review processes, the National Occupational Information Coordinating Committee, and the yet-to-be-resolved problems of the Vocational Education Data System (VEDS). Some of you know far better than I what some of the technical and special problems of a data system are.

State and local levels are still the best places to get data that are good, accurate, and reliable. The closer we get to the classroom, the shop, the lab, the individual learner, and the teacher, the better the information is going to be. Even if we get all of that into place: good national data system, supply/demand information, enrollment and results information, follow-up information, and career/education/occupational information; we still have the nagging problem of getting all of those data synthesized, analyzed, and coordinated so we can use them for planning and improvement. We have a tremendous resource at the National Center. Also, we have at least fifty-seven other centers for resources scattered among the states and territories. We have yet to bring all of that together in a meaningful, consistent, and usable way for an in-depth analysis of what it is that works well and what it is that we can use to make some structural changes in this system.

The future also calls for greater attention to new technology. This includes both the technology applied to the teaching/learning process and the parallel response we need to mount regarding just what technology is doing to the work site. We’re just beginning to get some effectiveness data on efforts aimed at what we call new and emerging occupations. It looks fairly good, but it’s too early to tell if we’ve really made the impact the present law intended. You know, as well as I, that within ten to twenty years we’re going to be dealing with occupations we haven’t even thought of yet. By the year 2000, perhaps as many as 30 percent of all the occupations in which people will be engaged in productive work will be in areas not even known today. The percentage may be even higher than that.

Paralleling the technology issue are those having to do with productivity and economic development. These can all be part of program improvement as a dimension of the outreach capacity of vocational education. Economically, these are clearly the two most important issues facing vocational education: economic and community development and the concurrent and compatible issue of productivity. The relationship between vocational education, economic development, and the reindustrialization of America (beginning with the urban Northeast and already begun in the rural Southeast) may well be the key factor in vocational education’s survival as an educational entity. I am convinced of that.

Productivity is closely linked to economic and industrial development. Many of you are aware of recent statistics which show the nose dive that the gross national product of this country has taken in the first two quarters of calendar year 1980. If the present pattern continues, it could lead to...
nearly zero economic growth by the end of this calendar year. We’re now just over 3 percent on an annual basis. We are rapidly declining while Japan enjoys a growth rate projected to be 11.1 percent with West Germany nearly the same. Indeed, these are countries that have less population growth than we, are smaller in size, and are, therefore, spreading their resources over smaller numbers of people. We’ve experienced a 16 percent population growth rate in the last decade while those countries have had a reduction in their workforce and a nearly static population growth profile. Even with those modifying factors and statistics, the economic aspects of inflation, spiraling costs, and the individual worker productivity issues, all can be affected by good vocational education programs.

One priority must be on incumbent worker productivity; on retraining and upgrading. As we see a decline in the number of younger people available for the workforce (something that is clearly going to happen in this country by the 1990s), the people who are available to work have to be even better prepared because the demand for young workers is going to go up and the supply is going to go down.

This demographic shift will be accompanied by what we see as a continuing (at least 8–10 percent a year) additive inflation. This means we must do all we can through vocational education to prepare young people for work in the future. Vocational educators can help them by focusing on the fourth R, and that’s building a resume. We must offer every young person in school an opportunity for work experience. We must offer a combination of academic skills and employability skills to each student so they can get and hold that first job, as well as be productive in it.

You know we need to move away a little bit from the purist form of management by objectives. I’ve worked with many of you over the years on management by objectives. We’ve got to put an R in there and call it “Management By Results.” That’s got to make a difference in terms of our methods.

Policies

The second major topic is policies. Policies are generated, primarily, by laws; mandates that are supposed to be a reflection of public interest. In the simplest form that’s called public policy. Because we are a democracy, because we elect and send people to represent us on Capitol Hill, we expect that most policy will, in fact, reflect public interest and public desire. The policy-making process is really linked, very closely, to politics, to advocacy, and to lawmaking.

