Public Reporting of School Performance: Ethical Issues

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Education data professionals devote a substantial amount of their time to collecting, summarizing and reporting school performance data. Federal and state laws prescribe much of the work required, and most of us in the profession work hard to ensure fairness and accuracy in the implementation of those laws. Nonetheless, we often find ourselves in a difficult position as we try to reconcile divergent stakeholder perspectives on the ethics of reporting these data. We are presented with an ethical dilemma: Where statutes and policies allow room for interpretation, what set of values should guide implementation?

One common ethical perspective we encounter is that government entities—including school districts and state departments of education—should operate in a manner that is open and transparent to citizens. Education stakeholders who highly value this ethical perspective often emphasize that public sector employees should be accountable for acting in the public interest. They also stress that the public has a right to know about the finances, operations and outcomes of publicly-funded activities. These stakeholders argue that all data collected about student and school performance should be made readily available to the public. This perspective is sometimes accompanied by the belief that transparency of government operations and results will both strengthen the democratic process and empower members of the public to take action to improve the system.

Education data professionals also commonly encounter an alternative ethical perspective that, at times, conflicts with the values of transparency and accountability. Education stakeholders who take this alternative perspective argue that ethical decisions about publicly reporting education data should be made to maximize positive impact for students. From this perspective, these stakeholders often contend that public reporting of school performance data should be more nuanced and restricted.

A reasonable person could adopt either of these perspectives or favor one ethical perspective in certain situations but not others. Yet, the current education policy environment requires that multiple ethical perspectives be considered in order to best assure the success of systems-level projects like public data reporting. This sometimes puts education data professionals in the challenging position of answering a difficult question: what action should we take when thoughtful, well-intentioned stakeholders disagree? Another helpful way to frame this question is: how can we best work together when we value different things?

This article provides guidance for education data professionals in exploring these questions.   In the first sections, the article contains background and context on the topic of school performance reporting. The article then includes an exploration of two formal ethical frameworks and their application to the dilemmas education data professionals face in publicly reporting data. These frameworks are the deontological and the consequentialist, and they mirror the two perspectives described above. The article also contains a case study from my own experience and a summary of implications for professional practice.

Education Data as a Tool for Transparent Government

Openness and transparency in governance have a long history in the United States. As early as 1822, President James Madison wrote, "A popular Government, without popular information…is but a Prologue to a Farce or a Tragedy...A people who mean to be their own Governors must arm themselves with the power which knowledge gives" (Madison, 1999, p. 790). At the federal level, the Freedom of Information (FOIA) Act (1966), grounded in the principle that Madison described, guarantees public access to

government records and data (Piotrowski, 2007, p. 2). All fifty states and the District of Columbia have also enacted open records acts (Reporters Committee for Freedom of the Press, 2011, p. 1).

With the advent of the internet, many government entities have taken steps to provide access to data through means that members of Congress could not have envisioned when they enacted FOIA. For example, in 2009, President Obama issued a memorandum to the heads of all federal agencies to announce an Open Government Directive that would leverage technology tools to, "create an unprecedented level of openness in government" (Obama, 2009, p. 1). Following the release of this memorandum and a subsequent directive from the Office of Management and Budget (Orzag, 1999), the federal government made great strides in digital open governance through the creation of an open data portal (http://www.data.gov), a transparency dashboard (http://www.whitehouse.gov/open/around), and a site for accountability and performance management (http://www.performance.gov). Many state and local governments have also worked to develop digital open government tools. In Illinois, for example, the executive branch has created an open data portal (http://data.illinois.gov), and the Governor has issued an executive order to establish an open operating standard (Quinn, 2012).

This call for transparency and accountability is certainly nothing new for schools and other K-12 education entities. In fact, the entry of the open data movement into the education sector layers new issues on an already complicated history. For more than a century, state governments have publicly reported information about public school quality and performance. In Illinois, for example, State Superintendent of Public Instruction Francis Blair implemented a formal process of school review and recognition as early as 1907. Through on-site reviews of factors ranging from the orderliness of the classroom library to the level of sanitation at a school's well or cistern, schools could earn either a standard diploma of quality or a gold doorplate indicating that the school had earned 'superior' status (Blair, 1912, p. 9-13).

