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**Evaluation of Teachers of Basic Education:
Political Tensions and Radical Oppositions¹**

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Abstract: This paper focuses upon the enactment and implementation of a National Educational Reform in Mexico, which introduced competitive examinations for teachers entering the newly established Professional Teaching Service of the National Educational System, and compulsory evaluation of all teachers in active service for promotion and tenure. The analysis describes the (1) aims and intentions of the Reform, (2) the force and errors in its implementation, (3) the opposition of a radical wing of the National Union of Educational Workers, and (4) the social turmoil this confrontation has caused. A

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theoretical basis for a political analysis of educational reform is provided, one that includes an understanding of the political nature of the reforms, the distinction between design and implementation, and the use of different categories to provide a solid analytical framework. It is important to understand the actors of the opposing forces, the aims they pursue, the rationale of their arguments, and the nature of their power.

Keywords: educational reform; teacher evaluation; political analysis; Mexico

La evaluación de los profesores de educación básica. Tensiones políticas y oposiciones radicales

Resumen: El artículo se centra en la promulgación e implementación de una Reforma Educativa Nacional en México que introdujo exámenes de oposición para el ingreso de los maestros en el recién establecido Servicio Profesional Docente del Sistema Educativo Nacional y una evaluación obligatoria del desempeño para la promoción y la permanencia. El análisis describe 1) Los objetivos e intenciones de la Reforma; 2) la fuerza con la que se implementó y los errores cometidos al hacerlo; 3) la oposición presentada por un ala radical del Sindicato Nacional de Trabajadores de la Educación, y 4) la movilización social que provocó esta confrontación. Se ofrece un base teórica para el análisis político de la reforma educativa, que incluye la comprensión de la naturaleza de las reformas, la distinción entre diseño e implementación y el uso de diferentes categorías para un sólido marco de análisis. Resulta indispensable entender a los actores de las fuerzas que se oponen, los objetivos que persiguen, la racionalidad de sus argumentos y la naturaleza de su poder.

Palabras-clave: Reforma educativa; evaluación de profesores; análisis político; México

A avaliação de professores de educação básica. Tensões políticas e oposições radicais

Resumo: O artigo enfoca a promulgação e implementação de uma reforma educacional nacional no México que introduziu exames de oposição para a entrada de professores no recém-criado Serviço Profissional de Professores do Sistema Nacional de Educação e uma avaliação de desempenho obrigatória para a promoção e a permanência. A análise descreve 1) Os objetivos e intenções da Reforma; 2) a força com a qual foi implementado e os erros cometidos ao fazê-lo; 3) a oposição apresentada por uma ala radical da União Nacional dos Trabalhadores da Educação e 4) a mobilização social que provocou esse confronto. Uma base teórica é oferecida para a análise política da reforma educacional, que inclui uma compreensão da natureza das reformas, a distinção entre projeto e implementação e o uso de diferentes categorias para um sólido arcabouço analítico. É essencial entender os atores das forças opostas, os objetivos que eles perseguem, a racionalidade de seus argumentos e a natureza de seu poder.

Palavras-chave: Reforma educacional; avaliação de professores; análise política; México

Evaluation of Teachers of Basic Education: Political Tensions and Radical Oppositions

This chapter focuses upon the enactment and implementation of a National Educational Reform in Mexico, which introduced competitive examinations for new basic and middle education teachers entering the newly established Professional Teaching Service of the National Educational System, and compulsory evaluation of all teachers in active service for promotion and tenure. The analysis describes the (1) aims and intentions of the Reform, understood as a new socioeducational and political project of the Mexican State, (2) the force and errors in its implementation, (3) the opposing political and socioeconomic project of a radical wing of the National Union of Educational Workers, and (4) the social turmoil this confrontation has caused. Analysis of the confrontation leads to the conclusion that opposition to the Reform will continue for an unspecified time period and there are, and will continue to be, serious obstacles to its implementation, at least in some of the country's states.

Foreground

In December 2012, Mexico's incoming President² proposed a "Pact for Mexico" which was signed by the leaders of the three main political parties. It included three major structural reforms: a telecommunications reform, a financial reform, and an educational reform. All three of these reforms were immediately sent to the Congress to be transformed into a legal enactment of the highest rank. In the case of education, the reform was enacted by a constitutional amendment, a reformulation of the General Education Law, a reformulation of the Law of the National Institute for the Evaluation of Education (INEE), and a new law establishing a Professional Teaching Service. A very sensitive aspect of the educational reform was the introduction, in the Constitution, of teacher competitive examinations as the *sole means for entry and promotion, and the evaluation of teaching performance every four years for tenure of teachers* in the country's teaching service, for basic and middle education.

Since the policy's enactment and implementation, different individual and collective actors have faced each other with opposing ideologies, interests, and actions, aimed at supporting or rejecting teacher evaluation and the entire Educational Reform without distinctions. Teacher evaluation became highly visible to the public because of the different forces defending the opposing positions, whether they favored "strict application of the law" (including enforcement with army, navy and police support), or resorted to different legal or illegal actions (social mobilizations, including shutting down schools, marches, demonstrations, blockades of roads, highways and important government buildings, hijacking of public transportations, and riots). All of this was accompanied by enormous news coverage and debates in the media.

Mexico's educational system is large and complex, as might be expected in a nation with a population of 127 million—the 11th largest in the world. According to educational statistics from 2015 (INEE, 2016), there were more than 34 million students in the system, 26 million of them in the 12 grades included in basic education: a three-grade preschool cycle, a six-grade primary school cycle, and a three-grade secondary school cycle. In 2012, a three-grade upper middle education cycle was decreed as part of the compulsory schooling for all Mexicans, and nearly five million students are now enrolled in this cycle. At present, schooling opportunities benefit 71.3% of the population between the ages of 3 and 5; 99.4 % of the population between ages 6 and 11; 83.2% of the population between 12 and 14; and 54.8% of the population between ages 15 and 17. Higher and

² Mr. Enrique Peña Nieto came to office in December 1, 2012, for a six-year presidential term.

postgraduate education have a total of some 3.5 million students, benefitting only about 24% of the corresponding age group³. Proper interpretation of these numbers, however, must take into account some serious problems, mainly extreme socioeconomic inequality among the population, which affects rural residents (22% of the population), indigenous groups (7 to 12%),⁴ and general poverty in the country (almost 50%), as well as gross inequalities between the different states. These disparities are clearly correlated with the poor and precarious educational opportunities and results in school tests or school trajectories.

Identifying the beginning of this conflict is rather difficult. Where to start? Do we look for logical or chronological criteria? How far back can we find the historical reasons that explain the violent conflict surrounding this reform? How many causes can we identify? How many effects and what is their nature at this moment? A starting point that reconciles these difficulties, from a social science point of view and not necessarily from that of evaluation theories and methodologies, is the brief period from the previously mentioned Pact for Mexico, made public in December 2, 2012⁵, to the enactment by the Federal Congress of an amendment to the Constitution, on February 8, 2013⁶, and subsequently the approval of three general education laws in September of the same year.⁷

For the past several decades the two main political actors that determine the policies affecting the educational system have been the Federal Government and the National Union of Educational Workers [Sindicato Nacional de Trabajadores de la Educación] (SNTE).

- According to the National Constitution and the General Education Law, the federal executive, through the Ministry of Public Education [Secretaría de Educación Pública (SEP)], has exclusive powers to determine the curricula and study programs, the annual school calendar, the production of free textbooks and the authorization of any texts for the entire country, with regard to the three basic compulsory education cycles, Normal Education and other programs for the training of basic education teachers. These powers, together with the federal administration and operation of the national system for a very long period, account for a highly centralized educational system. In 1993, as part of the “modernization” of the educational system, some operational, technical and academic powers were transferred to the states.
- The SNTE encompasses all teachers and workers in the public education system, some 1.4 million members.⁸ It was created in 1943 within the general workers and union movements that emerged in the aftermath of the Mexican Revolution and the consolidation of a Mexican corporate state, strongly allied with the Institutional Revolutionary Party (PRI), which, until the year 2000, had been the only ruling party in post-Revolutionary Mexico. The SNTE has turned into an extremely powerful

³ Higher education enrollment is not restricted to an age group, so the reference is not an exact one.

