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“We’re in Compliance”: Reconciling Teachers’ Work as
Resistance to Neoliberal Policies

Bryan J. Duarte

Miami University



Curtis A. Brewer

The University of Texas at San Antonio

United States

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Abstract: Neoliberal policies such as standardized testing, teacher evaluation, and student performance accountability serve as market pressures that dictate teachers’ work. In this paper, we employ critical policy analysis (CPA) and critical ethnography in order to bridge theory and method. Specifically, we apply de Certeau’s (1984) theory of consumption to examine the clandestine ways that teachers creatively resist the policies that constrain them. Our findings, which are presented in three vignettes, demonstrate the ways in which teachers tactically read policy and engage in *passive compliance*. We conclude by discussing how the qualities of our participants’ subtle acts of resistance blur the line between

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compliance and resistance, which has implications for the study of resistance to neoliberal policies.

Keywords: critical policy analysis; critical ethnography; de Certeau; compliance; resistance

“Estamos en cumplimiento”: Conciliar el trabajo docente como resistencia a las políticas neoliberales

Resumen: Las políticas neoliberales como las pruebas estandarizadas, la evaluación de los docentes y la *accountability* por el desempeño de los estudiantes sirven a las presiones del mercado que dictan el trabajo de los docentes. En este artículo, empleamos el análisis crítico de políticas (CPA) y la etnografía crítica para unir la teoría y el método.

Específicamente, aplicamos la teoría del consumo de de Certeau (1984) para examinar las formas clandestinas en que los maestros resisten creativamente las políticas que los restringen. Nuestros hallazgos, que se presentan en tres viñetas, demuestran las formas en que los maestros leen tácticamente la política y se involucran en el cumplimiento pasivo. Concluimos discutiendo cómo las cualidades de los sutiles actos de resistencia de nuestros participantes desdibujan la línea entre el cumplimiento y la resistencia, lo que tiene implicaciones para el estudio de la resistencia a las políticas neoliberales.

Palabras-clave: análisis crítico de políticas; etnografía crítica; de Certeau; cumplimiento; resistencia

“Estamos em conformidade”: Conciliando o trabalho docente como resistência às políticas neoliberais

Resumo: Políticas neoliberais como testes padronizados, avaliação de professores e *accountability* pelo desempenho dos alunos servem como pressões de mercado que ditam o trabalho dos professores. Neste artigo, empregamos análise crítica de políticas (CPA) e etnografia crítica para unir teoria e método. Especificamente, aplicamos a teoria do consumo de Certeau (1984) para examinar as formas clandestinas pelas quais os professores resistem criativamente às políticas que os constroem. Nossas descobertas, que são apresentadas em três vinhetas, demonstram as maneiras pelas quais os professores leem as políticas taticamente e se envolvem em conformidade passiva. Concluimos discutindo como as qualidades dos sutis atos de resistência de nossos participantes borram a linha entre conformidade e resistência, o que tem implicações para o estudo da resistência às políticas neoliberais.

Palavras-chave: análise crítica de políticas; etnografia crítica; de Certeau; conformidade; resistência

“We’re in Compliance”: Reconciling Teachers’ Work as Resistance to Neoliberal Policies

Market-based educational policies have plagued the lives and work of teachers in the United States for at least the past half century (Harvey, 2005; Tyack & Cuban, 1995; McGuinn, 2016). Specifically, standardized testing, teacher evaluation, and student performance accountability served as disciplining practices that shape teachers’ subjectivities (Ball, 2005). Simultaneously, teachers resisted this domination across the manifolds of practices through which they engaged their work (Ball, 2005).

In this struggle teachers often worked in an environment characterized by fear, increased pressure and shame (Ball, 2005; Picower, 2011). As designed, in neoliberal policies there is a sense of always “keeping up” (Ball et al., 2011, p. 616). Levy (2019) identified a coping strategy where teachers engage in *partial compliance*. That is, they reluctantly engage in the implementation of some of the policies they deem beneficial. We extended this line of inquiry into teachers’ work through critical ethnography. The result is a more nuanced picture of the qualities of subtle resistance, a blurring of the line between compliance and resistance.

Specifically, we employed critical policy analysis (CPA), which is concerned with adherence to policy and resistance (Diem et al., 2014). We considered the agency of the participants in order to “uncover what is normally concealed” and “contribute to the emancipatory project” (Thomas, 1993, p. 70). We applied de Certeau’s (1984) theory of *consumption* to our analysis of our ethnographic narrative, in order to make meaning of the subtle ways in which teachers resisted while complying. We pointed to the position of being in between from which teachers tactically consumed the policy only to resist.

Our study takes place in a neighborhood public elementary school located in the urban core of a large city in Texas. Texas, which has been described as “a seedbed for some of the most extreme forms of standardization in education” (McNeil, 2000, p. xxi) is unique in that its accountability and high-stakes testing system predates any similar federal reforms. At the time of data collection, the district and school were under incredible pressure by the state to stabilize their accountability ratings as more and more students fled to newly established charter schools within the attendance boundaries. More than 96% of the district and school were comprised of Students of Color and over 90% of the district and student population is defined as *economically disadvantaged* by the Texas Education Agency. This local history and labeling are particularly important in that they demonstrate how neoliberal policies “fail to adequately provide for equal access to high-quality, well-resourced, and diverse schools” (Scott, 2011, p. 586).

Below we first provide a brief description of select previous literature that explores the dynamics of neoliberal policies as well as how teachers have resisted the implementation of these policies. Next, we describe how the theory of consumption helped our conceptualization of resistance from within. Third, we explain our methodological commitments and provide insight into our field site. Our analysis is represented through three ethnographic vignettes that exemplify moments of resistance. We conclude with a discussion of the ways in which teachers tactically read policy and engaged in *passive compliance* and the implications for the study of resistance to neoliberal policies.

Literature Review

Neoliberal Governance of Teachers’ Work

The neoliberal policy context that governs public schools and the work of teachers is defined by three main ideas that are commensurate with the private, capitalist economy—individual autonomy, marketization, and competition (Hackworth, 2007). For instance, Federal educational reforms in the United States have been designed and justified by neoliberal principles to address the myth of a failing education system in the United States (Berliner & Biddle, 1995). Consequently, the “public management” (Tyack & Cuban, 1995, p. 39) of schooling through accountability has sorely overlooked “existing structural and historic relations of domination” (Gillborn, 2005, p. 487) that exacerbate racial inequality and marginalization within the public educational sphere (Scott, 2011). For instance, historically underperforming schools located in economically oppressed communities and attended predominantly by Children of Color are routinely stigmatized and labeled as failures

(Horsford, 2017; McWilliams, 2017). Consequently, neoliberal mechanisms have failed to address economic and sociopolitical divestment in Communities of Color, which contributes to an education debt (Ladson-Billings, 2006). Therefore, these reforms maintain white supremacy by failing to address existing challenges facing racially marginalized students. Ironically, however, advocates of neoliberal policies assemble a large public audience around promises to close achievement gaps among racial subgroups and their white peers.