As technology has reduced the cost of collecting and reporting data, state and local governments have supplemented compliance reporting in the vein of these diplomas and doorplates with reports on student outcomes like standardized test results and graduation rates. The No Child Left Behind (NCLB) Act (2001) accelerated this shift by creating a federal requirement for annual state and district report cards that include test score proficiency, student subgroup proficiency, and test score improvement trends. Within the last five years, as the U.S. Department of Education has granted waivers to NCLB, many states have expanded their public reporting to include additional data such as student academic growth, postsecondary readiness and achievement gap closure (Mikulecky & Christie, 2014). Using Illinois again as an example, the Illinois School Report Card Act (2012) requires public reporting of nearly forty data elements including kindergarten readiness, advanced course taking in high school, college enrollment for high school graduates, and remediation required for those students who enroll in college.

Throughout this history, many have advocated for public reporting on school performance based on the utility of the information for improving schools. Education leaders and advocates alike have suggested that, when a community knows about a school's strengths and weaknesses, its members are more likely to take actions to better the school. Illinois Superintendent of Public Instruction Francis Blair (1914), for example, wrote that the publication of school ratings was undertaken, "in order that a campaign for the improvement of…schools might be energetically and intelligently carried on" (p. 5). A century later, Illinois Superintendent of Education Christopher Koch highlighted the same theme when he announced the release of the new electronic Illinois School Report Card on illinoisreportcard.com:

"The data we're releasing today…provide a better picture of student and school growth than ever before. We're no longer providing just a snapshot of student performance but offering something more akin to a video of ongoing progress toward ensuring that every public school student in Illinois is prepared to succeed in college and careers" (Illinois State Board of Education, 2013).

At the time of the release, Robin Steans (2013), executive director of the education policy lobbying organization Advance Illinois, also wrote, "the State School Report Card gives parents actionable information—news they can use, and news that lays the foundation for conversation, community engagement, and informed planning around school improvement."

Outside the education field, others have argued, without regard to the potential for school improvement, that openness and transparency in government is a moral imperative in our liberal

democratic society. Researcher Jerry Brito, for example, suggests, "Each time government data is freed, citizens gain useful access to valuable information that rightly belongs to them. But perhaps more importantly, government is forced to deal with the new reality of a networked world in which the people demand free online access to public information" (Brito, 2013, p. 241). Advocates like Brito leave no room to consider the possible consequences of reporting data. They argue that government transparency is critical at any cost so that our system of government can continue to function as it was designed. Perhaps the most controversial exemplar of this view point is Edward Snowden, the National Security Agency (NSA) contractor who compiled and leaked documents demonstrating the types of information the NSA was collecting on U.S. citizens (Gellman, Solanti & Tate, 2014). Although Snowden's actions were likely illegal, he is hailed by some as a national hero for making the government's spying on U.S. citizens known.   Although the issues inherent in publicly reporting education data are generally much less controversial, the same ethical principle used by Snowden's defenders can be applied.

Transparency's Unintended Consequences

The reasoning described in the section above has become the dominant narrative about the public reporting of school performance both because it is espoused by most in positions of power and also because most public education data reporting has been codified in both federal and state law. Certainly, the desire to improve public schools and the moral imperative for transparent government are commendable ideals. However, there are compelling alternative views on the ethics of this issue that are also worth consideration. Advocates for these views suggest that the public reporting of school performance data needs to more limited to achieve the best results for students.

One claim of this ilk is that school performance rating and reporting systems reduce the quality and breadth of students' educational experiences by incentivizing 'teaching to the test.' For example, a study conducted by the Center for Education Policy showed that, following the passage of NCLB, 62 percent of school districts have increased time spent on content areas covered by state tests and that 42 percent of districts cut time from one or more other subjects or activities (e.g., social sciences, science, art, music, recess) to accommodate the focus on English Language Arts and math (McMurrer, 2007). From this, some conclude that attempts to quantify and report student learning may have the perverse consequence of limiting learning opportunities for those students.