⁴ The percentage depends on the criteria used for the classification, actual knowledge of language, 7%, or other cultural criteria, almost 12 %

⁵ The Pact for Mexico was signed by the incoming President of Mexico and the leaders of the three main political parties. pactopormexico.org.

⁶ Amendments to the Constitution in Mexico are of course the most complex legislation changes. However. The Third Article, on education as a social guarantee, has had nine major changes: <https://es.slideshare.net/yolandaortiz39/historia-del-articulo-tercero-constitucional>.

⁷ The complete text of the laws and the changes agreed to that year are taken from the book published by the National Institute for the Evaluation of Education together with the LXII Session of the House of Representatives (2015).

⁸ <http://www.snte.org.mx/web/>

political actor and has accumulated a tremendous range of privileges and prerogatives during more than seventy years of existence, including enormous wealth⁹. Some of the prerogatives are established in the federal labor law for **all** state workers' unions,¹⁰ for instance, life tenure for working positions after six months on the job, and equal participation in the main decisions regarding the hiring and promotion of workers. Through collective bargaining, all state workers unions have attained the considerable prerogative of bequeathing the position of a deceased worker (in this case, teachers) to a family member, justified by the principle of solidarity to help the worker's family. With regard specifically to the public education sector, the union won other special privileges, such as automatic access to a teaching position for all students graduating from Normal Schools, and a double teaching position (in the morning and afternoon shifts, four hours each), thus allowing for twice the income and an 8-hour working day, dedicated completely to teaching activities with two different groups of students.¹¹

Two main national reforms have been endorsed by SEP and SNTE in the last two decades, and have been accepted by all state governments. They are as follows.

- In 1992 the National Agreement for the Modernization of Basic Education (ANMEB) was signed by the Mexican president and the SNTE's secretary general. This accord had three main points: (1) the reorganization of the educational system by transferring to the states the technical and administrative operation of basic education (schools, teachers, and students), previously controlled by the federal government;¹² (2) a new formulation of educational content and materials; and (3) reevaluation of the teaching profession.¹³
- In 2008 the Alliance for Quality Education was signed by the incumbent Mexican president and the lifelong (sic) president of the SNTE¹⁴. It called for the support of all concerned educational actors and proposed four main commitments for improving basic education quality: (1) the modernization of school infrastructure and equipment, (2) the professionalization of teachers and officials, (3) the integral welfare and development of students, and (4) lifelong training for life and work.

Teaching and teachers have thus been a major concern for both actors. A voluntary performance evaluation for teachers was first approved in 1993, after a union proposal in fact, as part of the reevaluation of the teaching profession: a professional career, within a general promotion system for

⁹ It collects 1% of the payroll as union fees, plus public funds negotiated every year for different union activities.

¹⁰ The constitution establishes an important difference in the Federal Labor Law between section A for all non-state workers, and section B for state workers.

¹¹ Out of 883,771 teachers, 23.4% have two and up to four teaching positions, while 7.1% are involved in other occupations. INEGI - SEP. Censo de Escuelas, Maestros y Alumnos de Educación Básica y Especial, CEMABE 2013. 23/09/2014. <http://cemabe.inegi.org.mx/>

¹² Some educational researchers still argue that one target of this decentralization policy was to divide the national union into 32 state unions. However, the law granted the Union national representation (Ley General de Educación, 2016, transitory article 6).

¹³ Five issues constituted this reevaluation policy: initial teacher training, continuous updating and training for active teachers, professional wages, housing, and professional career path.

¹⁴ A distinction granted to the former Secretary General.

improving teachers' income.¹⁵ The purpose was to evaluate teachers' professional merits in order to grant different, progressively higher levels of remuneration (up to 198% higher than the basic wage) for classroom teachers. This program had been operating for almost 23 years with different changes in the nature, content, and weight of the evaluation criteria: seniority, academic degrees, certified training courses, and professional performance in the classroom and in the school¹⁶, but the new laws enacted in 2013 established that the process for tenure evaluation and merit pay would be replaced.

Most importantly, this last structural reform did not incorporate the SNTE as a principal actor.¹⁷ To the contrary, the union is not mentioned at all in any of the new legal documents. Evaluation of teachers for entry, promotion and tenure is no longer open to union participation. It is restricted to SEP (Professional Teaching Service Law), under the authority of the National Institute for the Evaluation of Education (INEE), created in 2002, that was granted new powers and a new kind of institutional autonomy in 2013 (INEE Law, art. 28).

The Legal Content and Scope of the Educational Structural Reform

The constitutional changes and the laws that enacted the reform introduced the obligation of the Mexican State to guarantee an "education of quality" for all compulsory education (thus a right for all students) and a variety of complex methods aimed at fulfilling that obligation.¹⁸ The methods included a national system for evaluating the quality, performance and results of the National Educational System in pre-school, elementary, secondary and upper middle education; compulsory upper middle education; the hiring, promotion and tenure of teachers via competitive examinations and performance evaluations; a complete review of the "educational model" and the creation of a new one (curricula, study plans, textbooks, school autonomy); schools accountability; social participation; healthy food for students; a national information system (SIED); and national systems for technical and pedagogical guidance for schools (SATE). However, although the public agenda recognizes long-standing multidimensional and profound educational problems that require a structural educational reform, teacher evaluation has been proposed in fact as the most important means for solving them.

The Professional Teaching Service Law

Competitive examinations and evaluations as the only valid procedures for entry into the teaching service, promotions, and tenure were such an important innovation in the Constitution that a whole new law was enacted, consistent with the changes in the Constitution and in the General Education Law and complemented with the concomitant powers of the National Institute for the Evaluation of Education.¹⁹

¹⁵ During the 1980s teacher's income had descended to a historical low of 1.4 minimum wages per month (de Ibarrola & Silva, 1996; de Ibarrola, Silva & Castelán, 1997).

¹⁶ In 2016, 853,624 job positions were receiving merit pay additional to the basic salary in five different income levels. Notice that a significant number of teachers have more than one position and possible additional merit pay in each one. www.senado.gob.mx/index.php?ver=cp&mm=4&id=64440 (consulted February 5, 2016).

¹⁷ The last agreement on the matter was signed by the SNTE and SEP on May 31, 2011. SEP (2016, mayo 31) Comunicado 058. Firman SEP y SNTE acuerdo para la evaluación universal de docentes y directivos en servicio de educación básica. Disponible en: <http://www.sep.gob.mx/es/sep1/C0580511#.WKYgr9LhCJA>

¹⁸ It is interesting to note that higher education laws have not been modified since 1978.

¹⁹ Ley General del Servicio Profesional Docente, 11 de septiembre de 2013.

Competitive entrance examinations were gradually approved in different states as part of the decentralization policies of the 1990s, in opposition to the automatic job placement of normal school graduates (restricted as of that date to local students and local placements within the states' borders), which had been a union privilege on a national level. By 2016, most states, but not all, had achieved a general acceptance on the matter. This evaluation is also given to teachers with less than two years of service.

The laws now open the doors to anyone who fits the profile and fulfills the requirements established in the convocation for the examinations. In fact, it ends the monopoly that normal schools and the Pedagogical University had on the training and placement of basic education teachers.²⁰

Tenure evaluation applies every four years to ALL active teachers. If results are not acceptable the teacher will have the opportunity for a second and even a third evaluation to be declared qualified for the four year period.

Evaluation for promotion is voluntary, but there can be no promotion to the positions of school principal, deputy school principal, supervisor, inspector, area head, teaching head, and pedagogical advisor without the corresponding competitive examination. Furthermore, performance evaluation is compulsory after two years in the new position.

Continuous Education and Training. The law establishes training programs and continuous education as the counterpart of evaluation: a) first time teachers will have a tutor for a two-year period, appointed by educational officials; b) teachers who do not score "sufficient" during the four year evaluation cycle will have up to three opportunities, aided by specific training programs according to the results of the examination; and c) pursuant to the law, internal evaluation should be a permanent activity leading to the improvement of professional teaching practices.