Specifically, the reauthorizations of the 1965 Elementary and Secondary Education Act in 1994, 2001, 2009, and most recently in 2015 are neoliberal in their assumption that “teaching and learning can be objectively and numerically assessed and that all that is needed to improve education is to turn schools into competitive markets” (Hursh, 2016, pp. 43-44). Therefore, this legislation gives power to the Department of Education to federally govern schools through sanctions and Annual Yearly Progress (AYP) goals on standardized tests (McGuinn, 2006, 2012, 2016). The pressure from sanctions and AYP goals are particularly intense for historically underserved and underperforming urban schools attended predominantly by Students of Color. Moreover, each of these reforms maintains accountability for performance of racial and ethnic subgroups, and as a result, has “normalized racial disparities” (Horsford, 2017, p. 137) and “perpetuated a racialized narrative of academic ability” (p. 141). Furthermore, these policies promote marketization and privatization, or school choice, by closing and stigmatizing poor performing schools, creating specialized schools, schools within schools, and charter schools as alternatives to historically underperforming public schools (Deeds & Pattilo, 2015; Hursh, 2016; Ravitch, 2013).

As previous policy studies contend, this neoliberal policy context implicates the subjectivity of educators and students (Ball 2003, 2015; Carpenter & Brewer, 2014; Cohen, 2014; Heffernan, 2017; Perryman et al., 2017; Roellke & Rice, 2008; Singh et al., 2013; Thompson & Mockler, 2016; Youdell, 2004). In other words, prescriptive curricular standards, performance accountability, high-stakes testing, and professional evaluations change the ways that teachers “are governed and are able to be in their classrooms and their schools” (Ball & Olmedo, 2013, p. 88). This surveillance and disciplining of teachers’ work positions them as *policy subjects* who inevitably change and are changed by policy as they apply their own creativity to its enactment (Ball, Maguire, & Braun, 2012). It is in this sense that the teacher “is charged with the development of particular principles in the students vital to the interest of the state: obedience (not resistance), consent (not critique), and conformity (not difference)” (Freie & Eppley, 2014, p. 660). Simply stated, schools are “an arm of the state government” (Edwards, 1955, pp. 23-46 as cited in Bidwell, 1965, p. 977).

Teacher Responses to Neoliberal Policies

For many educators, working within the neoliberal policy context is tense and painful. In low-income schools specifically, teachers face more pressure to conform their practices to narrow standard and assessment products (McCarthy, 2008). Teachers do not always agree with the standards and the accountability practices (Ellison et al. 2018), and therefore, live in a state “characterized by fear, compliance, and pressure to conform” (Picower, 2011, p. 112). As a result, both teachers and students become disengaged with the curriculum (Scherff & Piazza, 2005; Thomson et al., 2010). However, as mid-level policy actors, teachers may also have agency to be creative in the ways they interpret and translate the policies that may stifle their professional autonomy (Campbell, 2019; Singh et al., 2013). For example, critically conscious educators are able to meet the demands for increased achievement through authentic, culturally relevant pedagogy (Duncan-Andrade, 2007, 2009). Additionally, teachers may subtly enact enclaves of resistance within the school yet outside the scope of the neoliberal policy (Duarte & Brewer, 2019). This points to “the difficulty of seeing where the state ends and the subjects of

the state begin" (Silver, 2007, p. 271). Therefore, more attention needs to be paid to this subtle and difficult policy enactment phenomenon. We pay specific attention to the qualities of this resistance within the Texas context in the findings section of this paper.

These subtle acts of resistance are about survival in this system and the desire to critique while still working within (Urrieta, 2009). Sosa-Provencio (2019) theorizes a *revolucionista ethic of care* where U.S. Mexicana/Chicana teachers deployed "cultural hybridity as [a] tactic of survival" (p. 1117) in their classrooms. For instance, when preparing a presentation to the school board on the negative effects of standardized testing on bilingual and students of color, a teacher encouraged students to support their arguments with data. Another teacher decided to teach behind a closed door out of fear that their program would be cut if they advocated too much for students. The tactics that these teachers employ demonstrate "their ability to hide in plain sight and shape-shift resistance upon detection" (p. 1130).

Policy implementation is a messy process, even when the policy is explicitly designed to address marginalization and advance social justice. For instance, teachers in a California school grappled with gender and sexual diversity (GSD) in their curriculum as mandated by the Fair, Accurate, Inclusive, and Respectful (FAIR) Education Act (Leonardi, 2017). Specifically, their discomfort was categorized by both a socially normalized fear "that including GSD might be 'inappropriate'" and care (p. 706). Importantly, the tension seen within each individual teacher between "fear and care were intertwined to such a degree that it is difficult to ignore their relationship - as two sides of the same coin" (p. 711). As teachers engage in these subtle acts of resistance, they are fearful as they care, and focused on survival as they critique.

Currently, this tension is described by Levy (2019) as "partial compliance" while "questioning policies of governance" (p. 16). That is, "teachers the world over will likely continue reluctant engagement with neoliberal policies if it is necessary to keep their job" (p. 16). However, "even when they reluctantly ended up implementing aspects of the policies, they did so for their own reasons" (p. 17). While we agree with the qualities of resistance mentioned by Levy (2019), we do not feel that the teacher is either partially compliant or partially resistant. We argue that agency and resistance live alongside and *in between* neoliberal policies that govern teacher's work.

Theoretical Framework

As elaborated elsewhere (Brewer & Werts, 2017), we assert that de Certeau's (1984) theory of *consumption*, which extended Foucault's (1977) work on disciplining societies, is useful in the practice of critical policy analysis. While acknowledging that subjectivity is "a status that does not mean that they are either passive or docile" (de Certeau, 1984, p. xii) de Certeau (1984) put forward a theory of resistance to *everydayness*, or the colonized *everyday*, and attempted to understand how people reappropriate the *everyday* for liberatory means (Wood, 2014). Therefore, the concurrent multi-dimensionality of being subjugated but also resistant directed us to explore the way teachers consume the dominant policies "and in so doing become the inventors of [potentially] new structures and social relations mapped onto those that preceded" (Kitto & Saltmarsh, 2007, p. 156).

The Subject Position: A Plurality of Resistance/Docility

The contemporaneous works of de Certeau, Bourdieu, and Foucault are useful for understanding the ways in which society plays on and within individual bodies¹. For instance, Bourdieu (1990) helps expose how, in practice, powerful cultural relations are reproduced in order to “comply with the demands immanent in the field” (p. 58). That is, as individuals seek the accrual of power, they produce actions obedient to particular dominant structures. Accordingly, Foucault (1977, 1982, 1991) describes just how persuasive these systems of power are in transforming subjects’ behavior. For example, we see the neoliberal educational policy environment described above as a form of governmentality “in which the conduct of individuals or of groups might be directed” (Foucault, 1982, p. 790) in order to achieve economic productivity and efficiency (Foucault 1977, 1991). Therefore, out of a desire for respect, validation, and feelings of self-efficacy, the subject teacher, who has been conditioned by normalizing discourses, judgements, surveillance, and discipline, strives to embody the identity of the ideal citizen (Foucault, 1982, 1988, 1991). Consequently, neoliberal educational reforms exploit individual autonomy through standards-based curriculum and appraisal systems. These disciplining technologies create subjects who reproduce power through submission to policies in order to improve their performance and sense of self efficacy (Ball, 2015; Ball & Olmedo, 2013; Freie & Eppley, 2014).