A second alternative view worthy of consideration is that public rating and reporting of school performance unfairly puts the full onus of responsibility for improvement on those that work in the school system when, in fact, inadequate resources and out-of-school factors better explain poor student outcomes. This, some argue, focuses attention and energy toward individual responsibility when attention to social and economic context would be more beneficial. For example, Diane Ravich, a historian of education, traces the advent of the school accountability movement to the report *Equality of Educational Opportunity*, known as the Coleman report for its lead author, sociologist James Coleman (1966). Following the publication of this report, Ravitch suggests that: "although professional educators continued to believe that any inadequacies in the schools could be resolved by additional resources—policy makers, public officials, community activists and parents started to conclude that many of the problems were structural consequences of the bureaucratic (read: professional) system of public education and could only be addressed by market competition or structural changes" (Ravitch, 2002, p. 12).

This perspective was further developed and institutionalized during the Reagan administration with the publication of *A Nation at Risk* (U.S. Department of Education, National Commission on Excellence in Education 1983), and codified in law with the passage of NCLB (2001). In the shadow of these expensive and largely ineffective NCLB accountability policies, Ravitch (2012) counters:

"[The view that public schools are failing] is utter nonsense…Low performance, contrary to the [beliefs of those in the] current pseudo-reform movement, is not caused by unions…or teachers, [it] is caused by the toxic combination of poverty and segregation. One vision [for the future of education] is the carrot and stick philosophy of school reform. This philosophy is rooted in the belief that teachers, administrators and students need to be threatened and rewarded in order to raise test scores…What you should know is that this approach has failed: it has failed again, and again, and again…This [philosophy]

is not school reform, it is the status quo…it is official state and federal policy across this country. The other vision for school reform rests on a different perspective, and it begins with the simple question: what kind of school do you want for your own child? Most parents want small classes, a safe campus, experienced teachers, stability, a full curriculum, science labs, history, civics, foreign languages, and arts classes. Aren't these the reasons that parents move to the suburbs and pay for elite private schools? Don't you think that poor families want exactly the same things for their children?"

Ravitch suggests that the public reporting of data through school report cards and accountability systems is misguided. She argues that students would be better served by revising or eliminating the legal requirement for school accountability. Her analysis is affirmed and contextualized by Stan Karp (2004), an educator and activist, when he writes: "NCLB imposes a mandate on schools that is put to no other institution in society: wipe out inequalities while the factors that help produce them stay in place…If this sounds unfair and absurd, that's because it is. Imagine a federal law that declared that 100 percent of all citizens must have adequate healthcare in twelve years or sanctions will be imposed on doctors and hospitals. Or all crime must be eliminated in twelve years or the local police department will face privatization" (p.54, 60).

The bottom line for those who agree with Karp and Ravitch is that decisions about the public reporting of data should be based on what is best for students, and from their perspective NCLB-style accountability reporting is not what is best for students.

A third alternative view worthy of consideration is that the public rating and reporting of school performance data can be harmful to students' self-esteem and ultimate success. This perspective is well argued by political scientist Jeanne Theoharis (2009) who writes: "it has become common sense to bemoan the declining value of education within urban Black and Latino communities, to assume a priori that students who value education succeed in school and those with poor values drop out. This misinformed discussion about values not only takes the responsibility for schools away from the society that creates them and places it solely on students and their parents but distorts the regard for education in the African American and Latino communities" (p. 90).

Through student interviews and case-study analysis, Theoharis demonstrates that students attending under-resourced urban schools are expected to be responsible for attending school, completing assignments and planning for college while the school districts they attend are not equally accountable for providing adequate classes, materials and facilities. She highlights the stories of students who feel anxious and demoralized by standardized tests. Although these tests—and their public reporting—may have been designed to highlight systemic failure, the students she interviewed unfairly perceive them as a mirror of their own personal failings.

The multiple perspectives represented in this section and the preceding section demonstrates the complexity of the ethical dilemmas surrounding the public reporting of school performance data. Any one of these perspectives seems reasonable in isolation. Yet, balancing the perspectives to make ethical professional decisions about what action to take in reporting data is difficult.   In the following sections, I have analyzed these perspectives in the context of formal ethical frameworks to provide further insight into the underlying assumptions and values behind each one.

Deontological Framework Defined

Deontology makes a good starting place for the ethical analysis in this article not only because it is relatively simple compared to other ethical frameworks but also because deontological thinking proceeds from the intuitive ethical question: how are we supposed to behave? Ethicists in the deontological tradition are most concerned with principles of what action is right or just even when that action may be difficult or even harmful. The term deontology, which has Greek roots, means the study of duty or the study of what one ought to do (Freeman, 2001). Deontological ethics are also sometimes called virtue ethics because of their focus is what is right or virtuous (Hursthouse, 2012). Using an example already described, those who believe Edward Snowden acted ethically in exposing NSA documents generally build their arguments on a deontological foundation. They would argue that the U.S. government should always be open and transparent even when doing so may act against the best interests of national security

with grave consequences at stake.