The Technical Assistance Service System (SATE) for all schools, will assist teachers in their daily practice, the use and interpretation of external evaluations, and the establishment of verifiable commitments to improve their teaching. Finally, the laws open the doors to legal dismissal of teachers. Those who refuse to be evaluated and who do not take the compensatory training program will be dismissed.²¹ Those who fail the examination for the third time will be separated from the Teaching Service.²²

²⁰ The training of future teachers in Mexico is no longer the function only of Normal Schools; universities also have a fundamental responsibility with compulsory education. *Universidades, parte fundamental en formación magisterial: Nuño Mayer* (2016, August 30). Disponible en: <http://www.radioformula.com.mx/notas.asp?Idn=622154&idFC=2016>

²¹ Ley General del Servicio Profesional Docente (2013) transitory article 8: Failing in one evaluation is not cause for dismissal from the public service; not submitting to compulsory evaluations is, so clarified the president of the board of the INEE.

²² Due to the privilege of lifetime tenure on the job, established in the federal workers law, teachers who do not approve the performance evaluation on the third try will not lose their job, but will be assigned to administrative tasks. Teacher evaluation is legally established in laws of different hierarchy: constitutional, general laws, decrees, programs, and some contradictions between them still must be resolved.

Up to this point we have described the basic content of the structural educational reform, enacted according to all the established legal procedures.²³ As we will see, while teacher evaluation was enforced (even with the support of the army), other aspects of the law have been delayed.

A Political Analysis of an Educational Reform

Educational researchers have consistently defended the need to acknowledge the political dimensions in the design and implementation of reforms. A very recent article on the topic maintains that:

Political sustainability of reforms depends on well-designed policy and on effective implementation, and political support and opposition are dynamic, often changing in intensity and configuration over different phases of the policy process. (McDonnell & Weatherford, 2016, p. 233).

The authors propose that three characteristics are central to explaining the differences between policy design and enactment in comparison with implementation: timeframe, decision venues, and interest-based coalitions (McDonnell & Weatherford, 2016, p. 235). The analysis of the teacher evaluation policy enacted and implemented in Mexico as of 2012-2013 benefits from this approach as well as from explicit analytical categories proposed by other authors.²⁴ Accordingly, I have proposed five analytical categories:

The Elements of a Policy

- Projects: aims, objectives, possibilities, expressed in laws, norms, regulations, decrees, documents.
- Institutions that embody the aims and objectives, regulate and manage human resources, budgets, technical, financial and material resources, evaluations, certifications.

The Political Process

- The political process develops in stages that may be supposed, superimposed, condensed, anticipated, repeated, delayed, even ignored (Aguilar Villanueva, 1993; Flores Crespo & Mendoza, 2012; Parsons, 2007). McDonnell and Weatherford (2016, p. 235) suggest that enactment is episodic, but implementation is a continuous process. They also consider the difference between decision and implementation venues: the first are contained within one or two venues and may be visible only to policy elites; the second require multiple venues, with considerable variation, many small decisions, and diffuse and anecdotal information.

The Actors

- Analysis requires identification of the actors (McDonnell & Weatherford, 2016; Parsons, 2007; Reimers & McGinn, 1997). A deeper analysis of this recommendation leads to complex questions: What is the origin of their power?

²³ The approval of both federal chambers, and a majority of the states.

²⁴ I refer to the basic bibliography for the graduate course on Educational Problems and Public Policies that I teach and systematic analysis with different groups of students for the last 20 years at the Department of Educational Research, Cinvestav.

Is it legitimate? Moral? Ideological? Legal? Is it based on numbers? What positions do they support? Are they consistent? What interests do they defend? When and how do they express themselves? With whom, when, and how do they interact?

- The role of the media is fundamental, as Wayne Parsons proposes. It is important in creating the public agenda, in its impact, and in the different cycles or phases of attention to the problem.

The Circumstances

- Specific circumstances in the country, no doubt, explain variations in the enactment and implementation of the teacher evaluation as well as the participation of the actors (e.g., the election for the House of Representative in 2015, elections for governors in different states, changes in the presidential cabinet in 2014-2016, increasing participation and polarization of different actors).
- National events, such as the disappearance of 43 normal school students (Ayotzinapa, September 2014) and the killing of six demonstrators in Nochixtlán (June 2016).²⁵

The Consequences of the Policy

- Not only educational consequences, but also social, political, and economic.

These analytical categories for a political approach led me to construct, a few years ago, the concept of “socioeducational project.” This concept favors the integration of previous categories and focuses on the actors who lead and participate in a specific policy.²⁶ The analytical proposal is to identify, describe, and assess the intention and aims they pursue, the rationale of their arguments, and the nature of the power they use to defend and implement their project. A socioeducational project is not necessarily a finished proposition, nor a consistent one, especially if the time span chosen is not very long. The concept allows for distinguishing the kinds of forces that support them, and the tensions between what they propose (or not) and what they do (and not do) beyond the legality or even legitimacy of the proposals or the actions that defend them.

²⁵ On September 26, 2014, 43 male students from the [Ayotzinapa Rural Teachers' College](#) went missing in [Iguala, Guerrero, Mexico](#). What happened during and after they clashed with municipal police forces remains unclear. Neither the students, nor their bodies have been found. The government has been reluctant to clarify the investigation into the matter, while the parents have called on the support of different national and international organizations. https://en.wikipedia.org/wiki/2014_Iguala_mass_kidnapping <http://ayotzinapa-mas-alto-dar-conocer-la-verdad-rector-ibero/ladobe.com.mx/2017/02/costo-politico-no-investigar-> (February 7, 2017).

In Nochixtlán, Oaxaca, on June 19, 2016, an attempt to remove a highway blockade left six civilians dead and 41 police officers and 53 civilians injured. *Los enfrentamientos en Nochixtlán, Oaxaca, narrados con fotografías y videos* (2016, junio 20) <http://www.animalpolitico.com/2016/06/los-enfrentamientos-en-nochixtlan-oaxaca-narrados-con-fotografias-y-videos/>

²⁶ It was originally designed to organize the analysis of the training of mid-level agricultural technicians in the country, from policy design to the creation of schools, equipment provided, curriculum design, hiring of teachers, recruitment of students, and the assignment of graduates in the world of work. (de Ibarrola, 1994)

Socioeducational Projects in Conflict

It is easy to identify the enormous socioeducational project of the Mexican state for the transformation of the country's educational system, as expressed in the proposal of a *structural educational reform*, legally approved in 2013. At the same time, the opposition to this reform evidences the existence of a different project, led not by the SNTE, but by a radical wing within it, the Coordinadora Nacional de Trabajadores de la Educación (CNTE). The CNTE has opposed the aims and arguments of the reform with surprising strength and with the approval of teachers, students, parents and other social and political sectors in various regions of the country. In between the government and the CNTE, we can observe a third, somewhat veiled project, led by a powerful NGO, Mexicanos Primero (Mexicans First) that apparently supports the state's project, but has intentions, arguments and forces favoring a very conservative position in public education.

Both the enactment of the law and its implementation sparked a radical confrontation between two different socioeducational projects, each supposedly national in scope. What we have witnessed are not isolated or sporadic protests. The fact that there are opposing projects explains both the chaos that the country's educational system has been experiencing and the impasse in reaching solutions at this latest moment of analysis. They are projects that go beyond the educational proposal, that purport to open a debate on the role of education in Mexican society and the direction and future of the country. This analysis, however, will be centered on the educational proposals. The implementation period we were able to observe covers from the Pact for Mexico, signed in December 2012, to August 2016, when this text was written.²⁷

The Structural Educational Reform, a New Socioeducational Project of the Mexican State²⁸

The educational reform, as stated previously, is part of a trio of structural reforms proposed by the federal government that assumed power in December 2012. The educational reform is conceived as "the country's transforming force." The fundamental intention of this structural educational reform, declared publicly by the state, is twofold: on the one hand, to transform the country's educational system into a longer, compulsory *education of quality* which new generations of Mexicans need to successfully face the challenges of the 21st century;²⁹ on the other hand, to recover the Mexican state's control of national education.