Policy does not just jump out of the thin air. It comes out of a very thorough and often complex process of dealing with public interest and public problems. The executive branch of government, whatever its politics may be, has a responsibility, through its departments and agencies, to deal with issues that become potential candidates for laws. If a law is required, in the judgment of the administrative agency involved, to correct a situation, or to establish a new thrust or enterprise, then the administration and its departments or agencies carry out a process of identifying issues and drafting specifications for potential legislation. Once that’s initiated and carried through the initial steps of congressional involvement, Congress begins to do the same thing, especially with powerful issues like youth employment and vocational education.

Unfortunately, the history of vocational educational legislation is thus: no administration bill including the 1963 Act, was in any substantial way the version first drafted and entered by the incumbent administration. Final legislation was drafted primarily by the Congress and by key advocacy groups. Nonetheless, the administration has a responsibility to deal with the pressing issues and to form them into future policy through law. On the average, for every administration bill that
is put in the hopper, even with some congressional support, there will be seven or eight congressionally generated bills developed almost at the same time. For example, at last count there were eleven versions of the youth act in the hopper. Now we’re down to two; one in the House and one in the Senate. The ones that are being considered are probably pieces of all of them, but more of the “stuff” of the administration’s proposition has been retained than perhaps anything I have been recently involved with.

The same process will occur with the vocational education reauthorization. We will go through a process of bill drafting. The administration will lobby for its position on its outline of issues, and a draft from the advocacy groups will deal with the ones that they think make the most sense. Eventually, there will be two versions: a House version, and a Senate version. Something will be passed. There will be a conference committee, which will come out with one bill. It will be passed, signed by the president, and then we’ll really get into the fun stuff: rules and regulations.

Rules and regulations are the next step in the policy-making process. They help us interpret what the intent of that law is, so we can deal with the constituency—the eligible recipients for the benefits of that Act. There has to be a step, generally, of planning by recipients as to how they’re going to use those funds. In vocational education we call that a state plan, or in discretionary program areas, it is a response to a request for a proposal for a contract. There have to be assurances and there are negotiations. Through all of this, policy is being shaped; policy is being refined; but no policy is being made. Be quite clear, if you will, with respect to the federal policy process that policy cannot be made by regulation; policy is made by law. Law is interpreted as a part of the policy-making process through rules and regulations and to some extent through plan or proposal process.

The federal agency role is to be the interpreter of policy. If something was left out, if through the process of attempting initially to implement a new law with rules, regulations, and plans a gap is found, then the agency may go back to Congress to fill the gap. That’s been done. We just did that this past year with the disadvantaged and handicapped set-aside expenditures and with other areas, including data burden reduction.

There’s a problem in that process with vocational education and with some other federal education programs in that Congress has said, with respect to what states or other eligible recipients do about developing plans for getting money, that the federal agency can’t give them too much guidance. In other words, the federal agency involved is precluded from developing specific guidelines for state planning. Congress wants these state plans to be hand-crafted, independent state plans that really are plans and not compliance documents.

That’s a great idea, but it doesn’t work very well. There are a few good state plans that are really workable planning documents. Ohio sends in a good one every year, and it’s usually one of the first ones to be approved. It is responsive to the federal law, rules, and regulations, and reflects the real needs of the state and local agencies. Others do not. Others simply regurgitate the law in order to get the money. It’s a continuous cyclical process. There is continuous modification, refining, and effort to make more consistent the policy process and policies themselves.

When a policy memorandum is sent by a federal office, that statement, which is interpretive of policy, is usually well thought out and carefully researched. It is made to stand the test of legal interpretation by counsel, and it is always law-based. The most exciting and interesting discussions and debates occur when somebody says that a rule has been made or a law has been created outside the process. In other words, the law is being interpreted in a different way than someone thinks it should be.
The biggest issue during my time in USOE had to do with the formula process for distributing funds from the state agency to local recipients. The federal government has a certain approach on this matter through the process of policy interpretation. Let me reinforce again: laws cannot be made by regulations. Policy may be found in rules and regulations, however, only as it interprets laws. Policies are the lubrication for the law; they are intended to make the law work.

Unfortunately, too often laws are not promulgated with differences in mind, but too often only with similarities in mind. That creates a consistency problem—one of being attentive to the differences among and between state and local jurisdictions. It is probably the toughest and most persistent federal policy-making problem.