Perhaps the most familiar modern philosopher of ethics in the deontological tradition is Immanuel Kant. In the late eighteenth century, Kant (2012) developed a secular duty-based system of ethics grounded not in religious tradition, but human reason. Kant's ethical framework—the categorical imperative—consists of three maxims. In describing his first maxim, Kant writes, "Act only according to that maxim whereby you can at the same time will that it should become a universal law without contradiction." In other words, Kant believes an ethical or moral proposition must not be contextual to a particular person or situation; it must be universal. Kant explains his second maxim by stating, "Act in such a way that you treat humanity, whether in your own person or in the person of any other, never merely as a means to an end but always at the same time as an end." By this statement, Kant means that an ethical action must affirm the humanity of the actor and the individuals affected by the action; the action may not treat either party merely as a means to an end. Synthesizing both of these ideas into a universal deontological law, Kant declares a third maxim: "Therefore, every rational being must so act as if he were through his maxim always a legislating member in the universal kingdom of ends." He avows that ethical behavior's aim is compliance with universal, non-contextual moral law that affirms the humanity of all affected.

More recent formulations of deontological ethics have been outlined by W.D. Ross (1930), H.A. Pritchard (1949), and John Rawls (1971). Ross is best known as a translator and commentator on Aristotlean moral philosophy. However, his original work was also influential in the development of modern ethics. His philosophy differed from Kant's in that it pointed to multiple irreducible—and sometimes conflicting—moral duties rather than a universal source of moral obligation. He further asserted that, "the moral convictions of thoughtful and well-educated people are the data of ethics" (Ross, 1930, p. 41). Similarly, Pritchard argued that truths of how we ought to act stand on their own without regard to their consequences. John Rawls' influential theory of justice builds on these earlier ethical frameworks and specifically contends that an ethical distribution of social goods such as liberty, opportunity and wealth should be equal unless an unequal distribution of these goods is to the advantage of the least favored.

Deontological Framework Applied

Data experts facing ethical dilemmas related to the public reporting of data would be wise to familiarize themselves with *The Forum Guide to Data Ethics* (2010) ("Forum Guide"). The Forum Guide was developed by the National Forum on Education Statistics, a national consortium of education data professionals organized by the U.S. Department of Education. The Forum Guide adopts a deontological approach to formulating an ethical system for those who work with education data. It defines ethics as either, "(1) a set of principles of proper conduct," or "(2) the rules or standards governing the conduct of a person or the members of a profession" (p. 1). The Forum Guide presents a code of ethics written for a broad range of professionals who work with student data: from classroom teachers, to database administrators, to policy-makers. It documents nine ethical core principles related to professional work with education data. The authors call their core principles cannons, and they are listed in Table 1 below. Notably, the authors recommend not only that data professionals make themselves familiar with these cannons, but that they engage in ongoing dialogue with stakeholders and other professionals in order to maximize the usefulness of the ethical framework.

Table 1
Eight Cannons from The Forum Guide to Data Ethics (p. 7)

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Integrity

1. Demonstrate honesty, integrity, and professionalism at all times.

2. Appreciate that, while data represent attributes of real people, they do not describe the whole person.

3. Be aware of applicable statutes, regulations, practices, and ethical standards governing data collection and reporting.

4. Report information accurately and without bias.

5. Be accountable, and hold others accountable, for ethical use of data.

Data Quality

6. Promote data quality by adhering to best practices and operating standards

7. Provide all relevant data, definitions, and documentation to promote comprehensive understanding and accurate analysis when releasing information.