The main argument supporting both claims is based on the *superior right of children to receive a quality education*. This phrase was coined by the International Convention on Children's Rights and adopted by the Mexican Supreme Court of Justice,³⁰ since children's rights are to be considered the leading criterion in creating laws and norms that concern them. Regarding the educational reform, the principle has two important aspects: first, children's right to a quality education is guaranteed as a constitutional right, second, the superior right of children takes precedence over other previous rights, mainly the working rights of teachers. Both aspects support the merit evaluation of teachers for entry, promotion and tenure in the teaching profession as the most important means to accomplish the proposed transformation.

²⁷ Observation during this period and the information analyzed are based on official government documents, formal documents published by the actors, monitoring of news media, and personal participation in both official and academic analysis groups.

²⁸ According to this category it would be possible to define different projects of the Mexican State since the Mexican Revolution.

²⁹ This declaration is to be found in the new "educational, pedagogical and curricular model", made public in July 2016. SEP (2016).

³⁰ <http://sjf.scjn.gob.mx/sjfsist/Documentos/Tesis/172/1> (consulted February 5, 2017)

According to legal documents, quality of education is understood as involving:

- Improved performance of Mexican students in international tests (Pact for Mexico).
- The constant improvement and maximum academic achievement of students, based on educational methods, materials, infrastructure and the suitability of teachers and principals (National Constitution, Art. 3).
- The consistency among objectives, results and procedures within the educational system, in accordance with the criteria of effectiveness, efficiency, relevance, and equity (General Law of Education, fraction IV, art. 8).

The phrase *recover the state's leadership in national education* is explicit in the Pact for Mexico, has appeared frequently in the news, and has been widely used, understood and generally accepted.³¹ It is also common knowledge, sometimes openly recognized by the press, and certainly by some educational researchers, that the SNTE has usurped this leadership.³² To recover the state's leadership, therefore, means to put an end to the union's leadership, specifically:

- Its control over the hiring, promotion and tenure of teachers and all educational workers in the educational system. The labor law establishes an equal, bilateral participation between the union and the state.
- Its participation in all sorts of educational policy decisions on an equal basis.
- Its imposition in the appointment of educational and school officials in many states.
- The appointment of teachers to positions involving political activities within the union or in different political parties (while keeping their income and lifelong jobs as teachers).

The notion of an “education of quality” had already been mentioned in the 2006-2012 National Plan for Education. At that time it was included as “a good quality education” and as a constitutional right. In 2013, it became the centerpiece of the argument for the legitimacy of the reform. The quality of Mexican education had been questioned since the previous educational reform in 1992, and the “evidence” of bad quality was gradually made public via the results of standardized national tests, which measured the performance of Mexican students.³³ But the most conclusive argument swaying public opinion was based on the results of International tests, mainly PISA and TIMSS, that were made public for the first time in the country in 2000.³⁴ Mexico, an OECD member since 1993, has occupied since that date the last position among OECD members in periodic evaluations. For example, its results are among the poorest when compared with all the countries participating in PISA examinations. With respect to recovering the state's leadership in national education, the state

³¹ Used initially in the 2010 OECD document on Mexican education.

³² This statement would oblige us to look for the loss of the state's leadership in the long history of all the agreements and negotiations entered into by the Federal Government, the local states and the Union. Bibliografía: Several researchers have dwelt on this matter, including A. Arnaut, G. Guevara Niebla, A. Loyo, C. Ornelas, and R. Rodríguez.

³³ Previously, what had been questioned were the insufficient resources allocated to education: the lack of schools, infrastructure, budgets, and teachers needed to guarantee all Mexicans access and permanence in school up to the end of compulsory education.

³⁴ On that date, there was a public debate between educational officials and researchers that forced officials to make the results public. Debate is now centered on publication of *individual* results, which some actors are demanding.

and public opinion allege general corruption in the sale of teaching positions and promotions, support for the inappropriate bequeathing of positions, the cover-up of absences, and lack of preparation of teachers. Accusations of corruption included the exchange of sexual favors, extortion, harassment, and even money laundering.³⁵

The lack of quality in national education (as shown by the relatively poor results on international tests) has been readily blamed on teachers, despite correlations between the country's economic development (or the unequal development of the different states within the country) and their standing based on the results of international tests. In Mexico there is ample evidence of the very precarious material conditions of schools, the poor socioeconomic conditions of students and even of many teachers. This notwithstanding, evaluation of teacher performance and the supposedly consequent selection of "better teachers", as well as the adequate training of teachers already in service, were readily accepted as the way to solve these problems. Finland's argument regarding the important role their teachers play in their positive PISA results also confirmed this conception.

In addition to the acceptance of the aims and the rationale, the strength of the state project is based on:

- The general political support of the main political parties that signed the Pact for Mexico.
- The support of the federal congress, and its fast-track approval and enactment of laws of the highest rank. It is important to note the urgency with which all the reform laws were approved: two constitutional amendments and three general laws were ratified within 10 months).
- The support of state congresses.³⁶
- The support of the OECD, a powerful international actor whose recommendations to Mexico in 2010 coincides considerably with the content of the laws regarding teacher evaluation. (OECD, 2010)³⁷
- General powers granted by law to SEP and to the Ministry of the Interior (Secretaría de Gobernación).
- The creation, empowerment, and operation of two new national institutions: the National Institute for the Evaluation of Education (created in 2002, but with new autonomy and powers) and the Office for the Coordination of the Professional Teaching Service, made unassailable by no less than the Constitution.³⁸ Both institutions have the personnel, the budgets, and the technical, operational, and administrative capacity needed to carry out their new functions.
- The power and resources to implement the reform, including the use of public force (police, and even the army and the navy in some cases) to protect and even provide transportation to teachers who agreed to be evaluated.

³⁵ If the main problem is corruption, why not combat it with anticorruption laws? Dr. R. Glazman, another prestigious educational researcher, made this argument to me in an open dialogue.

³⁶ A constitutional amendment needs to be ratified by the two-thirds of states' congresses. Oaxaca's congress was not among them, but Chiapas' congress was.

³⁷ It is interesting to note that the current secretary general of the OECD, Ángel Gurría, is a former Mexican Minister of the Treasury.

³⁸ The entire new design of the INEE was established in the Constitutional article on education, thus adding almost two pages to the length of the article.

- The federal budget assigned for these purposes.³⁹
- By decree, the federal government recovered full control and management of the national teacher payroll (it had previously been decentralized to local governments) and was able to impose economic sanctions, suspend payments and even fire teachers who went on strike.
- Legal actions against the leaders of the opposition movement: charges of corruption, misappropriation of federal funds and other felonies.

CNTE's Socioeducational Project

Somewhat surprisingly (and as mentioned earlier) the opposition's project is not a proposal of the SNTE, but of the radical and dissident wing within the union, the CNTE (Coordinadora Nacional de Trabajadores de la Educación). The CNTE controls the union's chapters in the poorest states of Mexico: Oaxaca (chapter 22); Michoacán (chapter 18); Guerrero (chapter 14), and Chiapas (chapter 7),⁴⁰ as well as a substantial number of teachers dispersed throughout other states (for example, a large number in Mexico City, who at times have joined the opposition). It is not a coincidence that the four states controlled by CNTE are the poorest in Mexico, at the bottom of the ranking in human development⁴¹, living conditions, schools conditions, and student performance.⁴²

In May 2012, the CNTE submitted to the Ministry of the Interior a document entitled *Towards the Education That Mexicans Need*. This and other documents, mainly the *Plan for the Transformation of Public Education in the State of Oaxaca*,⁴³ and documents published by the press are evidence of the two main positions defended by this group of teachers: a) repeal of the educational reform in its entirety, based on a radical critique, and b) the proposal of a "real" educational transformation that would be the result of a national and popular debate regarding the situation of national education and the means to improve and strengthen it (CNTE, 2013).