I have already acknowledged this interpretation as an over-simplification of the policy-making process. Still, the policies are going to come out of the law, which is based on the issues. That brings us to the final point: politics.

Politics

I read this statement in a recent Sunday supplement to the Baltimore Sun: "The greatest problem facing this country today is apathy—but who cares?" Now that might be an appropriate, if not enlightened, way to begin a discussion of politics. The interesting thing is that more people than ever before really do seem to care, not only about education and vocational education, but about politics as well and the relationship of politics to education.

We don't need to be reminded that this is an election year. Both parties, the Democrats and the Republicans, are reputed to have a vocational education plank in their respective platforms. That may be a first. If true, it is testimony to the often-stated notion, or perhaps fact, that vocational education is a visible, if not popular, political subject.

Frankly, it's about time that vocational education became politically attractive, because vocational education has, in many ways, become political. Vocational education means money to constituents who send members to Congress and constituents mean votes. More importantly, vocational education carries with it important domestic concerns, issues, and problems, many of which we have already touched on: equity, civil rights, jobs, productivity, economic development, and social strengthening.

Much of the credit for vocational education becoming politically interesting must be given to our primary lobby group, the American Vocational Association (AVA), especially in the last three or four years. AVA has a good political plan. They have knowledgeable people who do a lot of leg work, a lot of effective lobbying. They are there, in the lobbies and hallways of Congress. They know where the supporters and nonsupporters of vocational education are located. They have a good field network doing considerable work. AVA has recently become very willing to deal with difficult issues and is usually on target on those issues. There are those who say AVA is the best education lobby in Washington, D.C. today of some 100 registered lobby groups involved in or interested in education. However, AVA and its constituent members need to take a firmer stand on some issues—such as sex equity, programs for the handicapped, and program improvement.

AVA has placed a very high priority on the issues of economic development and productivity. As with any organization interested in pushing an issue, the base of knowledge must be very strong. We need some very clear and clean information about the linkage to economic development and
productivity that we propose for vocational education before we go pushing it too far, and herewith I modify everything I have said thus far on those topics by that same statement. We must have a better knowledge base for many of these issues.

Politics and their relationship to vocational education in the 1980s, and vocational education’s relationship in turn to the political process, is found in several examples—in several situations that are, or will be, occurring. The number one example, or scenario, is the reauthorization process, which is clearly a political process. It is probably going to be more a political than a program process because of that step-by-step exercise we undergo in the process of making policy. Policy, remember, is driven by politics, which respond to the issues raised.

A second situation, the forming of coalitions of diverse groups with common goals aimed at solving common problems, will be and is already becoming a special kind of political activity. Coalitions of diverse groups, such as civil rights, women’s educational equity, and the disadvantaged, are forming to deal with common problems. New and different groups are also coalescing to deal with vocational education. There are more than a dozen registered lobby groups for women’s issues in Washington, D.C. Getting them together on the single topic of women’s educational equity in and through vocational education is going to be a major achievement, but it ought to happen. That kind of power should be brought together—we ought to get away from single-issue politics and address the big issues as a group. That’s political action that makes sense.

Another critically important issue is the extent to which vocational educators became more politically astute and effective at the local and state levels. Their increased sophistication should logically result in more money, and more discretion in its use, for vocational education at the local and state levels. This can and should be one of the results. There are even those who want to propose in the new federal legislation that states, in fact, be required to pass a law to earmark general funds for vocational education. This has already been done, in effect, in twenty-two states. Whether it is needed in all the states or not is certainly a question open to debate. The point is, however, that the real political clout, with respect to the full scale of programs, is at the local and state levels; and we must not forget that. I have been in this conference room when the local congressman was here dealing with issues that concerned this National Center and this university. That is local and state politics at work; that is what makes the difference; that is what opens the doors that often seem to be closed on Capitol Hill in Washington, D.C.