However, as Bourdieu (1990) cautions, we shall not ignore the “oscillation” between “mind and nature” (p. 40), as this may reduce the “creative subject...with an automaton driven by the dead laws of a history of nature” (p. 41). Similarly, Foucault (1990) reminds us that “where there is power, there is resistance” (p. 95) and that we may simultaneously recreate and/or subvert power (Foucault, 1982). As others who have built from the work of Bourdieu and Foucault contend, agency provides a subtle point of departure that is simultaneously constricted by one’s circumstances. For example, Butler (1990) states, “there may not be a subject who stands “before” the law, awaiting representation in or by the law” (p. 4), that is, agency is both a subversion and an acceptance of domination. In other words, “there is never a single, unitary subordinate” (Ortner 2006, p. 45) and “‘agency’ is not an entity that exists apart from cultural construction” (p. 57). Subjectivity then, is “the basis of ‘agency,’ a necessary part of understanding how people (try to) act on the world even as they are acted upon” (p. 110). This plurality of resistance and docility carries a poignancy in relation to de Certeau’s (1984) theory of consumption.

Consumption

As de Certeau (1984) argues, the subject engages in a “transformation of and within the dominant cultural economy in order to adapt it to their own interests and their own rules” (p. xiv). Moreover, de Certeau (1984) suggests that the subject is a consumer of the elite’s systems but importantly, is denied the opportunity to create “its own culture” (p. 72). Similarly, Foucault (1982) states that a subject’s history of lived cultural experiences may lead them to question their circumstances and feel “divided inside himself [*sic*] or divided from others” (pp. 777-778). This discomfort presents an opportunity for resistance (Foucault, 1990; 1991). As de Certeau (1984) elaborates, in order “to make do with what they have” (p. 18), subjects find “innumerable ways of playing and foiling the other’s game” (p. 18). That is, in order to demonstrate compliance within the

¹ Tensions across these three philosophical positions are profoundly debated (Bourdieu & Wacquant, 1992; de Certeau, 1984). However, we assert that they can be read as more complementary than we are led to believe, particularly as they relate to the possibilities for resistance.

panoptic gaze while attempting to satisfy a desire for more freedom, the subjugated find "pleasure in getting around the rules of a constraining space" (p. 18).

Although this way of engaging with policy may "appear creative and sophisticated" (Ball et al., 2012, p. 97), we cannot examine these enacted subjectivities outside the context in which they are produced and expressed. De Certeau (1984) illustrates the possibilities for resistance best when he describes the spatial practice of reading; "the text has meaning only through its readers; it changes along with them; it is ordered in accord with codes of perception that it does not control. It becomes a text only in its relation to the exteriority of the reader" (p. 170). Similarly, "as teachers engage with policy and bring their creativity to bear on its enactment, they are also captured by it. They change it, in some ways, and it changes them" (Ball et al., 2012, p. 48). Thus, if we liken text to policy, de Certeau's (1984) metaphor of reading is a useful way for understanding resistance. For instance, the reader "introduces plurality and difference into the written system of a society and a text. He [*sic*] is thus a novelist. He deterritorializes himself, oscillating in a nowhere between what he invents and what changes him" (p. 173). It is in this sense that "the text no longer imposes its own rhythm on the subject" (p. 176). Or, in other words, through policy implementation, the subject "frees itself from the soil that determined it" (p. 176). Nevertheless, resistance "can only exist in the strategic field of power relations" (Foucault, 1990, p. 96). Consequently, the agent "is variably constructed in and through the deed" (Butler, 1990, p. 195).

The subjectivity in which we have "no choice but to live and which lays down its law" offers "a degree of *plurality* and creativity. By an art of being in between" (de Certeau, 1984, p. 30). This wavering position of being subjugated while simultaneously pushing back against power directs us to examine the "ensemble of practices" (p. 12) by individuals who are "caught in the nets of discipline" (p. xiv-xv). The "schemas of action...possible within a given (social) system" (p. 23) traverse and "reverse the relationships of power" (p. 23). De Certeau states that the weak consume the dominant context and use it against the powerful. Consumption includes practices of exploiting "a crack in the system" (p. 106), of "seizing opportunity," of "poaching," of "knowing how to get away with things," and of "appropriation" (de Certeau 1984, p. xix). Consumers find ways of "subverting from within" (p. 32); an "art of the weak" in "the space of the other" (p. 37). Therefore, uncovering the daily practices of "re-use" and "making-do" (p. 30) with power may allow us to better understand how subjects "diverted it without leaving it" (p. 32). We look for the "re-uses" by the subjects "*through* [emphasis ours] the 'authorities' that make possible (or permit) everyday practices, etc" (p. xv). In other words, we are interested in how "they escaped it without leaving it" (p. xiii).

Methods

Our study used critical ethnography (Carspecken, 1996; Madison, 2005; Thomas, 1993) in order to uncover "the procedures of everyday interactions relative to structures of expectation, negotiation, and improvisation" (de Certeau, 1984, p. xvi). Specifically, critical ethnography allowed us to contextualize on the ground observations (method) within the policy structures that govern the school (theory). This convergence of theory and method was particularly useful to us as critical policy scholars who are concerned with "the difference between policy rhetoric and practiced reality", policy's "role in reinforcing the dominant culture", "the distribution of power, resources, and knowledge" and "resistance to or engagement in policy by members of non-dominant groups" (Diem & Young, 2015, p. 843). Moreover, our positionalities as former secondary public-school teachers in underserved schools drove our inquiry. As teachers, we both felt stifled by standardized testing accountability pressures and feel fortunate (and simultaneously guilty) to have escaped such demoralizing working conditions. Such an insider/outsider status allowed us to produce the critical

ethnography and allowed us to “contribute to the emancipatory project” (Thomas, 1993, p. 70) through a representation of the findings that honored the localized dynamics of our participants’ experiences. However, we acknowledged that we held the majority of the privilege to critique the powerful macrosocial structure within which they worked.

Field Site

Brooks Elementary School (BES) [pseudonym] sits on the underserved side of the train tracks that run through a large city in Texas. The attendance records for the year of data collection indicate that the ethnic makeup of the school was 90.3% Latina/o/x, 6.3% Black, and 2.8% White. Additionally, 95% of the students were eligible for free or reduced-price lunch, 26.7% were English Language Learners, and 10.4% qualified for special education services.