The argument was that the reform should be repealed because it:

- was imposed from the top down by the political elite and business leaders, led by the OECD;
- was implemented without consulting teachers;
- is a work, administrative, and entrepreneurial reform that is punitive in nature, intended to crack down on the working rights of teachers;
- surrenders public education over to private interests and evades the state's commitment to free and public education for all Mexicans;⁴⁴

³⁹ There has been hardly any analysis on how much the evaluation procedure has cost or of the amount of the federal budget assigned. The reliable political principle of following the money would provide important information on the matter.

⁴⁰ CNTE is a radical wing created in 1989 within the national union as an ideological alternative. It is organized within the legal structure, laws, powers and prerogatives of the latter. Within the 52 chapters that form the national union, the CNTE controls those mentioned above.

⁴¹ The index of human development for Mexico (health, income and education) had a mean of .746, These four states were far behind: Michoacan, .700; Oaxaca, .681; Guerrero .679; Chiapas, .667. The latter is 19.6% below Mexico City's development index (PNUD, 2015).

⁴² INEE (2016).

⁴³ This plan was approved by the state congress of Oaxaca, but was never debated within the national congress

⁴⁴ Surprisingly, a rumor propagated by CNTE, that free textbooks would have to be purchased, was accepted by many teachers and parents, but what was even more surprising was the Ministry of Education's inability to counteract the rumor.

- introduces a very ambiguous concept to assess public education, that of quality; and
- puts into practice an authoritarian and unilateral evaluation.

Furthermore, the reform does not represent a ‘true transformation of public education’ because it does not:⁴⁵

- institute a humanistic education, opposed to market values, based on historical memory, approved by intense popular participation;
- promote contextualized education, that is adequate and relevant to the specific ethnic and cultural traits of the population;
- contemplate non-standardized evaluation: self-evaluation, peer evaluation, evaluation by parents and communities; evaluation of authorities and evaluation of the whole educational system;⁴⁶
- include the training of a teacher-researcher prototype in normal schools;
- accept automatic teaching positions for normal school graduates;
- allow for collective administration of schools (The “collective project” as the operational axis of the reform); or
- provide for sufficient infrastructure, suitable to the geographical and climatic conditions of the different regions in the country.

What follows is a list of the strength of the project developed by the opposition, although apparently limited to the states of Chiapas, Guerrero, Michoacán, and Oaxaca, as well as some other parts of the country and Mexico City.

- The ability to defend an educational position opposed to that of the state. CNTE’s proposal was supported by several popular groups and some intellectuals and academics, projecting an image of “moral superiority” by opposing educational policies identified as neoliberal and favoring privatization.
- A call for a national and popular debate, and organized massive popular forums in several parts of the country.
- A constant denunciation of a reform that was punitive and tended toward privatization, and convinced groups of teachers and parents that this was the nature of the reform proposed by the state.
- Legal actions initiated against the reform, mainly with regard to the possible negative effects on teachers’ working rights.
- The closing of schools for weeks (allegedly with the support of parents).⁴⁷ There were massive, and ever greater demonstrations, marches, blockades of highways, streets and public buildings, hijackings of public and private buses. All this was done under the aegis of the tradition of popular struggles, the labor rights of teachers, and freedom of speech and public assembly.

⁴⁵ *Hacia la educación que los mexicanos necesitamos* (CNTE, 2013); *Plan para la transformación de la educación pública del estado de Oaxaca* (IEEPO & CNTE, 2012).

⁴⁶ CNTE is not against teachers’ performance evaluation, proposes self-evaluation, peer evaluation, community evaluation, students evaluation but only for improving teachers training and performance.

⁴⁷ Schools were closed frequently, but CNTE reached a formal decision to shut them down in May 2016, and they remained closed until a couple of weeks after the official opening of the new school year, in August 2016.

- This rather violent show of force was propagated by the media, thus rapidly becoming a national issue. Due to previous experiences in which they were criticized, the different elements of law enforcement did not oppose these demonstrations, also arguing freedom of assembly.

Because of these perceived strengths, the project, although apparently limited to the states of Chiapas, Guerrero, Michoacan, and Oaxaca, had a nationwide impact.

The Forceful Intervention of the NGO Mexicanos Primero: A Third Project?

The NGO Mexicanos Primero (“Mexicans First”), directly sponsored by the most important television corporation in the country and led by one of the heirs to the corporation’s fortune, has played a key role in modeling the context and content of the conflict and in constructing what could be a third socioeducational project. The organization describes itself as a “citizens’ initiative, independent, plural, whose main objective is to promote the right to an education of quality through civil action and offer the means to demand it”.⁴⁸

The organization:

- has a proposal for “an education of quality” for the whole country, as shown explicitly on its web page and different public documents, supported by several important national groups;⁴⁹
- defends the right of children and young people to an education with no interruptions (200 days of school attendance, 7.5 hours a day) and is in favor of equity; and
- supports the need for more resources for teacher training; evaluation of teachers, students and schools with no exceptions; hiring by competitive examination; transparency of the teachers’ payroll and in the daily operation of schools; and an accessible system for complaints and suggestions in each and every school.

The NGO’s position and possible third proposal:

- shares key components with the state’s project: an education of quality, recuperating the leadership of the state in education;⁵⁰
- demands the application of individual examinations and the publication of individual results;
- possesses a very high level of technical capability, having done educational research on teacher performance, school conditions, and educational budgets, and includes data bases open to the public as solid evidence of its demands;⁵¹ and

⁴⁸ www.mexicanosprimero.org

⁴⁹Ten commitments for an education of quality, presented to the governors of the states. Later, the organization ratified these principles in a public manifesto: “The Schools We Want and How Do We Get Them (August 22, 2016)

⁵⁰ Are these coincidences? Suggestions? Who is behind the proposals and providing funding? The state? The OECD? Mexicanos Primero?

⁵¹ For instance, the creation of an index of inclusive educational performance (*Índice de Desempeño Educativo Incluyente* IDEI) http://www.mexicanosprimero.org/images/stories/idei/IDEI_2009-2012.pdf

- has conducted a very successful campaign on the poor quality of public education and the inferior training of Mexican teachers, clearly blaming the union on both issues.⁵²

In addition, the NGO has taken legal action against:

- local and federal education and government officials, including the president, for signing unlawful agreements with the union, for suspending the application of the reform, for not enforcing the law as regards, for example, the closing of schools or blockading of highways; and
- the SNTE and CNTE, for alleged acts of corruption and the illegal and violent acts associated with their movement.

Finally, the NGO:

- has conducted an intensive media campaign, with continuous spots and full-page ads that denounce the irrationality of the CNTE's actions, and the failures of the federal government (such as tolerating the economic losses provoked by teachers' actions);
- has a guaranteed budget supported by private business organizations; and
- has created alliances with other NGOs and the largest corporations.⁵³

Other Important Actors: The SNTE, Educational Researchers, Higher Education Academics, the Media

With respect to the SNTE, union officers at a national level have not opposed the reform, at least not through public demonstrations. They accept achievement and merit as the basis for the hiring and promotion of teachers and have always supported and clearly demanded that the state fulfill its responsibility for the training of teachers, as well as improving their working conditions and income, "while fully respecting the working rights of teachers".⁵⁴

At the beginning of 2013, Elba Esther Gordillo, then "president for life" of the SNTE declared that teachers were not opposed to evaluation; the "perverse" word was tenure. While the new laws continually declared "respect for all legal working rights of teachers", they violated the right to life-long tenured position, as established by the Federal State Workers' Law.⁵⁵

Because the law establishes that they are to be evaluated every four years and the result of that evaluation is a document guaranteeing their permanence as teachers only for another four years, most teachers strongly believe that they will lose their lifetime tenure privilege and the right to

⁵² A clear example is the movie "De Panzazo" [A Barely Passing Grade], a documentary made by Mexicanos Primero (similar to the American "Waiting for Superman") that was shown in movie theaters all across the country in 2012. I personally witnessed teachers crying after seeing the way they were depicted in the film.

⁵³ Its full-page spreads have been endorsed by more than 126 national civil associations that bring together the principal industries, businesses and services (Canacintra, Conanaco, Coparmex), private organizations, and private educational institutions.

⁵⁴ An action surely related to the union's silence was the imprisonment of the union's national leader (for life), in February 2013, charged with corruption. An INEE official told me that union officers had been reprimanded.