Another politically expedient activity, or situation, will be found in the extent to which we are able to properly and effectively evaluate the programs we’re involved in and market the results of those evaluations. We do a lot of effective work in evaluation, but we have great difficulty in marketing the results; getting the evaluation into simple, read-it-in-the-dentist’s-office form; and having it make sense to a parent or child who is reading it. Marketing the results of our effectiveness has political overtones and underpinnings. The type and value of long-range planning we are able to provide as a basis for politically sensitive positions will be critical. What is the long-range view of this? What is the knowledge base under it? What are the political implications of it?

Clearly, there’s hardly an issue that has been mentioned here that doesn’t have strong political implications for all levels of influence, including major decision makers and policy makers in both the executive and legislative branches of the federal government as well as those key actors at the state, local, and individual voter levels.
The extent to which we are able to achieve a political posture based on program effectiveness, which signals clearly that vocational education is a dependent variable in the educational, social, and economic subsystems that make this democracy work, will be the ultimate test of our political mettle. For vocational education to become a dependent variable means, quite simply, that it must become something this society cannot do without.

For vocational education to become as important as food, fiber, shelter, and transportation—as near to a basic necessity for a healthy social, economic, and political system as possible—requires special craftsmanship, special skills, that result in the knitting together of issues, policies, and politics.

While I have chosen to deal with these three topics in this order, one is really not more important than the other. Each has variables that depend upon issues and actions in the other area. Vocational education—as a system, as a generic entity, as an educational process, and as an educational practice—will achieve its long-sought greatness when it, too, is a dependent variable within the larger systems that make us and this country work so very well.
QUESTIONS AND ANSWERS

Question: You identified conservative, moderate, and liberal positions on vocational education. Do you sense that the liberal position being taken at the federal level shows a willingness to abandon youth at the age sixteen level to post-high school occupational training?

Even the most liberal critic comes somewhat short of suggesting a full abandonment of vocational education at the secondary level. Most of those liberals in the state director's group, which is a very powerful lobby group of its own, especially in the arenas of philosophy and policy, are not proposing abandonment, but rather a softening of the specificity. I think this can be carried to the extreme, especially for the upper two years of school. But when we talk about secondary school, unlike the European system where they talk about lower-secondary and upper-secondary, we tend to refer to all grade levels from sixth grade up to twelfth. If we modify, at the freshman and sophomore level, for example, or the junior high level, to a more exploratory approach, the tendency may be to deal with the whole high school in that way; and I think there is a danger in that. I think the key thing is defining what is a true vocational education. What is it that everybody can basically agree to that vocational education is? What is there about vocational education that relates somewhat, if tangentially or obliquely, to the notion of a national purpose? Is there a legitimate reason for providing vocational education at the secondary level, and even below that, in more of an exploratory mode, as a legitimate function of education? The preparation of people for work is the emphasis. The proposed Youth Act of 1980 softens this definition a little bit by talking about employability skills, but without defining those skills specifically.

Question: New and emerging occupations are of great concern to vocational educators. The energy field is one in which new technology is being developed and along with it new jobs will be created. Will these be new occupational classifications or merely new skills needed by increased numbers of people in current occupational classifications such as plumbers and electricians?

Initially, in the discussions of energy with respect to new and emerging occupations, there were those who were predicting a major, massive job creation activity surrounding their field. However, what we are finding is that there are going to be few new jobs, per se, new occupational classifications in energy-related occupations. Rather, there are going to be evolutionary modifications of the specific skills in other basic occupational areas that have energy dimensions. Although the analogy is not purely accurate, it is not unlike the business of teaching safety skills; those same skills apply broadly to a number of occupations within fairly broad clusters of specific occupations. The nature of occupations does shift. If you did a task analysis twenty years ago on tractor maintenance mechanics and you do one today, you are still calling the workers tractor maintenance mechanics, but they are doing entirely different things. In Atlantic City a few years ago a representative of the Motor Vehicle Manufacturers Association came before our group of state directors and said, "Mark my word, by 1980, 60 percent of the cars in this country will be diesel powered." While the 60 percent level hasn't happened yet, he was saying, make the shift now because by the early eighties, the mid-eighties at
the latest, your whole internal combustion engine, gas engine business, is going to be shifted over to the different kind of tasks that are attendant to diesel engine mechanics. That’s an evolutionary process indeed. There will be a few new occupations, some of them will come about due to the process that Clyde Helms calls re-engineering of jobs. That is, taking a job that today requires a baccalaureate degree and re-engineering it in a way that it may produce three additional occupations that do not require a baccalaureate degree. That’s a notion that’s related to technology assessment and that whole process, which is just coming on the table for discussion.