The school has a contentious history with reform efforts, which coincide with the comings and goings of principals. From 2013 to 2016, the school’s accountability rating was “met standard”; however, the data was trending downward. Consequently, the district hired an external consultancy program to implement a business model approach to school leadership and improvement. This was the same year that the principal at the time of data collection, Eleanor Cunningham [pseudonym], was first appointed. After her first year, the school maintained the downward trend and was labeled “improvement required”. The district warned Eleanor that she may not be appointed for a third year if the school did not improve this rating. Luckily for Eleanor, BES was able to meet standard after her second year. However, by the conclusion of data collection, the school was labeled an “F”, or the lowest rating on the newly revised statewide accountability system, and Eleanor departed the district.

Additionally, Brooks Elementary School was uniquely positioned within the school choice market. A siphoning of students to nearby choice/charter schools, both in and outside of the district, placed pressure on Eleanor and the teachers to outperform their competition. This also resulted in a massive decline in enrollment at BES, which presented a compounding challenge for improving and maintaining the school’s accountability rating. BES was purposefully chosen due to this history and the pressure associated with maintaining a favorable accountability rating amidst mounting pressure and competition.

Data Collection & Analysis

We gained access to the field site through professional contacts who knew Eleanor and helped facilitate a district-university partnership. An information sheet was provided to the principal and faculty, which asked them to participate in a study about accountability, standards, evaluation and testing policies. Participation in the study was completely voluntary and participants could excuse themselves at any time during the data collection. Our recruitment and data collection methods were reviewed and approved by our institutional review board (IRB). We use pseudonyms for the school and all participants.

In order to capture the most detailed interactions teachers had with policy, participant observation occurred between one and three times per week over the course of the 2018-19 school year. These observations focused mainly on principal interactions with teachers in professional development sessions, meetings, and instructional observations which were largely focused on policy governed aspects of the job such as data, testing, and teacher evaluation. Field notes documented these interactions in real time and were then revised and elaborated on immediately following the period of observation at the field site. Data collection also included open-ended formal and informal interviews with the principal and teachers. To gather more teacher perspectives, focus groups were conducted. All interviews and focus groups were audio recorded and transcribed and uploaded to

Atlas.ti for coding. We engaged in an *initial* round of coding using a series of open codes that relate to the specific ways that the work of teachers was implicated by market-based policies (Saldaña, 2016). In this first round, we drew on a CPA understanding of neoliberalism to identify data related to standardization, testing, and accountability as the most relevant to our analysis. The critical ethnography is commensurate and complementary to CPA in that it allowed us to describe “the minutiae of everyday life” (Ortner, 2006, p. 21) in order to “uncover what is normally concealed” (Thomas, 1993, p. 70) in studies of policy. A second round of coding drew on themes from the initial coding process and an iterative consultation with our understanding of de Certeau’s (1984) theory of *consumption*. In this round, we analyzed the data identified in round one with our theoretical understanding of how subjects work in clandestine ways to simultaneously implement policy while also exploiting opportunities to subvert the discomfort it may cause them. The three ethnographic vignettes presented below serve as examples of how teachers engage with and implement policy in these nuanced and complex ways.

Findings

Through our coding processes and consultations, we came to understand that the fieldnotes and interviews provided a rich context of the neoliberal school improvement and accountability pressures that the teachers were facing. We chose to represent the narratives of some of the moments where teachers complied with the expectations as well as expressed discomfort, skepticism, and resistance to this panoptic system. We begin the findings below by first providing a description of the teacher and school evaluation mechanism that was tied to state standardized tests.

Enduring the *Texas Teacher Evaluation and Support System (T-TESS)*

For context, the T-TESS is “a system designed by educators” that seeks to “capture the holistic nature of teaching” through “goal-setting and professional development” (Texas Education Agency, 2021). This evaluation system also “seeks to develop habits of continuous improvement” by “gauging the effectiveness of teachers” through “a consistent focus on how students respond to their teacher’s instructional practices” as observed through “evidence-based feedback” and a “student growth measure” comprised from standardized testing data (TEA, 2021). An 18-page rubric describes in more detail how teachers may be evaluated on a continuum where the highest designation includes mostly student-centered actions and the lowest includes more teacher-centered actions. The categories in descending order of “effectiveness” are as follows: distinguished, accomplished, proficient, developing, and improvement needed. Teachers are rated in four domains: (a) planning, which includes standards and alignment, data and assessment, knowledge of students, activities; (b) instruction, which includes achievement expectations, content knowledge and expertise, communication, differentiation, monitor and adjust; (c) learning environment, which includes classroom environment, routines, and procedures, managing student behavior, classroom culture; (d) professional practices and responsibilities which includes professional demeanor and ethics, goal setting, professional development, and school community involvement. The T-TESS website is complete with “all the resources you will need” including “lessons designed to be used for appraiser calibrations” for evaluation on the rubric (TEA, 2021).

T-TESS required teachers to select and upload evidence for each of the domains in an online platform called *Performance Matters*. Additionally, this system is used to document data from classroom observations that is collected by the school’s instructional leaders. Eleanor stated that her supervisor expects her to do 10 informal observations per week and that she varies the observations, sometimes focusing on multiple observations per week for one teacher if she is trying to “grow or

go” them. She does not always upload every observation into *Performance Matters*, but she has a goal to have three for each teacher done by the end of January. This timeline is particularly important, because the district expects all formal observations to be concluded by the end of January, which marks the beginning of the testing season, and all end-of-year evaluations which include observational data in each domain must be completed by the end of March. This ensures that all data that is collected on and uploaded by teachers is documented prior to the state standardized test, so that students’ scores can be compared against all of the things that the teacher did or did not do up to that point.

Throughout the year’s professional development sessions, teachers were encouraged to be calibrated and in compliance with the T-TESS. For instance, instructional coaches engaged teachers in “writing calibration” in which they assessed student writing samples against the rubric used to score writing on state standardized tests. Additionally, the principal “broke down what a proficient teacher would look like” on the T-TESS rubric. She did this for fourth-grade teachers specifically, whose data “were surprises” in past years; “we’re not going to make the same mistake twice”. The following exchange is representative of an after-school professional development session led by an instructional coach and the assistant principal where teachers were taught a strategy, framed within the terms of T-TESS, called *aggressive monitoring* from Bambrick-Santoyo’s (2016) book, *Get better faster: A 90-day plan for coaching new teachers*.

“As I go through and do walk-throughs, what do you like to get after?”, the assistant principal asked the library full of teachers.

“Feedback!”, they replied enthusiastically.

“Just as T-TESS is to let you grow, this practice is to help our students to grow”, the assistant principal continued.

The instructional coach then described the strategy and shared videos of teachers engaging in it. During the presentation, a teacher whispered to her colleague, “this wouldn’t work in your class”, and they giggled.

When the instructional coach was done presenting, the assistant principal interjected, “so when I think about T-TESS, which category...?”

“Monitor and adjust!” the teachers, who have clearly memorized the dimensions that their instruction is judged upon, chimed in unison.