⁵⁵ Ms. Gordillo was imprisoned a few days later, and is still awaiting trial. She was charged with misappropriation of public funds and money laundering, crimes that have not yet been proven. She has not publicly intervened in issues of public education since her arrest.

bequeath their teaching position to their children. As one anonymous teacher said, “Our work contract is not for a tenured job position any more, but for a position paid in ‘installments.’”

It is also the case that performance evaluation is to be applied every four years to **all** teachers, regardless of their seniority or career experiences, and the law does not provide for a time during their career when performance evaluation would no longer apply. (Guevara Niebla, 2015)

With respect to educational researchers and higher education academics, their relationship with educational policy makers is quite interesting. Many officials, both in the Ministry of Education and the new institutions created as a consequence of the reform, are educational researchers. In fact, all five members of the governing board of the National Institute for the Evaluation of Education were proposed by the educational research community (and evaluated and approved by the Senate). Individual researchers were invited to many different analysis groups, and counselled the Ministry of Education, INEE, the Senate, the Ministry of the Interior; others were advisors to CNTE. They mostly acted as constant advocates for the need for a real dialogue and criticized the Minister of Education for his unyielding position and the haste with which evaluation was massively implemented without being tested. There were many editorials⁵⁶ in the press and on television news programs; however, there were no public protests by organized researchers.

Finally, according to Parsons’ (2007) analysis of public policies, the media played a most significant role in establishing the cycles in public attention to the conflict. According to the political inclination of the media, news was mostly based on official sources of information and centered either on the massive demonstrations of opposition teachers, or on the actions of law enforcement against teachers. Analysis and debate appeared mostly in the editorial pages.

Implementation of the Reform (and of Teacher Evaluation): A Basic Chronology

Most of the laws enacted included a timetable, establishing compulsory dates for their implementation. Compulsory dates applied to the operation of the Information and Administration System, the creation of a new educational and curricular model, and implementing the technical and academic support system for schools. In the case of teacher evaluation, the laws’ transitory articles established urgent, hasty and peremptory dates. In fact, in accordance with the actual implementation dates, as of September 2013, we can identify what has been accomplished and what has been delayed or even postponed.

1. In September 2012, a trust for the renovation of school infrastructure was created, but did not go into operation.
2. The National Office for the Coordination of the National Teaching Service was created as an agency within the Ministry of Public Education with technical, operational, and administrative autonomy (November 14, 2013).⁵⁷

⁵⁶ At least four highly prestigious educational researchers publish weekly editorials: Carlos Ornelas, *Excelsior*; Manuel Gil and Alberto Arnaut, *Educación Futura*; and Gilberto Guevara Niebla, *Nexos*.

⁵⁷ Decreto por el que se crea la Coordinación Nacional del Servicio Profesional Docente como un órgano administrativo desconcentrado de la Secretaría de Educación Pública, con autonomía técnica, operativa y de gestión [Decree establishing the National Office for the Coordination of the National Teaching Service as a decentralized administrative agency of the Ministry of Public Education with technical, operational and administrative autonomy]. Available at:

http://www.dof.gob.mx/nota_detalle.php?codigo=5322028&fecha=14/11/2013

3. The Information System was put into effect via a national census of schools, teachers and students carried out by the National Institute of Statistics and Geography⁵⁸ in 2013 and 2014. The census showed serious shortcomings in students' socioeconomic conditions, in teachers' working conditions and in schools' infrastructure.⁵⁹ None of this information was used for the design and enactment of the laws, nor was it considered during the implementation process. However, data on the number of teachers not found in their assigned schools, or on the number of teachers "commissioned" to non-teaching tasks were used against teachers with veritable elation by the media and Mexicanos Primero. Most active teachers, including those who accepted performance evaluation, clearly and forcefully explained the very difficult conditions under which they work and defended the idea of improving them first, and then being evaluated.
4. A first and failed attempt for the creation of a New Educational and Curricular Model in 2014. The proposal to review the whole educational and curricular model, study plans and programs, and the educational methods and materials of basic education was vaguely established in the General Education Law (Transitory Article 12) for the purpose of guaranteeing the quality that was being demanded. It was also established that the model should define the educational quality considered by the Professional Teaching Service Law for evaluating teacher performance. In January 2014 the Ministry of Public Education called for the formulation of a national model that would be proposed and analyzed in 18 forums in six different regions of the country. The consultation process ended in June 2014, but creation of the model was suspended in November of the same year due to changes in the Ministry of Education, when the undersecretary of basic education and the undersecretary of educational planning were removed from office (November 21, 2014). For many teachers, being evaluated prior to the establishment of the new education model was incongruous, since the general reference for the evaluation items should be the educational and curricular model.
5. The Implementation of evaluation of teachers⁶⁰ began between July and December 2014 when two competitive examinations for entry into the teaching service were held: one on knowledge of, and abilities for, teaching; and the second on intellectual abilities and professional responsibilities. Half of the participants were teachers already in service who did not have a formal teaching position. The other half were first time candidates. The instruments were standardized and were self-administered under the supervision of a proctor. Despite the relatively small number of qualified teachers that resulted from the examinations, the Ministry of Education did not have enough positions for those who obtained satisfactory results. "Out of 51,471 candidates who passed the examination, 67%

⁵⁸ An autonomous public institute in charge of regulating and coordinating all official information on a national level, collecting and distributing information regarding the country's territory, population, resources, and economy.

⁵⁹ CEMABE (2014).

⁶⁰ The original bases considered competitive examinations for entry, six different types for promotion evaluation, merging examinations and performance evaluation, merit recognition and tenure via performance evaluation. Evaluation should be accomplished via different instruments: written examinations, observation and registration of teachers' performance and their teaching strategies, interviews evidence portfolios, self-evaluation.

will not have a position because there are not enough available”.⁶¹ With respect to evaluation for promotion, 53% of the 40,318 participants passed the promotion competition to become principals, supervisors, advisors; the rest—almost 19,000—did not achieve the necessary scores.⁶²

On May 29, 2015, the Minister of Education announced the “indefinite” suspension of evaluations⁶³. The qualified opinion of many editorialists was that the suspension had been decreed due to the upcoming federal elections for the House of Representatives, and state elections for governor, local congresses, and mayors in nine states. The reaction against the decision was so strong (INEE, Mexicanos Primero, Federal Congress), that a federal judge forced the Ministry to renew the process.⁶⁴ In June 2015, however, the Ministry of Education suspended evaluations in the states of Michoacán and Oaxaca, due to the CNTE boycott organized in several states. Then on August 25, 2015, the Minister of Education, an old school politician, resigned, allegedly due to health reasons, and the new minister, a younger man who had coordinated the proposal for the educational reform included in the Pact for Mexico, was appointed. He is committed to full enforcement of evaluations according to the law.

The first period for the evaluation of active teachers was implemented from November 2015 to January 2016, with 153,000 teachers from eight different states invited to participate. Out of this figure, 138,000 completed the evaluation. According to the 2015 program, tenure evaluation included fulfillment of professional responsibilities; teaching evidences; content knowledge and proficiency; teaching planning and classroom climate; and other (English language dominion). Each evaluation required different evidence; respectively, a report made by the principal of the school, a file made by the teachers describing four teaching experiences, an essay on case solutions, and a teaching plan. There were four levels of performance and two general categories: “Insufficient” applied to all who barely achieved Level 1 and “Sufficient” applied to the other three Levels.⁶⁵

For the performance evaluation, teachers from different parts of a state were convened in huge convention centers. The examinations were carried out by means of complicated electronic devices and took up to six hours to complete. The focus was on multiple choice questions, a portfolio of student work submitted as evidence of teaching procedures, and the design of a teaching class to be written directly on a computer.⁶⁶ In different parts of the country, teachers who were going to be evaluated were transported by police, army and navy personnel, and the

⁶¹ Hernández, M. D. (2014). *Resultados de la evaluación docente 2014*. Milenio. Disponible en: http://www.milenio.com/firmas/maria_doris_hernandez_ochoa/Resultados-evaluacion-docente_18_350545017.html

⁶² Toribio, L. (2015, julio 27). *Reprueban examen casi 19 mil docentes*. Available at: <http://www.excelsior.com.mx/nacional/2015/07/27/1036827>

⁶³ According to the adjective used it could mean all evaluation.