Security

8. Treat data systems as valuable organizational assets.

9. Safeguard sensitive data to guarantee privacy and confidentiality.

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These standards of professional ethics seek to provide universal guidelines for right and wrong in working with education data. Several of the cannons relate specifically to the public reporting of school performance data. For example, in describing Cannon one, which calls for integrity and professionalism at all times, the guide states that experts, "behave 'professionally' when they accurately report data…no matter the consequences" (p. 9). Further, Cannon three implores data experts to be aware of applicable statutes and regulations. The Forum Guide notes, "The temptation to break the rules arises now and again. And ignorance of a legal requirement does not cancel the ethical obligation to meet it" (p. 13). From this deontological perspective, professionals are obliged to publicly report mandated statistics no matters the impact of this action on the educational system or its stakeholders.

The Forum Guide also includes several cannons that may, at times, stand in conflict with the cannons exhorting data professionals to follow the letter of the law regardless of the consequences. These include cannon two, which implores data experts to appreciate that, while data may represent attributes of real people, they do not fully describe those people; Cannon four, which recommends reporting accurately and without bias; and Cannon seven, which recommends providing all relevant data, definitions and documentation to promote comprehensive understanding and accurate analysis when releasing this information. These three cannons help reduce the likelihood that stakeholders may be harmed by misinterpretation of the data. For example, acting with the awareness that data about a person can never fully describe that person may guide a data expert to contextualize a report in a way that partially addresses the issues raised by Diane Ravitch and Jeanne Theoaris and described in the background section of this article. Concrete examples of results derived from the application of these cannons can be seen in the contextual factors provided for each metric displayed on the State of Illinois' online report card (http://www.illinoisreportcard.com) and the thoughtful analysis included in the data stories on the State of Rhode Island's data hub (http://ridatahub.org/datastories/).

A second deontological perspective on the ethical dilemma of publicly reporting school performance comes from advocates for an open and transparent government. The Reporters Committee for the Freedom of the Press ("Reporters Committee") is an exemplar of this perspective. This organization provides legal representation to members of the press with the mission to, "protect the right to gather and distribute news…and to preserve the principles of free speech and unfettered press, as guaranteed by the First Amendment of the U.S. Constitution" (Reporters Committee on the Freedom of the Press, n.d.). The organization recommends that reporters operate within their own code of professional ethics (Reporters Committee on the Freedom of the Press, 2012), but also asserts that government has an absolute duty to operate transparently. Because they value fairness and accuracy, many education data

professionals feel uneasy when they are put in the position of completing a Freedom of Information Act request for data that are incomplete or erroneous. Those who adopt the ethical perspective supported by the Reporters Committee believe this action simply fulfills an ethical duty. Their belief, grounded in deontological ethical reasoning, is that reporters have a right to obtain and write about data the government has gathered, even when the data are erroneous.

It is important to note that many advocates for government transparency do not adopt the absolutist deontological perspective of the Reporters Committee. They recognize the limitations of government data, but they value the positive benefits that transparency can have for improving results by informing the public. The non-profit organization greatschools.org, for example, works to provide easy access to public school performance for parents so that they can make better educational choices for their children. The ethical beliefs of advocates like these are not grounded in deontological ethical reasoning, but consequentialist thinking, the subject of the next section of this article.

Consequentialist Framework Defined

By applying the consequentialist ethical framework, data experts can understand the ethical tensions inherent in the public reporting of school performance quite differently. Rather than seeking an external code of ethics like the *The Forum Guide to Data Ethics* (2010), an ethicist from a consequentialist background would guide data experts to act ethically by considering the outcome, or consequences, of their actions. From this perspective, data should be publicly reported not when an external ethical standard requires it, but rather when reporting data is the action with the most beneficial outcome. Put another way, the ethical choice is the one that maximizes benefits, or utility, for the most people. Act-utilitarian reasoning is the form of consequentialist thinking underlying the analysis at hand. Act-utilitarianism holds, in addition to the views just described, that, "happiness, pleasure, well-being, utility or some combination of these are the only factors that…make for the goodness of consequences" (Slote, 2001, p.1). This form of ethics distinguishes itself from other forms of consequentialism by ignoring such possible goods as unappreciated beauty, the fairness of the distribution of positive and negative consequences, and the possession of truth or honor (Slote, 2001).