Question: Do you think that a change in administration at the federal level after the 1980 election will have an impact on vocational education?

I think it absolutely will have an impact on vocational education, if not firsthand, no less than secondhand. Vocational education will be near the top of the list for any major budget reductions if we end up with an even more conservative administration that is driven both by its political sense and other senses of the economic scene, as well as by the realities of the current and best predictions we have of the future economic situation. I think that there clearly is a trend toward growing fiscal conservatism, as you put it. We did not suffer major cuts in the 1981 budget. It had been predicted that all education would suffer something in the range of about a billion dollars or about one-fifteenth of its total budget. We were fortunate that that did not happen. We did see a cut of more like $450 million, which is certainly a great deal of money. But the cuts didn’t hit vocational education that hard, proportionately. I’m not going to get into the business of comparing a Carter administration with a Reagan administration, but I think that if the administration changes, the fiscal and the economic plans we hear about from the Republican party are, at the very least, quite different from what we hear from the incumbent party and administration. Most of the discussion among the economists that I hear on television and read in the print media is, if the Republican economic platform would work, it would be great, but there’s a great deal of concern about whether it might or not. Some social programs are likely to suffer under a Republican administration, if what we hear from the convention and the platform are true. They may not suffer as much under a Democratic administration, but everybody is going to suffer some. How to get this inflationary spiral stopped and get ourselves back to some sensible economic behavior is something that is certainly beyond the bounds of my expertise, since I am not an economist. But I think that we are going to have to face the fact of a reduction in federal dollars for vocational education. It isn’t going to help to say, “You’ve got to shift the burden to the state and local agencies.” The state and local resources for vocational education already pay for 92 percent of the enterprise. Losing the 8 percent from the federal government would probably close a few programs at the secondary level and hardly any at the postsecondary level. But what we would really lose would be our capacity to improve quality, to conduct outreach programs, and to deal with special populations and their unique needs. That’s a reality; certainly, one that has to be dealt with now.

Question: Do you see a reduction in basic grants to states with a resultant increase in program improvement funds?

No, not in the short term. I had proposed that for the new legislation, but whether or not it happens that way is a matter of politics. Right now, I would say that the odds are in favor of a stronger basic grant approach and less in favor of program improvement. I personally think that’s wrong. It’s been my position for the last two years that the 20 percent for program improvement ought to be a minimum, not a maximum, and that states ought to decide how high up that goes. My feeling is that half the states would probably move to a fifty-fifty split within the first year given the opportunity to make the choice. But what is needed is the policy influence to convince
others that it is all right to move in this direction. The state, then, coming back to the state self-determination notion, could increase the percentage of funds used for program improvement. It’s going to depend more on what the state does and decides it needs to do than it is on what the federal government says, beyond what the law requires. I would work to emphasize this whole area of program improvement and the need for greater capacity, fiscally, to deal with it with federal money. Again, going back to the other question about the trend to fiscal conservatism, I don’t think we would be hurt as badly with a reduction of basic grant regular program money as we would with the loss of program improvement funds.

Question: As Deputy Commissioner for Occupational and Adult Education, what kinds of questions were you asked that you would have liked to answer but could not, and why weren’t you able to?

Basically the biggest question raised by Congress and by many other people was, how do you know that vocational education makes a difference in terms of the employment potential of an individual? With only isolated studies and enterprises such as those that some states have conducted, we really don’t have broad knowledge about the difference vocational education makes. Another problem is that for every study we have that says youth who have had vocational education get better jobs quicker and hold them longer and make more money, we have another countering argument that says it doesn’t make any difference. In some cases on both sides the methodology of the research is questionable.