⁶⁴ Juárez Pineda, E. (2015, December 2015). #Recuento2015: Suspensión de la evaluación y la incertidumbre docente [Suspension of Evaluations and Uncertainty Among Teachers]. *Educación Futura*. Available at: <http://www.educacionfutura.org/recuento2015-suspension-de-la-evaluacion-y-la-incertidumbre-docente/> consulted on February 7, 2017.

⁶⁵ <http://www.inee.edu.mx/images/stories/2015/criterios/nov/dof/criteriosdocenciaEB2015-16.pdf> consultado el 24 de mayo de 2017.

⁶⁶ Instituto Belisario Domínguez (2016). *La evaluación del desempeño docente: de lo comprometido a lo realizado* [Teacher Performance Evaluation: From Commitments to Actual Accomplishments]. Available at: <http://comunicacion.senado.gob.mx/index.php/informacion/boletines/29311-evaluacion-docente-tambien-debe-valorar-habilidades-y-actitudes-de-cada-profesor-ibd.html>

examination venues were protected by these law enforcement organizations.^{67 68} A second group was convened in July 2016, but by then the conflict was so intense that the INEE suggested the evaluation model be reviewed and evaluation of active teachers be resumed at the end of 2016.⁶⁹

At the same time that the calendar for entry, promotion, and tenure evaluations was being implemented, and in the midst of challenges and protests from different groups, the federal government took other actions:

- The principal officials of the Institute of Public Education of the State of Oaxaca (the equivalent of the local ministry of education) were fired, and the federal government took control of the institute's main positions (July 2015).
- Central control of the national teacher payroll was resumed, to be managed and operated directly by the Federal Treasury. This was accomplished through the establishment of a national registry of teachers from lists created in each state and which was audited by the federal government (January 2016).
- Control of the budgets of state educational departments, previously controlled by opposition teachers, was recovered.
- Irregular teaching positions and teachers engaged in non-educational activities were brought under control.
- Teachers who participated in demonstrations against the reform or who did not comply with the evaluation order were fined and even dismissed.
- Several union leaders were imprisoned.

Despite the importance of the training programs that would lay the foundation for transforming and improving teacher performance (as revealed by the motto of the evaluations, “evaluate to improve,”), some of the most important components were not accomplished on time, and in fact have not been implemented to date. Tutors were not provided for new teachers, and the Technical Assistance Service System (SATE) has not been implemented. Training courses were offered by the thousands, but were not tailored to individual results; the reform of normal schools is continuously being announced, but not put into effect. Each of these failed (until now) proposals could be subjected to an analysis similar to the one proposed here.

However, one of the most dramatic situations was the substitution of the previous extra merit pay policy with the new one, established in the Professional Service Law. It so happened that

⁶⁷ Oaxaca. Navarro, I., & Rodríguez, O. (2015, noviembre 28). *El traslado de docentes, en camiones con escolta de PF* [Teachers Transported on Buses with Federal Police Escort]. *Milenio*. Available at:

http://www.milenio.com/politica/traslado-docentes-camiones-escolta-PF_0_636536356.html

Tlaxcala. Márquez López, J. (2015, November 22). *Saldo blanco evaluación de 900 maestros en Centro de Convenciones* [No Casualties in the Evaluation of 900 Teachers in Convention Center]. *Gentetlx*. Available at:

<http://gentetlx.com.mx/2015/11/22/saldo-blanco-evaluacion-de-900-maestros-en-centro-de-convenciones/>

Veracruz. Zamudio, I. (2015, November 22). *Blindan Veracruz por evaluación docente* [Security Tightens in Veracruz for Teacher Evaluations]. *Milenio*. Available at:

http://www.milenio.com/estados/operativo_seguridad_evaluacion-evaluacion_docente_veracruz_0_632936804.html

⁶⁸ A national newspaper questioned the need for five members of the police to accompany each teacher to be evaluated in the State of Oaxaca. Hernández, L. (2015, December 14). *Enviaron 5 policías por cada maestro evaluado* [Five Policemen Sent for Every Teacher Evaluated]. *Excelsior*. Available at:

<http://www.excelsior.com.mx/nacional/2015/12/14/1063266>

⁶⁹ Poy Solano, L. (2016, enero 26). *Posponen para noviembre evaluación a segundo grupo de profesores* [Evaluation for Second Group of Teachers Postponed Until November]. *La Jornada*. Available at:

<http://www.jornada.unam.mx/2016/01/26/politica/014n2pol>

teachers who had accepted evaluation of their performance received less compensation once the new formula, which separated basic salary from merit pay, was put into effect.⁷⁰ This triggered the anger of thousands of active teachers who had accepted performance evaluation as reference for their merit pay and who for 23 years had received higher merit pay.⁷¹

By May 15, 2016, the conflict worsened substantially. The very visible errors in the implementation of the evaluations, but mainly the failure of SEP to deliver on the advantages contributed to this state of affairs.

- Schools were shut down in Chiapas and Oaxaca on Teachers Day (May 15), some eight weeks before summer holidays.
- Blockades, marches, and protests were carried out; buses were burned and there were attempts to burn buildings.
- On two occasions, teachers who participated in performance evaluations were publicly humiliated (although this was attributed to other groups).
- Normal school students from Michoacán joined the marches, demonstrations and burning of buses, demanding automatic teaching positions upon graduating.

The vehemence of the conflict brought into action new actors who had not appeared until then. On the one hand, there was increasing restiveness on the part of “public opinion,” especially economic sectors, fed by the media, which mainly circulated news about the blockades. In addition, business people and members of the private sector, convened by Mexicanos Primero, launched a media campaign reporting 75,000 million pesos lost because of the conflict; they also threatened to stop paying taxes, and close factories and stores (beginning on August 8, 2016) and demanded full enforcement of the law (“without bloodshed”).

On the other hand, the president of an extreme-left political party and several intellectuals and indigenous groups declared their support for CNTE’s teachers, their schools, students and parents, and they demanded a repeal of the educational reform. Furthermore, an increasing number of intellectuals and academics insisted on a dialogue between the opposing groups for the purpose of analyzing each aspect of the reform, which, they argued, needed serious debate. Other social, educational and academic groups, some bishops and one or two business owners, adopted the same position.

Relaxation of Hostilities?

In June 2016, the Ministry of the Interior (notice, not the Ministry of Education) renewed a dialogue that had been going on from 2013 to 2014 and had been suspended in 2015. Interestingly, not one but two sets of dialogues were announced.

1. The Ministry of the Interior established three different dialogues with groups of opposition teachers: a social, a political and an educational dialogue (the latter, which was supposed to be led by the Minister of Education, did not take place). The social and political dialogues were intended to review the measures the Ministry of Education had taken against teachers, including imprisonment, dismissal, and suspension of wages. Since the agreements were not made public, misinformation and contradictory statements filled the press. After some time, the Ministry of the Interior

⁷⁰ SNTE and SEP had signed an agreement on the formula to calculate the new merit pay by February 2015.

⁷¹ Gaceta de la Comisión Permanente del Senado [Gazette of the Permanent Senate Commission], July 20, 2016. Available at: www.senado.gob.mx/index.php?ver=cp&mm=4&id=64440

insisted on the suspension of blockades and the opening of schools, as a prerequisite for dialogue, but because CNTE did not comply, the dialogues were suspended again. The President, for the first time during the conflict, declared that the educational reform “is the best strategy for the future of Mexican education” and ordered all dialogue to end “until opposition teachers open the schools and start working normally.”

2. The Minister of Education, on the other hand, established a dialogue, not with the CNTE opposition, but with officers of the SNTE. The new Secretary of Education had declared again and again that the law would not be negotiated, but rather strictly enforced. He also asserted that a dialogue could only take place within the legal limits established by the reform. However, the unrest of teachers who had accepted the reform and whose income had been diminished, compelled the Secretary of Education to sign an agreement with the SNTE forcing a change in the merit pay formula and other considerations.