With a look of satisfaction on her face at having heard the correct answer, the assistant principal encouraged the teachers; “usually I can’t see that, but if you’re doing this [aggressive monitoring], I can, so we’re trying to help you grow-- all these things [domains] are going to be hit”, so this is a way of “hitting two birds with one stone”. In this way, the assistant principal was suggesting that teachers use their aggressive monitoring notes as evidence for T-TESS. This seemed to signal to teachers that the only reason they should engage with or even care about *aggressive monitoring* is because it would be a simple way to show evidence for T-TESS, which may take priority over actually teaching the students.

The mood in the room began to get heavy as teachers, and even the instructional coach who admitted, “could you imagine all the work if you did this for every single subject?”, recognized how *aggressive monitoring*, which would address only one component of their T-TESS, may overwhelm them.

Sensing this, the assistant principal clarified that “we don’t expect you to use all of this-- just giving you ideas”.

This comment was met with silence, and the coach asked, “did we meet our objective?”

“Yes”, teachers responded dryly.

Eleanor who had been observing the session from a seat at the back of the library concluded; “you’re not required to do all this [aggressive monitoring]; it just makes you a better teacher”. She reminded teachers to avoid “biting off more than we can chew- that’s why we fail” and then asked them to turn and talk about “how they can use this” as a closing exercise to the session.

The above exchange was not the first time that T-TESS was used to try and convince teachers to do something. During one of the first afterschool staff meetings of the school year, teachers were going over their T-TESS folders as a “refresher”. This meeting was held on the same day that teachers had a professional development session where they drafted student learning goals. The assistant principal began by reminding them that the T-TESS rubric in their folders “helps with evidence towards that goal” while Eleanor discussed different sources of evidence from assessment data and standards planning that teachers could upload. The assistant principal stated that “we all want to be ‘distinguished’ or ‘accomplished’, but if you don’t have evidence, you won’t get it”, especially because the administration is “held accountable, or else everyone would be accomplished or distinguished”. She further elaborated that the student growth and professional growth goals are “the only two things you need to be working on”. The following is a call and response exchange that occurred between the assistant principal and the teachers:

AP: “Is there anything wrong with being proficient?”

Teachers: “No!”

AP: “How will I know if you’re [proficient]?”

Teachers: “Our lesson plans and our data!”

The conversation shifted to another part of the T-TESS where they discussed the pre- and post-observation conference between teachers and their “appraisers”. The assistant principal told teachers that “we’re looking for a dialogue” and that the conferences are “all about teacher reflection, and how you’re growing as a teacher”. The teachers “can have a second appraisal if they don’t agree with the first one”. At the end of the discussion, she summarized:

AP: “nothing has changed except a student growth goal and we’ve tied that to your professional growth goal—does everyone like that?”

Teachers: “Yes!”

AP: “Kill two goals.”

Eleanor began to show teachers how to enter their goals into *Performance Matters*, and said “I want you to see mine because it’s good, just kidding, but it was proficient”. She told the teachers that before Thanksgiving, “fourth grade is getting observed first, fifth grade next, third following”, and that they are “not observing in the last two weeks of December—you’ll thank me later”. She then tried to sell the professional learning work to the teachers by saying “this is more than just compliance” because professional development is “whatever you want to do, this goes back to choice, that choice, that choice”. Similarly, in order to entice teachers to complete online training required by the district, Eleanor reminded teachers that “this is compliance and goes towards T-TESS”, that they “have 45 minutes in PLN for planning”, and that they “decide how to use that time”.

Over the course of the year the T-TESS was seen as a leverage point for all types of compliance. At one particular point in the year, the administrators were having difficulty getting teachers to participate in the Fall festival, which was a school community outreach event. They came up with the idea to entice them by telling them that their “T-TESS will look good” if they volunteer.

The teachers’ relationship with T-TESS was tenuous. As one teacher stated, observations only represent “a very tiny snippet” and “sometimes there are things that maybe they’re looking for that they won’t be able to see unless they stay a little bit longer”, which called into question the “reading off of that teacher”. Teachers also acknowledged that the predominance of this surveillance

system had evolved over the years. A veteran commented that in the past if a teacher had a very favorable evaluation, they did not have to be observed the following year. Newer teachers seemed shocked by this, and the group began to laugh in disbelief and discomfort. There was a general sentiment that classroom observations could feel like a public shaming in a way, when a principal came into the teacher's classroom "doing the white glove". This was a source of anxiety for teachers, but they also felt comforted by the feedback they received. They felt that the feedback gave them an opportunity to "reflect", grow, and reach their goals, with growth being most important to teachers. Although teachers were somewhat skeptical about the frequency and emphasis placed on standardized testing, they felt successful when they were able to demonstrate growth both through professional development and as evidenced on student test score outcomes. The instructional coach was probably the most enthusiastic about T-TESS, stating that it is set up to "help a teacher grow and develop". A teacher who was most enthusiastic about the T-TESS equated it to a corporate job she previously held;

I always was fortunate to have a manager who told me, this is what you're doing right, this is what you're doing wrong, this is what we're going to do to fix it. And that's what I feel the T-TESS is all about. That's helping me and then through the year I'm fine, you know, I get my documents just to show what I am doing to be the best teacher I can be by all the PD, the meeting with the parents, this and that. That's the all the documentation right there. That's justification of what I'm doing as a teacher and that it's justification of what else I need to do as a teacher.

The T-TESS served as a powerful surveillance mechanism of teachers' work. As seen in the examples above, teachers were compliant with the expectations and tasks associated with T-TESS. This is likely because of the school's history of teetering in and out of "improvement required" status based on students' standardized test scores. However, teachers did at least verbalize their discomfort with the test and with instructional practices such as *aggressive monitoring*, which were clearly aimed to improve student test scores. When this discomfort was verbalized in front of their superiors, they were quickly reminded to be in compliance with T-TESS. When discomfort with the test was verbalized in focus groups, some teachers shifted the conversation away from the discomfort with testing pressure and towards the more palatable goal of growth. These exchanges explain the plural, simultaneous dualism of tension and compliance that teachers were under in their particular context.

Compliance is Resistance and Resistance is Compliance

Following the demonstration of *Performance Matters* the teachers were given a bathroom break. They came back four minutes later than the leadership team desired. When they returned, the teachers were asked to continue to develop a problem statement and related goals for their grade level. These statements and goals would be something that they focus on collectively as grade levels throughout the year. All but one of the grade levels complied and produced a sufficient statement. The meeting adjourned.

The principal told the first-grade team to stay after the meeting because they failed to write a problem statement that was satisfactory according to her expectations. The teachers sighed and gathered together around a table where they got a fresh piece of large tablet paper. Eleanor left them to their work and walked to the other end of the library to talk with some other teachers who were lingering, hoping to speak with her.

The first-grade team leader said, "How do we promote writing when students cannot form a sentence?" The other teachers were quiet as she wrote out the question at the top of the page. She looked up at the team and asked, "Why can students not form a sentence?"

The dual language teacher broke the silence, "Because it is not developmentally appropriate." Her voice was flat but exasperated.