I guess that’s the big question: what difference did vocational education make in terms of employability? The next question has to do with the supply and demand information. Even though the National Occupational Information Coordination Committee is coming along fairly well and the State Occupational Information Coordinating Committees (SOICC) seem to be moving, we still are far short of having predictability capacity with respect to the mid-term, not long-term, not twenty or thirty year projections, but five to ten year projections, about where jobs will be. Given the technologies we have, and with the information scattered around out there, I think we should be able to put that in place.

A third question that I was often severely pressed to answer had to do with what ought to be on the research and development agenda. What are the major issues that we know just enough about to entice us to learn more about—entice us enough to invest some risk money in them to do some development, some experimentation, and some modeling. It’s a hard question to answer definitively. The list is long and the background study and research needed to eliminate all but half a dozen top issues is time-consuming and complex. We’ve got a “network” out there that doesn’t work. I don’t fault the National Center or the Research Coordination Units (RCU) or the State Occupational Information Coordinating Committees (SOICC) independently for this, but collectively there is some blame to be placed. We haven’t put together a system, a network, that really gives us the good information about what works. The data are supposed to be sent to the federal government. But it was difficult to get the reports in from the RCU directors. How does one build a national agenda for R&D on topics such as sex equity, when we sit down to discuss an idea and are argued down by the interest groups on, say, the equity issue, because we just don’t have the right data? I guess those are the three big questions that, on reflection, I would like to have had more information on.
Question: What do you think are appropriate means for obtaining the information you needed to answer those questions?

I don’t know. We’ve tried many different approaches to answering these questions, but have been unable to identify really good answers. I think that state directors are becoming pretty independent about providing information beyond state boundaries. It’s often extremely difficult to get usable information out of some of them. They’re the first to recognize and admit to that problem. I think if there is any answer at all, it is in reinstituting some things that some of us, years ago, tried with respect to the true potential of the network of research coordinating units. Again, I’m not in favor of mandating RCUs into organizational structures in state agencies, but some function has to be there. The other thing that would make a difference would be if we could ever get Congress to appropriate the authorized money for data, evaluation, and accountability—that fifth subpart we’re supposed to get, the pittance of $25 million each year. For the first time states will get $5 million to distribute to various projects and programs. Ohio is a 5 percent state, so that means about $25,000 to $30,000. Twenty-five thousand dollars isn’t going to buy one staff member to deal with data, accountability, and evaluation. Maybe that is why it hasn’t improved over the last five years. We’ve tried to do a lot of things that were somewhat related to one another, but because there wasn’t a planned fiscal base for these issues in the states, they didn’t happen. Some states put their own money into evaluation and went ahead with it.

The same thing applies to career information systems. Some have great systems and some have nothing because there was no federal money earmarked for that purpose. That’s a targeting issue. It’s not a set-aside issue. It goes back to the earlier discussion of what kinds of targets of opportunity you want to hit on with this legislation. There are people targets and there are administrative targets. There’s guidance and counseling and there’s data, evaluation, and accountability systems. If the federal government is really serious about data, evaluation, and accountability, it is going to have to put some money in it. Absolutely! The Congress has been very reluctant to do this. In fact, until this coming year, it has done nothing about it. We just are not going to make any progress until the federal government starts paying for some of what it is asking states to do. The data burden already required is just unbelievable. There’s a school district in central Kansas that gets a thousand dollars of federal vocational education money. It spends thirty-one hundred dollars to get it. Now, that’s the kind of information I like to have. Even though it doesn’t make sense that such a thing can happen, it serves as an illustration of what is going to happen until we get the information systems organized in a way that works.

Question: How can states address the major areas of concern within their own boundaries and still address issues that affect vocational education nationwide?