The theory of act-utilitarianism has evolved into its current form over several centuries, and it has ancient roots in multiple ethical traditions (Lyons, 2001). Jeremy Bentham published the first thorough description of a utilitarian ethical system in 1789. In Bentham's (1961) formulation of the theory, he posits, "Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. It is for them alone to point out what we ought to do" (p. 17). On this foundation, Bentham builds his principle of utility which, "approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question" (p. 17). Shifting his focus from the individual to the community, Bentham postulates, "The community is a fictitious *body*, composed of the individual persons who are its…*members*. The interest of the community then is…the sum of the interests of the several members who compose it" (p. 18). He goes on to suggest that an action of government, being merely a special type of act, may be considered ethical when, "the tendency which it has to augment the happiness of the community is greater than any which it has to diminish it" (p. 18). His work proceeds to describe in detail a utilitarian ethic and its application to public policy and government administration.

Many other authors have written about and offered refinements to the utilitarian ethical framework since the publication of Bentham's work. A few of the more significant contributors include John Stuart Mill (1961), Henry Sidgwick (2011), and G.E. Moore (1907). Smart (1973) has synthesized the areas of agreement and divergence among these and other utilitarian thinkers and introduced the following definition of the framework: "[Act-utilitarianism is] a system of ethics which is free from traditional and theological associations…Act-utilitarianism is the view that the rightness or wrongness of an action depends only on the total goodness or badness of its consequences, i.e., on the effect of the action on the welfare of all human beings (or perhaps all sentient beings)" (p. 4).

Smart differentiates the act-utilitarian system of ethics from rule-utilitarian systems which guide ethical decision making not by the outcome of actions but by rules based on the probability of outcomes.

Smart also describes a key discriminator among act-utilitarian thinkers related to the evaluation of consequences: the hedonistic variant (Bentham, 1961) evaluates consequences entirely on the intensity and duration of pleasure; the non-hedonistic variant (Mill, 1961) also considers in the evaluation of consequences the nature of the pleasure (e.g., pleasure in creativity over sadistic pleasure). Finally, Smart notes, "Another type of ultimate disagreement between utilitarians, whether hedonisitic or ideal, can arise over whether we should try to maximize the *average* happiness of a human being…or whether we should try to maximize the *total* happiness" (p. 27).

Consequentialist Framework Applied

This long period of development in the field of philosophy has created an ethical system that is very useful in the fields of public policy and educational leadership. According to David Lyons (2001), the utilitarian tradition, "has frequently served as the ideological basis for political, economic, and social reforms" (p. 1). This history makes consequentialist ethics generally, and act-utilitarianism specifically, particularly worthy of consideration in matters of public policy related to reporting on school performance.

Several of the ethical arguments outlined in the background sections of this article conform to an act-utilitarian ethic. For example, the argument that overemphasis on public reporting and accountability may lead schools to focus too heavily on the subjects included on accountability assessments is grounded in a utilitarian perspective. Proponents of this argument believe that reducing the emphasis on public reporting and accountability will ultimately have the greatest utility for students. Similarly, Diane Ravitch's perspective on the issue of school performance reporting is also grounded in utilitarian ethics. She argues that policies requiring performance reporting and school accountability have not benefited students because they are putting the onus for change on the wrong people. She suggests that modifying the methodology for reporting on school performance and the consequences of this reporting for schools and teachers would lead to the best outcome for students. Jeanne Theoharis' perspective on reducing the harm to students from testing that is damaging to their self-esteem is also grounded in this utilitarian tradition of maximizing utility.

Each of these individuals values results for students over a deontological ethical standard like government transparency or legal compliance, even though they have not specifically described their thinking in utilitarian terms. Implicitly, each author has employed cost-benefit analysis, a form of decision support familiar to most policy analysts. Decisions related to school performance reporting do not lend themselves easily to formal, econometric cost-benefit analysis. However, Table 2 below summarizes some of the possible benefits and costs that data professionals may consider when ethical dilemmas about public reporting of school performance arise. This framework is a useful exercise for making decisions related to performance reporting as it may provide additional insight beyond that revealed through application of tools like the Forum Guide described previously.