"Well, she [Eleanor] doesn't like that answer", the team leader pointed out. Other teachers started to chime in. The dual language teacher changed her tone. However, she was reluctant to concede and continued to repeat reasons why she felt it is not developmentally appropriate.

After a few minutes one of the teachers that Eleanor was speaking with strode over to the table. With questioning looks on their faces the first-grade team looked up at her. She smiled and asked if she could sit down with them and, referring to the problem statement process, said, "I'm learning too". Calling out from the other end of the library, Eleanor teased, "First and second grade sometimes takes longer to do things"

Eventually, the team agreed on which language they needed to write in order to gain the principal's approval. They wrote the following:

How do we promote writing when students cannot form a sentence?

Why can students not form a sentence?

They do not know the structure.

Why do students not know the structure?

Students do not have enough practice.

To be clear about the fact that the problem does not lie within the students, they wrote one more question and answer that named the obsession with the state exam as the distractor:

Why do they not have enough practice?

Because of the strong emphasis on tested areas such as reading and math.

Academic Performance.

Once they all agreed that this would suffice and satisfy their own need to acknowledge the futility of the assignment the team leader snapped on the marker cap. As they stood up, they threw up their hands in the air and one of the first-grade teachers wryly called out, "we're in compliance". Then as a group they left the library directly.

The above vignette represents the near constant pressure related to test scores and the teachers' reactions to that pressure. This pressure "you can feel the moment you walk into the campus", as one teacher said during a focus group conducted near the time of the test. She explained that the pressure put a strain on relationships when she noted that "right now everybody's hating each other, you know, there's like, hey, you know, good morning, ahhhh!".

While many of the teachers accepted this pressure as necessary during the previous school year when they desired to change the state school rating, the pressure did not decrease once the school had moved out of improvement required (IR). As one teacher stated, "the pressure isn't lessening at all because we don't want to go back to IR" and "so we're busting our butts to make sure that our kids are going to pass [the state test] and to be successful students. And so, the pressure is on. It's even more so." This pressure was regularly applied through the professional development strategies exemplified above. However, also in these moments teachers resisted the disciplining technologies of the accountability exams. They completed tasks while still recognizing that the tasks devalue their craft knowledge. They were stuck between this recognition and the need to get on with their work. Importantly, they engaged in irony to signal that they recognized that the main goal of the system was to change them and change their relationship to the work. This place of

lament acknowledged their complacency in enacting the type of teaching dictated by the state in order to “meet standards” and be seen as “effective”.

Across the school year, the teachers worked very hard to improve their instruction through reflection, the revision of lesson plans, analysis of data, and new instructional approaches. The administration saw this as means to improve test scores. Teachers were under pressure to document their efforts in the online evaluation system, *performance matters*. This is exemplified by the norming and surveilling of lesson plans that occurred early in the school year described in the next vignette.

Poaching the Questions

On a Wednesday afternoon in September and across the PA system the principal asked all of the team leaders for each grade level to meet in her office. They discussed a campus-wide approach to lesson planning. The room was a bit cramped as they sat around a smallish boardroom table. It was still extremely hot outside.

Principal Cunningham, began the meeting by saying, “I’m proud of us, when I came in, people weren’t even turning lesson plans in, and that change is because of the people on this campus [that we’re doing so well now]”.

Then she made sure to remind the teachers, “We all know that when the consultants came in, we would be required to do more than the minimum. A couple of years ago, they did a root cause analysis and looked at our data and determined what we need to do better is lesson planning”. To drive the point home she asked the teachers, “do you feel that your lesson planning is adequate?”

It was quiet for a moment and then only one among the 10 teachers said, “I think they’re good because I haven’t been told what I’m missing”. This was a challenge to the administration because the teachers were told that they would receive feedback on their lesson plans. They had not. In solidarity, the other teachers agreed.

Then many teachers chimed in to challenge the adequacy claim inferred by the principal’s question.

“Honestly the hardest part is finding time to do them” a teacher called out.

“I need help with writing my learning objectives in the COLOSO format” a woman in khaki pants reminded the leadership.

“I feel like my lessons are good, last year it was more of a management problem”, said another teacher.

A different teacher again pointed out, “the writing isn’t the problem, it’s finding the *time* to write them”, inferring that meetings like this one actually stand in the way of her compliance. Offering a justification for inadequate lesson plans a fourth-grade teacher said, “sure, our grade has struggled to turn them in on time but this is also due to the fact that we are departmentalizing and must coordinate extensively.” Someone in the room confirmed, “deadlines are an issue for fourth grade.”

In an effort to lighten the growing tensions Eleanor responded with a cute voice, “Elliepoo wants them two weeks ahead”, and then quietly acknowledged, “I need to be better with feedback”

But then the principal tried another tactic and posed another question to the teachers, “So no one is struggling with aligning objectives?”

The teachers were quiet, stuck between responsibility to align their instruction to objectives and resistance to required lesson planning.

“I’m going to say that I’m not seeing that in classrooms,” she added.

A second grade teacher made a plea by saying, “We were just given frameworks, and we’re trying to understand them, but we just need more...”

Another teacher interjected, “we had the five E’s and we got comfy, but then they throw COLOSO at us, so now there’s confusion”.

As if to catch the teachers off guard she posed the strange question “Are you writing plans for you or for students?”

A younger teacher quickly responded, “for me!”

The strangeness of this question is not lost on most of the teachers. They are writing the plans because they are mandated to write them. The lesson plans are for turning them in, not for teachers or for the students. Plus, with having to turn them in two weeks prior, the teachers would revise the plan anyway to reflect the reality of the students’ learning.

Then to re-assert her power Elanor smiled and asked the teachers to think back on the new professional evaluation system (T-TESS) by which she ranked the teachers, “it is student-centered. Therefore,” she said, “lessons need to be student-centered”.

She then invoked the poor performance of some of the grade levels on the accountability exams and said, “some of the data issues that we have, are because of planning problems”. She then shifted gears and affirmed the teachers, pulling from a leadership textbook she said, “Now we’ve been good, let’s push for great!”

She wanted the school and the teachers to receive distinctions through the accountability system but indicated that this is dependent on lesson planning.

As if the critiques and objections to the lesson plan policy had not happened, the teachers were asked to brainstorm the different components of what the lesson plans should look like. Apparently, there had not been a standard template for lesson plans. Despite murmurs the teachers complied and began the exercise.

As the teachers discussed the components the principal said to the whole room, “Don’t forget, you’re supposed to do GRR every day”.

A few minutes went by and then she reminded the teachers that, “you’re supposed to tell the principal if you’re three days behind, because that’s a problem for pacing” and explained that the early lesson planning is the key to staying on pace.

Then she laid out the consequences of not keeping up with the mandated curricular pace, “If you’re 20 minutes behind, and you do that for three days, you’re behind over an hour! So, when instructional leaders come into your classroom, you need to be on schedule. We must *calibrate* people.”

The teachers continued to work on the template as she spoke.

Ten minutes later, the teachers were asked to share their templates. There was a list of components they believed should have been standardized. There was a debate over whether they should indicate the state standard using a numerical shorthand or if they should write out the state standard verbatim.