That’s the rub, when you want to liberalize the legislation so that states can have more self-determining power for their work, but still want to affect nationwide issues. Take the program improvement dimension of the present Act; that’s really how it’s supposed to work. You’re supposed to set some targets of opportunity such as sex equity or R&D, under subpart 3. There’s a great expectation on the part of the federal system that the 120 or so million dollars that are allocated to states will be used predominantly for those activities under subpart 3, such as curriculum, teacher education, R&D, guidance and counseling. The only one that seems to have really been attended to of the five eligible subjects is curriculum. Some in teacher education and you can take them down a list to guidance and counseling. I haven’t been able to find any results there. I don’t know if any of you involved in guidance and counseling have, but I haven’t found many profound results yet. What you have is a dichotomy. If you set too intractibly in federal law the national objectives and then want to give discretion to the states to address them; it just doesn’t work, and yet it should.
The other problem is that if the federal law is used to put in place national priorities on national problems as targets of opportunity, too often they change before you get to them. The law has run out and you're just beginning to deal with the national priorities. Things are changing so rapidly. That's why I'm arguing for much larger issues to be considered in the legislative reauthorization process, such as the role issue, the governance issue, the equity, access, and the civil right issues; those are very broad issues. States should be given the opportunity to pick and choose among those issues that are most critical and important to them. The states' understructure, when you get into what is done with these issues, is really not controllable except as you require states to put something in an annual plan. Beyond a plan, we really can't require concentration on issues, even through guidelines.

Question: Do you believe the funds for program improvement are important and, if so, what can be done to increase them?

Absolutely! If I'm going to promote something for increased funding, it would be program improvement, with the guidance of national priorities and with discretion as to which are important to the states. That could be made to work. But it has to be paid for. You have to buy the power to do something about it. Unless states are going to give maximum effort, that is, maximum dollar effort, vocational education is not going to have the influence on the national priorities, national problems, the nationwide issues.

Going back to what Congress is willing to do, we must remember that the 1976 amendments were pretty much the work of the Congress and its staff. There was some administration input. Some of the work was even carried over from the earlier amendments, but by and large, it is a congressional piece of legislation; it's not an administrative bill. I am pretty well convinced that Congress isn't going to want to tinker around with it too much. They were the ones that asked for the accountability and were unwilling to pay for it. Congress also asked for the data and evaluation, but they were unwilling to pay for it. Without the money, it did not happen. Congress may say, "We'll take another shot at this," but you're still not going to have any major changes unless the dollars flow.

Question: What are some ways in which issues effecting legislation can be better addressed?

Well, it's easy for me to place a priority at this time in our life on two notions—one being the formation of coalitions of common interest groups or commonly interested groups; the other being an attempt to increase the sophistication of our connection groups. That is, to get the reauthorization framework raised to the level of the National Academy of Science, or the Brookings Institute, etc. In the long term I think the latter is clearly needed, but I think we've got to take it a step at a time. I believe that the way coalitions are made is to find out how many people are interested in the major issues and get them around the table to discuss those issues and to agree on a position on an issue, or a group of closely related issues; then for that group to go together to the Congress, the administration, or whatever, and argue their case. The payoff to them for having gone through this process is the opportunity to participate in carrying the issue through the legislative process.

That's what everybody is in it for. Don't be misled. Humanity and social value are great, but when it comes to a bottom line, community-based organizations (CBOs), and all of those who like to be involved want some of the money to do the job. So, they're going to have to develop coalitions, based, in part at least, on the potential for being a participant in conducting the enterprise. In this case, vocational education might be mentioned in the Youth Act as a particular provision, or there might be special provisions for CBO involvement, for example, and implementation would require
coalitions. I think it's a matter of agenda raising, issue raising, agreeing on issues, and getting the combined clout of those often diverse groups behind an issue so that congressional staff members are not listening to fifteen people about the single issue; rather, they are listening to the person that represents the largest block of votes via the coalition. There is no question that our involvement with the National Academy of Science, this last year for example, has helped us a lot (in the former BOAE and now the U.S. Office of Vocational Adult Education) in setting our research agenda, because we looked at the educational and scientific research agenda across the federal government. It was helpful to develop coalitions among those groups. I think it is going to depend on how clearly we can identify problems that require the expertise of others to be answered. Again, to be quite crass about it, the final determinant is whether or not we're going to be able to pay for the actions in the field which support of these groups caused to be in the law. I've learned one thing, and that is that most of the help the government gets it's got to be willing to pay for, with either the people, the people and their time, or the people, the time and the money. All of it requires money.