On July 6, the SNTE presented a document on “the advances, contradictions and inefficiencies of the Educational Reform” and emphatically argued in favor of its right and its authority to express its position.⁷² The SNTE demanded that the Ministry of Education (SEP):

- activate the integral transformation of school infrastructure and equipment;
- diversify teacher evaluation tools and establish criteria according to the specific context of the schools;
- establish immediately a mechanism for a rigorous analysis and assessment of the stages already accomplished;
- respect the dignity⁷³ of teachers; treat respectfully teachers and principals who submit to evaluations;
- amend the flaws identified and eliminate bureaucratic procedures in evaluations.
- identify new criteria allowing for the fulfillment of incentives and establish a special incentive for continuous education and professionalization;
- incorporate self-evaluation and peer evaluation, performance evaluation of principals and collective groups of teachers in a school;
- conduct evaluations during working hours;
- implement the operation of a national system of initial training and continuous education as a previous condition to evaluation;
- establish teacher participation as the main criterion for free training courses, prior to performance evaluation;
- respect the autonomy of the National Institute for the Evaluation of Education;
- and
- carry out an integral transformation of normal schools.

⁷²SNTE (2016, julio 06). *Obtiene el SNTE compromiso de la SEP para mejorar la implementación de la reforma educativa* [SNTE Gets SEP's Commitment to Improve Implementation of the Educational Reform]. Available at: <http://www.snte.org.mx/web/vernoticias/12992/32/obtiene-snte-compromiso-sep-mejorar-implementacion-reforma-educativa>

⁷³ This demand was the most sensitive one expressed by many teachers, and was received with sympathy by many groups, especially students' parents.

All demands were accepted.⁷⁴

Has This Reform Come to an End?

At the beginning of August 2016, an anonymous teacher was quoted in the media as having declared that the educational reform had come to an end. I thought the phrase was a good one to use for analyzing the latest events covered in this chapter. As a matter of fact, beginning in July 2016, very important events related to the reform took place. During that month the trust for the renovation of school infrastructure began its operations and declared it would renovate 33,000 schools in the next three years. (It had been created four years before.)

On July 13, SEP finally published the new educational model, “a model that would promote that all students be schooled as the Constitution demands and acquire the necessary learning to be successful in the 21st century.” The model was published as a “finished, but not a definitive, document,” that would be submitted for the consideration and analysis of different groups of teachers and academics before its official approval.⁷⁵ A period for dialogue was established in each school from July 20 to September 30. Several forums were opened for consultation with different organizations, with the new educational model as the object of analysis and dialogue. The model would be implemented during the 2018-2019 school year. The SNTE assumed a very active role in the discussion of the new educational model. The Secretary of Education affirmed the importance of SNTE as the ideal union to defend teachers’ rights without affecting children’s rights.

On August 2016, the Senate’s research institute published a document strongly criticizing the instruments and procedures used to implement the evaluation, and initiated a National Forum in August 2016.⁷⁶ The Senate opened the possibility of debating amendments to the law and summoned the Secretary of Education. He insisted that dialogue was ongoing and offered absolute transparency if agreements were reached.

On August 25, the INEE published a restatement of the evaluation model that “does not affect legal statutes” and postponed evaluation of active teachers until 2017. This restatement has two main positions. First, INEE acknowledges mistakes, flaws, shortcomings, insufficiencies and weaknesses in the evaluation already implemented. Second, the new performance evaluation proposed will take place in schools, will be linked to teachers’ contexts, and will refer to the teacher’s and his or her students’ environment. It will emphasize teacher training before, during and after the evaluation procedure.⁷⁷

At the end of August, evaluated teachers began to receive the new compensation awarded to teachers with the best results in the evaluations. At the same time, CNTE confirmed that eight imprisoned members had been liberated (they had demanded the liberation of 75, including other “political prisoners”). On August 25, in a general assembly, it demanded that every agreement be written down and published, that suspended salaries be paid, and that dismissals be voided. Furthermore, CNTE also insisted on dialogue to repeal the educational reform and refused to accept the new educational model. Finally, the dissident union threatened to intensify its protests (and to

⁷⁴ I was informed by an INEE official that, in fact, the demands had been previously negotiated with the authorities and those that were accepted were the ones included in SNTE’s public list of demands.

⁷⁵ The model was formally published in April 2017, implementation provisions go as far as 2018.

⁷⁶ Instituto Belisario Domínguez, *op. cit*

⁷⁷ Press Conference of INEE’s governing board : (26 ppt slides) August 25, 2016.

Juárez Pineda, E. (2016, agosto 25). En 2016, evaluación de desempeño será parcialmente voluntaria; presenta INEE replanteamiento de procesos. *Educación Futura*. Disponible en: <http://www.educacionfutura.org/en-2016-evaluacion-de-desempeno-sera-parcialmente-voluntariapresenta-inee-replanteamiento-de-procesos/>

attack business owners), and decided not to open schools on the established date for the beginning of the new school year.

Monday, August 22, 2016, was the beginning of the new 2016-2017 school year. With schools opening around the whole country, teachers returning to their normal activities and the debate focusing on the new educational model, which was subjected to all sorts of considerations and modifications, the conflict was defused. Teachers in Oaxaca and Chiapas kept some schools closed for several weeks, but after parents demanded they reopen (and rumors of negotiations with local authorities began to circulate) normal educational activities took their usual course.

The Aftermath

At the end of the article in which they analyze the implementation of the Common Core State Standards in the USA, McDonnell and Weatherford (p. 240) offer the following recommendation:

For researchers examining the implementation of (...) educational policies the key to integrating political dimensions into their studies is to analyze the political factors as systematically as the administrative factors.

Perhaps one contribution of the analysis developed in this text to the aforementioned recommendation is an empirical understanding of the complexity of the political factors, always related to many other national issues, and all showing an intricate history as to their origins and evolution. The proposal of organizing the enormous amount of data into a theoretical reconstruction of a “sociopolitical project,” considering the aims, rationales, and power of the different groups of actors allowed us to understand the opposing projects that were at stake. Evaluation criteria, procedures, instruments, scores, calendars and so forth have not been the issues at stake, but are hidden behind the root debate: the four-year evaluation of all active teachers, the actual suspension of tenure for life and the new legal possibility of firing teachers, legitimized by merit evaluation according to the quality criteria established by the autonomous Institute for the Evaluation of Education.

By focusing analysis on the actors, we were able to understand the variety of actions that integrate and support their distinct projects, sustained both by legal and academic arguments as well as sheer force, and the fact that their different, even opposed aims and rationales, answer to actual needs, and to different and conflicting ideologies, and not only to “vested interests,” although the latter are subtly or clearly intertwined.

According to McDonnell and Weatherford, the time frame, decision venues and interested based coalitions supporting the enactment of the educational reform, including teacher evaluation, show an interesting degree of consensus that deserves a specific analysis: the Mexican government approved this measure at the highest levels of government in less than 10 months.

But the hasty implementation of the evaluation procedures on active teachers, disregarding all the other important measures for improving the quality of Mexican education, show the real aim. The implementation has been plagued with obstacles, missing elements, lack of coordination and foresight, a reverse chronology and unfulfilled implementation of some basic elements.

However, the constitutional amendment establishing competitive examinations and performance evaluation *as the sole and only* means for entry, promotion and tenure of teachers has been enacted at the highest level and evaluation calendars are already programmed. The asymmetric powers of the actors are evident, and the difference in strategies and tactics, including the use of

legal or illegal force and violence, or the sympathy or rejection of media and public opinion, will shape the course of the reform.

Perhaps a good ending to this chapter is the fact that on February 10, 2017, CNTE submitted to the Senate a citizens' proposal for an educational reform, "education for all," signed by more than 500,000 citizens, which would repeal the reform approved in 2012-2013⁷⁸. According to legal procedures, once the signatures have been validated, the proposal will achieve the status of a formal initiative to be analyzed, discussed and eventually approved or rejected by Congress. This is a perfectly legal action to debate and dialogue about the Reform that should have been taken before the enactment.

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