“How does just the TEK [state standard] number help you?” asked the principal.

Not taking the question as rhetorical some teachers said it does not. While others said it does because they break it down further in other parts of the lesson plan.

She stopped the discussion by again reminding them of the fact that they will be surveilled. In almost a non-sequitur she stated, “if I come in and you don’t have your materials, you have a classroom management issue and I don’t want to address that, I want to address instruction”. She listed more items that should be included on the template. Referring to them as “our lesson plans” despite the fact that she will not use the template herself.

The conversation now shifted to convincing all of the teachers to use a single template. This would be difficult because the template was more work than is advised according to the district and state excessive paperwork policy.

The principal said, “we have a higher expectation as a campus,” and then passed out the policy and asked teachers to read it.

She said, “I’m not asking us to do more, I’m asking us to do the same”.

Two first grade teachers were talking quietly. One of them, who looked frazzled but energetic, noted that the policy stated that the lesson plans do not need to be turned in to the principal. Instead, they just must be available if requested by the principal. She repeated this to her colleague who said, “the campus expectation is that they’re turned in- this policy is district expectations – principals can set campus expectations”.

Another colleague leaned in and said, “Yeah, but [the lesson plan] is for the professional learning network, right?”.

The energetic teacher responded, “which they told us was planning, planning, planning, but then we have no internet, we don’t get there in time”.

The colleague shrugged and whispered: “Well, according to the consultants...”

A bit louder she pushed back and said, “we don’t have the consultants anymore. When am I supposed to do lesson planning?”

Oblivious to the discussion but seemingly recognizing the murmur, the principal went into a patronizing call-and-response where the only answer was ever ‘yes’. She did this in many of the meetings.

“Is it true that we’re all doing more than required?” she asked.

“Yes” the whole group responded with little energy. However, one teacher said confidently, “*definitely*”.

“Are you sure you want to do this?” she asked.

“Yes” the whole group responded automatically.

“This is a place where we-” she started.

Anticipating the question, the whole group responded, “Yes”.

She concluded with “This is a safe space...”.

The group looked at each other, then gave a nod.

The principal concluded “We leave in agreement”.

“We leave in agreement”, the teachers replied.

Scenes of subtle resistance such as this were repeated throughout the school year. In these moments the teachers were able to contextualize their work and expose the contradictions in the policy demands filtered through the administration. However, in response to these moments of divergence the leadership worked to remind the teachers of their positions in a failing school and the systems designed to surveil their performance. Ultimately, the principal resorted to a rote call and response to foreclose on these moments’ critique. Once the call and response was engaged, any objection would also be seen as defection from the group effort and thereby the abandonment of the fellow teachers. The dynamics of these moments of poaching perpetrated by the teachers and the subsequent counter-consumption of the resistance by the principal will be further elaborated in the discussion below.

Discussion

In this paper we deployed critical policy analysis with the methodological commitment to utilize social theory to illuminate the complexity in the phenomenon of resistance by policy subjects (Diem & Young, 2017). Our use of de Certeau’s (1984) notion of *consumption* allowed us to understand that subjectivity is neither passive nor docile. Rather, subjects reproduce power through consumption and implementation of the policies they are governed by. While our participants were

compliant (Bourdieu, 1990) with the image of the ideal citizen (Foucault, 1982, 1988, 1991), they were also "playing the game" (de Certeau, 1984, p. xx). The in between space of being subjugated by neoliberal policies while simultaneously questioning them provided an opportunity for agency and resistance in which the participants were able to "escape without leaving". Therefore, our discussion focuses on the ways in which the teachers consumed the policy, in order to better understand "how they change it" (Ball et al., 2012, p. 48) despite its overwhelmingly pervasive power over them.

Passive Compliance

The pressure to be calibrated and in compliance with T-TESS was compounded by the school's rocky history with performance benchmarks. Specifically, there were several moments in the findings above where the T-TESS was militarized as a persuasive system of power to make teachers comply. For instance, when Eleanor reminded teachers that sometimes they fail and complying with the demands of T-TESS will make them better teachers, they were left with no choice but to be obedient and give in to the pressure. Teachers complied with the goals of the T-TESS as a way to prove through documentation that they were working hard to maintain and improve the school's performance. However, they were not simple automatons either, rather they creatively oscillated between resistance and compliance (Bourdieu, 1990). Teachers got "around the rules of a constraining space" (de Certeau, 1984, p. 18) by demonstrating compliance within the panoptic gaze while simultaneously verbalizing their desire for more freedom. These moments of passive compliance revealed that teachers know what is best for their students, but they were under the pressure to prove their effectiveness through the currency of the market in which they were embedded. These moments of irony allowed for a recognition of a reality beyond the neoliberal logics, moments where albeit briefly, they were able to escape the pressures that constrain them.

Teachers knew that the T-TESS is the instrument that would be used to judge their actions towards improving and maintaining the school's performance. However skeptical of it they remained, though, they reappropriated feedback and the student growth measure of the T-TESS as tools for their own professional growth. This made the T-TESS a little more palatable, and was a strategy they used to escape the pressure without leaving it behind. They demonstrated passive compliance with the T-TESS in their desire for feedback which convinced them of the utility of *aggressive monitoring*. However, they also demonstrated skepticism when they realized how much work this practice would be and questioned its effectiveness with their students. Consequently, the administration, who had a deep understanding of how the overall panoptic system worked to motivate teachers, reminded them that this practice would provide useful evidence for multiple measures of the T-TESS. This persuasive dialogue coaxed teachers to value *aggressive monitoring*, even as they remained skeptical of it.

It was in this passive acceptance of the T-TESS that teachers accepted this strategy as a useful way to check some of the boxes that would prove their compliance. In this sense, teachers were inventors of a new way of complying with the T-TESS. That is, they yielded to their own interests by appearing compliant with the mechanism that is used to prove their effectiveness; however, they were playing the game on their own terms by not applying any extra energy into a strategy they were skeptical of (de Certeau, 1984; Kitto & Saltmarsh, 2007). Aggressive monitoring, then became a means to an end, rather than something the teachers truly bought into as a useful strategy for their own development and that of their students.

Reading and Re-Using

As mentioned above, resistance in situations of control and dominance, according to de Certeau (1984), is similar to the act of reading. The teachers read the situation differently than it was

portrayed by the administration. The policies and the administrative demands were “ordered in accord with codes of perception that [the administration did] not control” (de Certeau, 1984, p. 170). That is, the teachers ordered the principal’s demands according to the context they perceived and experienced. This is visible above in the ways in which the principal’s seemingly rhetorical questions around lesson plans were read/poached by the teachers. They used them to provide a list of the conditions that made it harder for them to do their work. When the teachers heard (read) “adequate lesson plans” the teachers listed out their perceptions of adequate time use, adequate organizational structure and adequate communication formats. All of these were challenges to the dominant order in that the administration was responsible for the structures and formats they were critiquing. The teachers read “adequate lesson plans” as a question about adequate working conditions. In this way, they poached the question and brought it into their in-between state. They were not saying they would not comply, they would, but they were using the moment in the everyday to complicate and contextualize the demand.