Table 2
Costs & Benefits of Public Reporting of Education Data

Costs	Benefits
--Incentivize neglect of subjects and learning activities that don't contribute directly to measureable performance (e.g., art, social studies, health) --Place emphasis on the role of the individual in getting better results while neglecting larger social responsibility to provide adequate resources --Degrade self-image of students held accountable without adequate support --Create potentially difficult working conditions for educators and corrode professional community --Create an incentive structure aligned only to academic outcomes, to the exclusion of building curiosity, love of learning, social skills, or emotional intelligence	--Provide parents and community members 'consumer information' to make choices about where to live and what schools to choose --Provide parents and community members information to advocate for resources or changes to school operations --Empower parents and community members with information to fully engage as well-informed partners in school improvement --Create accountability for actions of public employees --Foster democratic process by increasing openness and transparency

The categories in Table 2 demonstrate what benefits and costs exist. It may seem a logical next step to quantify and aggregate them to support decision making. In fact, this type of analysis is highly valued in rational-bureaucratic organizations like state departments of education and school districts.   However, even the earliest studies of these types of organizations (Weber, 1946) note the limits and pitfalls of such highly rational decision-making. It is critical for education data professionals to understand that the value of each of these costs and benefits likely varies depending on what role in the educational system the evaluator of the costs and benefits plays. The bureaucratically valued benefit maximizing decision may not appear to maximize benefits from all perspectives.

Ralph Ellis (1998) has addressed this shortcoming in his work on ethics and public policy analysis. He notes several technical problems with the approach. He writes, "some approaches to policy analysis…give the initial impression of a completely empirical and mathematical discipline whose purpose is to determine more efficient means toward certain social goals" (p. 3). However, he suggests, "extremely quantitative approaches…often ignore…the ways in which science may lend itself to ideologically- and value-driven interpretations which pass themselves off to the public as 'objective facts'" (p. 4). An example of this phenomenon is the use of school performance data to select schools for closure or extreme intervention like replacing the leaders and staff. To many stakeholders, it may seem like an objective fact that schools with the lowest percent of students meeting academic standards are the *worst* schools, especially when the data are reported by experts in positions of power. Yet, this conclusion is laden with value judgments, including the belief that academic proficiency in reading and math is the primary goal of schooling, that the quality of education in a school is measurable by reading and math proficiency alone, and that student academic proficiency rather than student academic growth is the best measure of academic outcomes.

Ellis also points out that even with the best evidence it is often difficult to know which among a set of possible actions provides the greatest benefit. This difficulty, he suggests, is caused not only by methodological issues but also by differences in values and priorities among stakeholders. Ellis sums up the objective of his work when he writes, "the goal…is to make utility, justice, and procedural legitimacy commensurable with each other in a coherent and practically accessible way" (p. 5). His book *Just Results* is very useful for practitioners who seek a form of decision analysis that address the limitations of traditional cost-benefit analysis grounded in act-utilitarianism.

Case Study: Publicly Reporting Results From the Illinois Survey of Learning Conditions

The foregoing analysis covers a wide field of education policy and ethical issues. A concrete example may guide data professionals in determining how to apply this analysis to their own practice settings. The case study below provides such an example; it is based on my own experience in the field.

In 2013, i was responsible for leading a team of education data professionals at the Illinois state board of education in summarizing and reporting the results of a survey administered to students and teachers about their schools. A recently enacted state law had required development, administration, and public reporting on a survey of learning conditions. Consequently, we procured and administered a survey through which we collected data from more than 70 percent of both students and teachers across the state. As principals and superintendents reviewed our preliminary data, they were interested in the responses students and teachers gave to the questions we asked. However, they also raised concerns about publicly reporting the statistical measures built from those questions, even though—from a purely statistical perspective—the calculation of the measures was sound.

For my team of education data professionals, these events created an ethical dilemma. We felt obligated to report data that had been collected and analyzed with public funds using a survey that had already proven to be a powerful tool for school improvement in several school districts. We also felt obligated to respect the professional opinions of the educators who advocated for suppressing the statistical measures because, in their judgment, the release would have a negative impact on school communities and student outcomes.

We ultimately decided—within the bounds of the state law—to report only the raw data from the survey for the first year of administration, leaving reporting of the statistical measures for the following year. We worried that this would make it more difficult for the average citizen to interpret the survey results. However, we believed the decision was ultimately in the best interest of students. By taking the additional year, we reasoned that we could take the time needed to build understanding of and acceptance for the survey tool. We planned to spend the year conducting additional research on the survey's items and its use in school districts and working closely with superintendents and principals to address the concerns they had raised. We hypothesized that these steps would, in turn, increase the likelihood that school communities would use the data to identify and act on areas for improvement. In an interview with the Chicago tribune, I stated, "we want to have the same level of confidence in these data as we do in other data [we already report]. We have

decided to proceed with caution." In an editorial, the Chicago tribune (2013, Oct. 21) responded to the state board of education's decision by writing, "come on. We all paid for this information. Don't hide it. Share it." In this case, my team at the state board of education made an ethical decision based on a utilitarian analysis, and the tribune editors disagreed from a deontological basis.