Despite this, it's a good notion. We've had some beginning interest in some of the unanswered questions of vocational education's effectiveness. It may be that if we begin to see a swing of the pendulum back to the higher technologies, in particular, to a more scientific-academic orientation in public education, that some of our survival will depend on the extent to which we can establish linkages with those scientific enterprises and those higher orders of discussion, study, and research groups. I fear, however, that we are not quite ready for that yet, because we have not yet clearly identified the issues and the problems.

**Question:** How can we more effectively market the positive effects of vocational education to the public and for policy makers?

Marketing results of the effectiveness of vocational education is more than public information campaigns. By that I mean using those results to convince parents and students that there's something about vocational education that makes some sense for them. The attitude of most parents, including many of us as parents, is that, for economic reasons, we make fairly specific plans for our kids to go to college if they want to go. Economically we do not, generally, make very specific plans in terms of income needed, time required, arrangements to be made for our youngsters, our own children, to enter into an occupational specialization that doesn't require a baccalaureate degree. That's not part of our mentality quite yet, for the majority of our population. It's particularly acute in some minority populations. My colleagues and co-members of the National Association for the Advancement of Black Americans in Vocational Education have agreed that in the black community there is a serious problem with the attitude about vocational education as being second-class education and people want to get out of that mode.

Now, in marketing, the results of the effectiveness of vocational education, its power to capacitate an individual to get and hold a job, to make a good living, to have upward mobility, and to have time for the other social and leisure-time activities of life, are the facts that have to be sold. It has to be marketed. We've done a pretty poor job of that. We have stopped short of actually marketing. We have done a decent job, although not sufficient, with the simplest public information campaign, but not nearly enough. What I'm talking about is really making it a directed effort to convince people that a majority of the population of students who are currently in junior and senior high schools ought to have the benefit of reviewing and assessing with their parents, their counselors, and their peers, the results of vocational education for former students who have now completed vocational education programs and are employed.
Question: What do you see as the critical issue in vocational teacher education?

The facts that are critical to teacher education have probably less to do with how much forced retraining and upgrading we're able to put in place than they have to do with teacher salaries. I think the true issue (especially in places where we have the greatest difficulty, such as in urban centers, getting good people and holding them, and in isolated, economically weak rural areas) is a matter of pay. I would work, union or not, for higher pay for teachers simply on the basis of the merits of holding good teachers and making it possible for them to enter into continuing education programs for their own professional development and the improvement of the system. It is clear that positive and lasting curriculum change cannot be effected without involving teachers in that process.

That's the bottom line issue. Get away from all of the other nice program stuff and the problems of teacher certification and all, it's still basically a matter of not paying teachers what they're worth. We are not keeping the good ones because we are not able to pay them. Turnover of first-year teachers is tremendous. It's just far too much. We've got a lot of schools that hire only first-year teachers because it's cheaper. This public is not yet ready to pay the price for good education, vis a vis teacher salaries. We're going to pay a price for that in the very short term. Beyond that, I think that there are maybe a dozen landmark institutions in this country that do a pretty decent job in vocational education teacher training. We happen to be on the campus of one of them. A person can count on two hands the rest of them. There is no middle group, in my view. The rest of them are inexcusably behind in terms of quality preservice, up-to-date contemporary intern-oriented, experience-oriented teacher education programs. At the same time the relationships with state agencies and other groups involved in inservice programs are far behind where they should be today. We're still dealing in large measure with teacher education programs that are operating as they were in the fifties, and then they were twenty years behind.

Progress just is not being made. I think there needs to be some real shaking up, but people must be paid to do that, too. A lot of it has to do with the basic economics of life, that is, keeping good people as teachers and as teacher educators. There are some good programs and good systems out there. We're moving, and it's tough to move, to competency-based teacher education. Those institutions that have done so seem to like it pretty well, but a lot of them just resist that. That's just too much accountability. We don't want to worry about educational malpractice, but we've got to be worried about educational malpractice. Not only at the institutional level, but at the school level. It's happening, it can happen, it's already been carried through a court case, as you all know, and the plaintiff won.
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