In a similar way, when they were asked to identify the root of a problem their answer was a polyvocal murmur of answers that did not fit within the system. For example, when the first-grade team was posed with the question “Why can students not form a sentence?”, the bilingual teacher asserted that it was not necessarily developmentally appropriate. Even when reminded that this answer was unacceptable, the teacher continued to find ways to reassert her perspective. Of course, the perspective was not acceptable because it would disrupt the standardized benchmarks that administrators set in order to ensure successful achievement on the high-stakes exams in the future. Thus, her comment created a potential destructive ripple effect to the assessment plan and surveillance technologies being implemented. The bilingual teacher knew the implications of her statement. She was asked to identify the problem, she agreed to play the game, she seized the opportunity, she appropriated the group exercise to lay out a critique of the larger system. In this way she played the game to foil the game.

In a very real way, the observed teachers were captured by policy. However, they also sought to change policy through their reading of it. This is exemplified by the energetic teacher that continued to question the legitimacy of the principal’s reading of district policy aimed at the surveillance of lesson plans. She rightly noted that the principal’s expectation of every teacher turning in lesson plans two weeks ahead of delivery did not match the district written policy. As she pointed this out to her colleagues, they, who were captured, responded that the expectation was established by the external consultants. This response ignited an emotional burst in her meant to remind the other teachers that they were not beholden to that model anymore. She read the policy differently; she read the principal’s interpretation as ridiculous given the working conditions. However, her perspective seemed to fall onto deaf ears as the principal quickly gained back control through a didactic call and response. In one last effort to point out the problems with the approach, when the principal asked “Is it true that we’re all doing more than required?” the teacher responded sarcastically, “*definitely*”. She tactically appropriated the question to symbolically escape for a moment while still caught in the nets.

Conclusion

Teachers’ passive compliance and creative readings of policy were examples of resistance that were muffled by the dominant neoliberal policy context. As discussed elsewhere, these subjectivities were unable to completely realize their individual or collective agency in subverting the neoliberal policy agenda (Duarte, 2021); however, here we see that they were simultaneously constrained and free. These findings bear important and complicated implications for our

understanding of resistance. Oftentimes resistance is thought to be an overt subversion of power by a small group of policy actors. Additionally, there is a tendency in the field to hang on to a *hokey hope* (Duncan-Andrade, 2009) that neoliberal policies will die by the sword of those most adversely affected by it. However, as our findings suggest, a more *critical hope* (Duncan-Andrade, 2009) should be built on the understanding that resistance is more likely to be collectively demonstrated by workers who are entangled within discourses and mechanisms of power even as they try to outmaneuver them. As our participants demonstrated, their restricted ability to dismantle this dominant structure was limited to compliance without investment. They also employed a re-reading of policy to simultaneously offer a critique of the larger system and ironically divert the demands of the administration.

Levy's (2019) notion of *partial compliance* is important. However, this paper presents a nuanced understanding of teacher work that challenges the resistance/compliance binary. If their compliance was partial then their resistance would stand partially outside of the neoliberal technologies. Our critical policy analysis, informed by de Certeau's notion of *consumption*, indicates that they do comply but passively; where compliance is resistance and resistance is compliance. That is, even when teachers are resisting, they are simultaneously complying. This *passive compliance* is particularly important for those of us who are concerned with the growing and lasting power that neoliberal policies hold over the everyday work that happens in public schools. With an understanding that teachers are neither docile automatons nor overt disruptors to the institutional shackles that constrict them, we are better positioned to see that resistance will be built out of the consumption of neoliberal policies. We recommend that other critical policy analysts employ a theoretically informed investigation of this complex and subtle resistance to the neoliberal systems by educators in their context. A growing body of literature that reveals critical policy enactments of educators may provide fertile ground for the roots of collective action to grow as they realize that they are not alone in their *passive compliance*.

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About the Authors

Bryan J. Duarte

Miami University

duartebj@miamioh.edu

<https://orcid.org/0000-0003-4414-8982>

Bryan J. Duarte is an assistant professor of educational leadership at Miami University. Their research interests take a critical (and queer) policy analytical approach to examining the relationships between principals and teachers in historically underserved schools amid neoliberal school reform. Bryan is a former eighth- and ninth-grade history and English teacher of five years.

Curtis A. Brewer

The University of Texas at San Antonio

curtis.brewer@utsa.edu

<https://orcid.org/0000-0002-6254-4279>

Curtis A. Brewer is an associate professor of educational leadership and policy at the University of Texas at San Antonio. He studies the principal’s role in leading change, the politics of educational inequality and critical policy analysis. Curtis is a former middle school history teacher.

About the Editors

Meghan Stacey

UNSW Sydney

m.stacey@unsw.edu.au

<https://orcid.org/0000-0003-2192-9030>

Meghan Stacey is senior lecturer in the UNSW School of Education, researching in the fields of the sociology of education and education policy. Taking a particular interest in teachers, her research considers how teachers’ work is framed by policy, as well as the effects of such policy for those who work with, within and against it.

Mihajla Gavin

University of Technology Sydney

mihajla.gavin@uts.edu.au

<https://orcid.org/0000-0001-6796-5198>

Mihajla Gavin is lecturer at UTS Business School. Her PhD, completed in 2019, examined how teacher trade unions have responded to neoliberal education reform. Her current research focuses on the restructuring of teachers’ work and conditions of work, worker voice, and women and employment relations.

Jessica Gerrard

University of Melbourne

jessica.gerrard@unimelb.edu.au

<https://orcid.org/0000-0001-9011-6055>

Jessica Gerrard is associate professor at the Melbourne Graduate School of Education. Jessica researches the changing formations, and lived experiences, of social inequalities in relation to education, activism, work and unemployment. She works across the disciplines of sociology, history and policy studies with an interest in critical methodologies and theories.

Anna Hogan

Queensland University of Technology

ar.hogan@qut.edu.au[https:// orcid.org/0000-0003-1934-2548](https://orcid.org/0000-0003-1934-2548)

Anna Hogan is senior research fellow in the School of Teacher Education and Leadership at the Queensland University of Technology. Her research focuses on education privatisation and commercialisation. She currently works on a number of research projects, including investigating philanthropy in Australian public schooling, the privatisation of global school provision, and the intensification of teachers' work.

Jessica Holloway

Australian Catholic University

jessica.holloway@acu.edu.au[https:// orcid.org/0000-0001-9267-3197](https://orcid.org/0000-0001-9267-3197)

Jessica Holloway is senior research fellow and ARC DECRA Fellow at the Australian Catholic University. Her research draws on political theory and policy sociology to investigate: (1) how metrics, data and digital tools produce new conditions, practices and subjectivities, especially as this relates to teachers and schools, and (2) how teachers and schools are positioned to respond to the evolving and emerging needs of their communities.

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