In the year that followed, we hired an external evaluator to collect and report district perspectives on the use of the data for improving schools. Our evaluator, the Illinois Education Research Council, analyzed data from surveys of principals and superintendents about their perception of our survey of learning conditions and their use of the data. The evaluator also conducted case study interviews with superintendents, principals and teachers in 15 school districts across the state. The report issued by the evaluator highlighted the need to build trust in these data through both changes to the administration and training of school personnel (Klostermann et al, 2014). The report also highlighted promising practices undertaken by some of the school districts interviewed. One district, for example, used the data to identify weaknesses in transitioning students into their freshman year of high school. As a result of their analysis of the data, district staff implemented a successful transition program for their students.

During that year, we also convened groups of teachers, superintendents and principals to engage in conversation about their concerns with the survey. We designed and implemented focus groups to review survey items. We worked to refine details of our implementation, and we attempted to build broader understanding of the survey's technical underpinnings. These actions allowed us to address several of the concerns raised by school and district personnel before the results of our external evaluation became available.

During the same period, principal and superintendent associations stepped forward to amend the legislation mandating the administration of the survey. These associations were successful in passing a law that would allow school districts the option of selecting an alternative to the state-supported survey. This solution will not allow full comparability of data between school districts. However, it is a solution that all stakeholders are working together to implement and one that will allow all districts to benefit from the project's primary purpose: data for school improvement.

As of this writing, the work to ensure Illinois' survey of learning conditions generates data that school and district leaders trust is still ongoing. Nonetheless, this case study demonstrates that there is much to be gained when stakeholders who disagree engage in continuous and sometimes difficult dialogue. Through this dialogue, solutions were generated that would not have been possible had the state simply moved forward with its initial reporting plan.

Implications for Professional Practice

In this article, I have outlined a variety of ethical perspectives on the public reporting of school performance data. To achieve professional success and deliver project results, education data professionals must learn to navigate an environment where these perspectives co-exist and sometimes collide. Grounded in the analysis presented in this article and my professional experience, the following tips are intended to assist education data professionals in navigating this complex issue.

1. The history of public reporting of education data is long and complex. Education data professionals, despite their best intentions, often do not have the luxury of working in an environment where stakeholders have a positive opinion about data, public reporting or accountability. Data professionals who ignore this history likely do so to their own detriment.

2. The *Forum Guide to Data Ethics* (2010) is a useful professional ethics resource for education data professionals. From a deontological perspective, the Forum Guide provides a framework for right and wrong based on the guidance of leaders in the field. Although this guidance is helpful, it is important to realize that aligning one's decision making with this guide will not necessarily lead to ethical decisions with which all stakeholders can agree.

3. Many in the United States place a high value on government transparency and accountability. This value may express itself through both deontological and utilitarian forms. In most situations, there will likely be some stakeholders who believe data should be made transparent based on this value system. In some cases this belief will be absolute and without regard to consequences.

4. Ethical decision making about public data reporting with an eye toward maximizing benefits for stakeholders can be effective. Cost-benefit analysis is a helpful tool for this analysis, but education data professionals also need to consider the relationship between utilitarianism and distributive justice. They also must be aware that different stakeholders may value various costs and benefits differently.

5. No Child Left Behind accountability has been largely ineffective and has left scars on our education system, our students and our educators. Examples of these scars are described in the work of Diane Ravitch, Jennifer McMurrer and Jeanne Theoharis. Education data professionals can be most effective when they develop an understanding of this situation and its impact on the education data field.

6. Given the variety of ethical perspectives on the public reporting of data, education data professionals would be well served to make their decisions informed by continuous and respectful conversation with a variety of stakeholders. Avoiding disagreement is likely not possible in this work, but working effectively through these disagreements can often be achieved through ongoing dialogue. These conversations may at times be difficult. Identifying the values and ethical framework underlying a particular stakeholder's perspective and analyzing the ethical basis for one's own beliefs may make these conversations easier.

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